Interview: David Fairey (DF)
Interviewer: Dan Keeton (DK)
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Transcription: Jane Player

DK [00:00:05] David, how did you get involved with the labour movement? Does that have anything to do with your background or your personal background?

DF [00:00:14] I first got involved in the labour movement in Toronto. I started an apprenticeship as a wood pattern maker, out of high school. I started a job, with—it was called Hamilton Gear and Machine Company—but it was in Toronto. It was a medium-sized, heavy machinery manufacturing facility, and I was hired on as an apprentice in the pattern making shop. Within a year, there were some really strong union activists in the plant, and they roped me down into the local union meetings. Within a year, I was recording secretary of the local union, and remained active. It was Local 28 of the International Molders and Allied Workers Union, which actually was one of the first international unions to come to Canada, and Local 28 was one of the first, I think, locals of that union in Toronto. So, yeah, I became recording secretary of the local union, was very active in the local, was the union's delegate to the Toronto and District Labour Council. Eventually I became chair of the municipal affairs committee of the Toronto and District Labour Council and went to conventions of the Ontario Federation of Labour, international union conventions, and was editor of the local union newspaper, and remained there for the duration of my apprenticeship. I had a bit of a struggle over my apprenticeship. I hadn't been properly registered with the provincial government so that I would get a certificate at the end. I had to advocate for myself with the Ministry of Labour to be registered as an apprentice, and so eventually—which extended my apprenticeship by a year—so, I essentially served maybe a six year apprenticeship, which normally would have been four or five years, right.

DK [00:02:29] Four or five years?

DF [00:02:30] Yeah.

DK [00:02:30] If you don't mind what does a pattern maker do or what did they do? It sounds something that might be out of—

DF [00:02:38] Out of the past for sure. (laughter) Yeah. No, it's probably a dead trade. There is, I think in Vancouver still a pattern making shop, right, but what pattern makers do is transform a drawing, a drafting of a piece of machinery that has to be cast in either cast iron, steel, copper, aluminum or whatever material a casting is going to be made of. The pattern maker takes the drawing and constructs a wooden pattern of it, and then that pattern is used in the foundry industry. Next door to our plant was a—it was the Hepburn Iron Foundry. Then the pattern is used; it's immersed in sand. Then they take the pattern out of the sand, close the mold, pour the metal into the mold. So, you're making a model of whatever is going to be cast. And so that, what's wood pattern making.

DK [00:03:44] Yeah. That sounds like something that developed definitely through a couple of millennia. Right?

DF [00:03:49] Oh, for sure.

DK [00:03:50] And ever since humans started to do work with metal. Yeah.

DF [00:03:54] Yeah.

DK [00:03:55] It's fascinating. So, you got involved in the trade union. Lots of people go into work and don't get involved in trade unions. Was there anything in your sort of childhood or rearing that would have, you know, put you in that direction?

DF [00:04:11] No, my dad was—my dad, had—I don't think my dad was—he may have been a member of a union in the U.K., but I don't recall him—there was no talk at home about the unions, so this was my first exposure to unions. I think the sense of social justice that was in the background in my family, you know, a sense of paying people what they're worth, that kind of thing. My dad had his own struggles of not being recognized for this craftsperson that he was, right. That had an impact on me. I think he felt injustice in his workplace, not being recognized for the skills he had. He was a skilled carpenter and cabinetmaker. I think that's what attracted me to the union movement. Yeah.

DK [00:05:05] Right on.

DF [00:05:06] Yeah.

DK [00:05:07] Right on. So, it's the working class experience?

DF [00:05:10] Yeah. No, the working class family, for sure. Yeah. My mum had worked. My mum had worked from the age of 14. She left school at 14 in England, was in, you know, service, personal service, right. I don't know if you've seen the movies "Upstairs, Downstairs".

DK [00:05:29] That kind of thing.

DF [00:05:30] Yeah, my mum was downstairs, right. In a big house. Yeah.

DK [00:05:35] Yeah. But, you know, the folks who lived in the basement...

DF [00:05:38] Yeah. No, she said that when she saw those, that series, said it was just the way it was, right? You know, it's just a class. It's class distinction. Then she went and worked in the furniture factory in England, in Newbury, where I grew up, making furniture and, that's where I think she met my dad. My dad was in charge of the furniture manufacturing in a furniture manufacturing plant.

DK [00:06:06] Right.

DF [00:06:08] Then she worked during the war and after the war. She did homework. She did sewing at home, and she worked as a drill press operator in an aircraft factory as well. So. Yeah.

DK [00:06:25] That's unusual, isn't it, for a woman at that time? Or was it coming at the war?

DF [00:06:29] Just after the war. Yeah, the shortage of labour.

DK [00:06:32] Rosie the Riveter. [unclear] style.

DF [00:06:34] Yeah, sure.

DK [00:06:38] Right on. Okay. So, you're involved in the union you're a pattern maker in Toronto. What happens after that?

DF [00:06:45] Well, then, how can I characterize it? I guess because of—because of my politics, disagreements I had with the local union executive, I left that job, I left Hamilton Gear, and I went to work in a couple of non-union plants, helping to organize. I had had some organizing experience, and my local union had learned from an Italian, we had a lot of Italian members in Toronto with a big Italian, as you might recall, big Italian immigrant community in Toronto, very militant workers. And did a lot of volunteer organizing in my spare time, with an Italian, you know, a militant Italian worker who was an excellent speaker. Right. I don't know if you remember the Hogg's Hollow disaster in Toronto?

DK [00:07:49] I don't. What was that about?

DF [00:07:51] Yeah, there was a big cave in on a construction site, and workers, Italian construction workers, were killed. He had been part of a big movement to have the safety standards improved around construction sites, particularly in excavations. Anyway, I learned from him, went to the Italian families, and I learned the skills of organizing. We had to find the key person in the plant. (laughter) 'If Fernando has joined, I'll join.' (laughter) You know, there's always usually a key person. I mean, it's a concept of the family, right? They're very sociable, you know, we'll all be together, right? You know, if there are key people that want to join, then I'm going to join. Right? That's that was the—it was—yeah, it was fun. Anyway, I left the local. I was hoping to do some organizing in small plants. I was working at Reliable Toy in Toronto, and I had an industrial accident, and I lost the tips of my fingers in machinery and was off work on compensation for about six months. During that period, you know, I had been on the bargaining committee of my plant for a number of years, had felt that I would like to get more education about economics, particularly. I was interested in economics, labour economics. My wife persuaded me, 'Maybe you should go back to school.' I went back to—I went to York University as a mature student and spent four years there and obtained an honorary bachelor's degree in labour economics and public finance.

DK [00:09:49] You actually taught that course.

DF [00:09:50] Yeah. Labour economics. Yeah. Then, after that, I applied to a couple of universities to do my master's and was accepted at Queen's University and UBC [University of British Columbia]. I had the sense that UBC had a much stronger labour economics program than Queen's. So, my wife and I—I was now married, and we had a small son—and we came out to UBC, and I did my master's degree at UBC in labour economics and public finance. Then, so when I finished that degree, I was offered two jobs. One was Statistics Canada in Ottawa and the Trade Union Research Bureau here in Vancouver. Although it was going to be a lot less money (laughter), it was going to, it was going to take me back into the labour movement, which I wanted to do.

DK [00:11:05] Right.

DF [00:11:07] I went to university because I wanted to get back into the labour movement, but with some education and training and some skills which I thought I lacked.

DK [00:11:16] Right.

DF [00:11:17] Yeah. So, in 1973, I hired on as a researcher with the Trade Union Research Bureau.

DK [00:11:29] What did the Trade Union Research Bureau do?

DF [00:11:32] Trade Union Research Bureau had existed since 1937. It was probably—it was rather a unique organization, kind of a nonprofit, research institute that provided research services to unions, particularly in the West Coast here. There weren't any unions at that time that had any research capacity.

DK [00:12:03] Right.

DF [00:12:05] You know, most of them are independent unions, smaller independent unions. The Trade Union Research Bureau started out as the Pacific Coast branch of the Pacific Coast Labor Bureau. The Pacific Coast Labor Bureau was formed in the 1920s during the CIO [Congress of Industrial Organizations]—the growth of the CIO, particularly, on the West Coast in the long shoring industry.

DK [00:12:28] Congress of Industrial Organizations.

DF [00:12:30] That's right. Yeah.

DK [00:12:31] Before they merged with the American Federation of Labor.

DF [00:12:34] Yeah. Some researchers, you had a fellow by the name of Melnikow formed the Pacific Coast Labor Bureau in San Francisco. Eventually over the next 15, 20 years had branch offices all over the United States, in Seattle, Portland, New York, and provided research and advocacy and publicity services for about 500 different unions all over the U.S. Then they eventually changed their name to the National Labor Bureau, and so in 1937 they established a branch in Vancouver. This is the time when the longshore unions or the waterfront unions are very active in B.C. Right. So, it kind of followed the longshore—

DK [00:13:36] The old Ballantyne Pier era.

DF [00:13:37] That's right. Then it continued to be a branch of the National Labor Bureau until 1945, when it was—the Canadian folks that were running the office decided that they wanted to establish an independent agency or organization, and so they bought the Vancouver branch for $500 and changed the name to Trade Union Research Bureau. Emil Bjarnason and Bert Marcuse, and who was a statistician—Emil Bjarnason had been working during the war for the Mobilization Board of the Federal Ministry of Labour. I guess when he got discharged from that they bought out the National Labor Bureau and it became the Trade Union Research Bureau. The main unions that—the bureau became essentially the research departments of all of the big, West Coast, resource industries, the IWA [International Woodworkers of America] for example, the Longshore later, Marine Workers and Boilermakers [Industrial Union] , the Mine Mill and Smelter Workers Union [International Union of Mine Mill and Smelter Workers]. Yeah. So those were—the records show that like 40 percent of the revenue of the bureau was from the IWA at that time. Yeah, essentially the research department of those big resource-based unions and the

Fishermen's Union [United Fishermen and Allied Workers' Union], doing research, for the Fishermen's Union. So that was, that was the role it played.

DK [00:15:47] So, it wasn't like a career that you make a lot of money in—

DF [00:15:52] No. (laughter)

DK [00:15:54] Yeah, especially, you know, when it comes to things like the Fishermen's Union, they didn't have a whole pile of resources anyway.

DF [00:16:00] No, it was making a living, doing what you like to do. Right.

DK [00:16:04] Right on. How long did you do that?

DF [00:16:08] Well, I did that for—I worked for the Bureau for 40 years, and I took over as director in 1989, when Emil Bjarnason retired.

DK [00:16:19] Right.

DF [00:16:20] He had been with the Bureau for 44 years, right, and I took over, but from 1973 to—we closed the bureau in 2012. In that period, during the fifties was a hard time because there was a lot of divisions between left wing unions and in the other unions, right—and particularly the IWA. I'm sure you're familiar with the, the big divisions that were occurring between some of the old CIO unions, and the AFL [American Federation of Labor] unions and so the Bureau lost a lot of business because of those divisions. It was hard times.

DK [00:17:11] It was the Red Scare times.

DF [00:17:12] The Red Scare, all that kind of stuff. Eventually, the Bureau's clientele, if you could say clientele, kind of shifted to the public sector unions. We continued to—I continued to be kind of the research go-to guy for the Longshore and for the Fisherman's Union, during its heyday. Marine Workers and Boilermakers continued to be big clients of ours. The Grain Workers Union. I did a lot of work for them. Collective bargaining research, wages and benefit surveys. We did costing of collective agreements for many years. I costed out the collective agreements for the Longshore Union and other unions, and then what would the cost to for improved benefits and wages be. What would, you know, what would the cost be to the employer.

DK [00:18:13] Right.

DF [00:18:14] So those kinds of organizational studies. Did organizational studies all the way across country. I did an organizational study for the big local of the Amalgamated Transit Union in Toronto, for the Saskatchewan Government [and General] Employees' Union, for the Alberta nurses union [United Nurses of Alberta] and for the Hospital Employees' Union. That is, you know, interviewed people within their organization to determine how better they might organize themselves and what kind of staffing they needed, for example.

DK [00:18:57] That's fairly heavy responsibility in many ways.

DF [00:19:01] Yeah, sure. Only. Yeah. Provided you made recommendations that they could accept. (laughter)

DK [00:19:13] Did you face some rejection sometimes?

DF [00:19:15] Not really. I was pretty well received. I'm a good listener. I listen well, and one of the specialties that I developed during my, during the course of working at the Bureau, specialization in compensation and classification systems analysis—right—and development. I became a bit of an expert in the field of job classification, job evaluation, that kind of work, which most unions didn't have any expertise in—and still don't. I'm still asked to go and help.

DK [00:19:58] You're doing some consulting work now, right?

DF [00:20:01] Well, I actually, I do some—I'm still doing consulting work for the Amalgamated Transit Union in Toronto. I've been doing that for 30 years, maybe, and also for a couple of the big locals of the Canadian Union of Public Employees. I do that,. I put on schools for them. Teach the skills training for job analysis and job evaluation. I'm actually a casual staff member of the Health Sciences Association.

DK [00:20:35] Something we share. (laughter)

DF [00:20:38] Yeah. So, on a part time, casual basis, I've been working on a project for the Health Sciences Association to develop a redesign of their classification system, which covers about 16,000 paramedical professionals around the province.

DK [00:20:57] I know. (laughter)

DF [00:21:01] Yeah. So, still doing that.

DK [00:21:04] Right on. I imagine in the job too you would sort of be sensitive to political winds and things like that.

DF [00:21:13] Yeah. There are some unions that I have worked for that I disagree with. You know, in terms of their strategy and direction. But my primary interest is in doing what I think is best for the workers and, you know, I had no political interest. I had no political desire to be in any leadership position at any time. I wanted to share my knowledge and skills to the benefit of workers. So, even though I might be hired by a union that I didn't agree with politically, I was recognized, I think was recognized for my knowledge and skill and ability and the expertise I had.

DK [00:22:06] Right on.

DF [00:22:07] I was often called as an expert witness, for example, in arbitration hearings. I also developed an expertise in classification, job evaluation, arbitration as an arbitrator, presenting arbitration. I learned how to by watching others. But watching lawyers, I learned how to prepare and present arbitration cases.

DK [00:22:32] Right on. Would you do that as a government arbitrator or—

DF [00:22:37] No, I did as a union advocate, in the place of a lawyer, unions would hire me. I, for the hospital—sorry for the hospital—yeah—Hospital Employees' Union in the

1980s. They had a big issue. The Hospital Employee's Union had negotiated an important contract whereby they wanted to achieve to achieve three primary goals. One is that the Hospital Employees' Union didn't have a uniform wage schedule for all of its various hospitals around the province. It had a provincial agreement, but it didn't have a common wage schedule, so they wanted to develop a uniform wage schedule. They wanted to have parity with provincial government employees for comparable work, particularly in the clerical area. Because Hospital Employees', it represents all of the clerical, administrative support staff in hospitals. They want to achieve pay equity because in the hospitals there was a different rate of pay for female cleaners compared to male cleaners.

DK [00:23:50] I remember that well, personally.

DF [00:23:52] Yeah, sure. That whole issue, those issues came to a head and had to be arbitrated, and so I presented the union's case, on those issues. I think it was one of the longest arbitration cases in B.C. labour history. It took 80 days of hearings. To deal with, you know—

DK [00:24:19] What was that? Sort of roughly, when did that take place?

DF [00:24:24] In the late 1980s. Early 1990s. Yeah.

DK [00:24:30] Yeah. Well, good to know that. Just because. Yeah. Takes awhile.

DF [00:24:35] Yeah. It was a really important case. Very important case. Particularly around pay equity and comparability.

DK [00:24:48] I know that the Trade Union Research Bureau in later years started doing things like providing services to set up computers and offices and things like that.

DF [00:24:58] Yeah. One of the things that we did in, I guess, probably around when, perhaps in the early 1970s, just before I joined. We were one of the first labour organizations to purchase a computer. We started off by computerizing the Fishermen's Union membership records. We computerized the member records, I think, for the Marine Workers and Boilermakers Union, and we also computerized then the administration of three or four pension plans, the Marine Workers and Boilermakers pension plan, the Pulp, Paper and Woodworkers pension plan. The retail—the UFCW [United Food and Commercial Workers], what is now the UFCW pension plan, provincial pension plan and the Longshore pension plan. But mostly those three unions, we set up the computerized administration of pension plan records and offered those services.

DK [00:26:22] Now, when you left, I believe the Trade Union Research Bureau basically folded up its tents, right? Why was that? Well, what had happened that made them kind of not as relevant, I guess, anymore?

DF [00:26:38] I guess, probably because most of the unions that we had been servicing in terms of research became bigger and hired their own research staff.

DK [00:26:55] Well, that's certainly the public sector especially—

DF [00:26:58] All the public sector unions, you know, by the 1990s had their own research departments, right. You know, up until that period, the West Coast had been pretty much isolated from the East Coast where all the research was being—where all the research

was happening, where they had research—but, ultimately, like, CUPE [Canadian Union of Public Employees] set up its own research department. HEU hired researchers. So, yes, the big public sector unions that became our biggest clients. I worked for every union in health care, for example, nurses, HEU, operating engineers had members in the—power engineers in the hospitals. Yeah, they all had, the most of them had developed research departments so there was a diminishing demand for our services to do the things that we, the things that we had specialized in. Also, you know, in the 19, I guess the 19—the early 2000s unions became much more on the defensive. Unions were not pushing ahead with significant new benefits. There has not been a major breakthrough in the labour movement in terms of improved benefits for a long time, and so the modus operandi of most union has been defensive to hold on to what they had.

DK [00:28:45] Yeah. Because, of course, the big push on, during the worst of, what we'll call it neoliberal years, that was to take away benefits, to change the nature of pension plans so they wind up paying less when people are retired and all that. That's kind of maybe being reversed now, again, back towards—

DF [00:29:07] Yeah. Possibly. Yeah. But with the exception, you know, so there wasn't the demand for bargaining research, for example, research services in the preparation of bargaining demands. Doing surveys. And of course, you had the emergence of, particularly in the public sector, in the health sector, of industry wide collective bargaining, right. Multi union bargaining.

DK [00:29:41] Right.

DF [00:29:42] Sectoral bargaining. Which meant that then, there's all kinds of research capacity in those unions to do the kind of work that we used to be doing.

DK [00:29:54] Right on. Yeah.

DF [00:29:57] And so, our focus became much more around compensation, classification and job evaluation and some computer services. The other thing was, is that we hired and trained a lot of people who moved on to better paying jobs. (laughter)

DK [00:30:22] Well, you know, I was going to sort of bring that up because over the years I know the Trade Union Research Bureau had noted academics working for them. And things like that.

DF [00:30:34] Yeah. I mean, you know, Fred Wilson, for example, who ended up, being assistant to the president of Unifor, for example. Tania Jarzebiak, who ended up being assistant to the president of CUPE. National of CUPE. All got their got their start at the Trade Union Research Bureau.

DK [00:31:02] Great.

DF [00:31:03] So, and, Seth Klein, for example, Seth Klein, before he formed the BC branch of the Canadian Centre for Policy Alternatives [CCPA] was a—well, worked for us. Yeah, so, I mean, the other things that I did was I was one of the founders of the CCPA in Vancouver, and I've been a research associate of CCPA since its founding, like 25 years ago. Almost. Yeah.

DK [00:31:41] The formation or certainly the expansion of the CCPA into B.C., just, I guess the general emergence of an organization like that has certainly been of some benefit to the labour movement, and they tend to get quoted more than. You know, their labour gets its message across, maybe more labor and other organizations do something like that.

DF [00:32:11] Sure. And actually, the formation of the CCPA and its credibility had an impact on our research as well.

DK [00:32:18] Right.

DF [00:32:18] Stuff that the CCPA now does—policy research, for example, policy research around employment standards, policy research, around housing, for example—it's stuff that we would have done prior to the formation of the CCPA. Did a lot of work for the Labour Council, for example. I was an advisor to Syd Thompson, who was a president of the Vancouver and District Labour Council.

DK [00:32:49] One well remembers Syd, the voice that filled the room.

DF [00:32:55] Boomer. (laughter) Yeah. But, Syd, during the NDP years was appointed to the Commission to Investigate Property Taxation, for example. Syd knew nothing about public finance or and so, so, he relied on me to, you know, read all of them, all of the submissions that came in from different, interested parties and to advise him on what's helpful, what's useful, what makes sense, right? That kind of thing. Yeah. We produced a lot of material for research reports and publicity stuff around campaigns—around, for example, Bruce Yorke—Bruce Yorke, who ended up being a city councillor in Vancouver. Bruce had been one of our research—when I joined the Bureau, Bruce was on staff and was very active in the tenants rights movement, for example, and did a lot of work around tenants rights. Yeah. So, you know, we got involved in a lot of those kinds of issues. Bruce led the campaign against the Columbia River treaty, for example, you might remember—very involved in that. Bruce had a lot of skills and abilities that he lended to — I mean, some of the work we did was, you know, some of it was paying work, but some of it was volunteer work.

DK [00:34:29] Right. Often it was hard to tell which was which.

DF [00:34:32] (laughter) That's right. Yeah.

DK [00:34:35] Yeah. Right. Yeah. You, I know have continued on, post Bureau, to do things like employment standards work, I believe.

DF [00:34:50] Yeah. From, I guess from the period of the NDP—I forget who was premier at the time—I guess in '94, '96. There was a review of the Employment Standards Act. Moe Sahota was Minister of Labour at the time and appointed Mark Thompson as an independent commissioner to review the Employment Standards Act. I assisted a number of organizations to make submissions to him on improvements to employment standards. Particularly, I remember the [West Coast] Domestic Workers' Association committee for domestic workers, helped them with their submissions. There was also, at the time the whole issue of sectoral bargaining, whether or not there should be sectoral bargaining, which was a labour code issue, but—

DK [00:35:53] Right.

DF [00:35:53] Yeah. I retained an interest in employment standards issues and continued into—particularly, you'll recall that when the Liberals got re-elected in 2001, one of the first things they did was to strip the Employment Standards Act of many of the benefits. I had been retained by the BC Federation of Labour to make a submission around—because just before they stripped the act, they had kind of a bit of a review of the act and invited submissions.

DK [00:36:41] The Liberal government?

DF [00:36:43] The Liberals before they actually took the axe, they pretended to do kind of a consultation, and so the Federation of Labour asked me to put together a submission. And this was all around the whole issue of employers were clamoring for flexibility, right? They wanted flexibility in employment law and labour relations, and this is the neoliberal era of calling for greater flexibility with less regulation. So, I had made a submission on behalf, written a submission for the Federation of Labour and then, of course, subsequently, they ripped up, kind of the Employment Standards Act and, subsequent to that, the CCPA got some funding, some SSHRC [Social Sciences and Humanities Research Council] funding, to look at the economic and social impacts of the Liberal government's changes. They not only made significant changes to, employment and labour laws, but they also made changes to welfare policies. You know, there was a whole spectrum of issues. So CCPA got funding for a five-year research project and the Bureau undertook to do an inventory of what changes had been made to the Employment Standards Act and affecting farm—we did—so, I co-published or co-wrote a number of publications out of the CCPA, which looked at the impact of what the Liberals had done to employment standards, documenting the impact of the changes.

DK [00:38:33] I remember one of the key things of the Liberal legislation at the time was to give people self-help kits or something like that.

DF [00:38:40] That's right. Yeah. They said that before you can file a complaint, you had to go to your employer and say, I've got a problem. (laughter)

DK [00:38:50] Yeah. That makes sense.

DF [00:38:53] Sure. Yeah. I've just been fired. You go to your employer to see if you can—anyway, yeah, so there was the whole self-help thing. Anyway, so that that led eventually in 2011, in collaboration, the Bureau in collaboration with the CCPA formed the BC Employment Standards Coalition, which I became co-chair of, right, and I'm still co-chair of that coalition. It brings together, and not only unions, but also advocacy organizations, such as around migrant worker rights, and other, non-union advocates. And where we have been campaigning, and doing research around the need for changes to the Employment Standards Act.

DK [00:39:44] Right. So, some of this, of course, being under NDP administration. So, yeah, has the Employment Standards Act improved greatly since the, since its initial, decimation? I guess—

DF [00:40:00] Yeah. I mean, there have been some changes. They did away with the self-help kit, which was a big one. They have not restored a lot of things, such as there's a whole raft of exclusions from the act, for example, farmworkers in particular are excluded from the hours of work and overtime, statutory holidays with pay. Farmworkers and harvesters still don't receive a minimum hourly wage. They only receive—it's all piecework;

they have minimum piece rates. That's been a big issue I've been particularly felt strongly about. I've worked on that and done research around that. Have met with the Minister of Labour many times. I'm a thorn in the side of the Minister of Labour. I push him for stuff. We need improvements to the termination provisions of the act. Termination is not appealable. Termination without cause is not something you can take up with the Employment Standards branch, and the branch doesn't have the resources. They just don't have the staff to deal with the volume of complaints they're receiving. You know, they're now receiving 8,000 complaints a year. A lot of the complaints occur only after people have left employment because people are afraid to complain during employment. They did create—we were part of the campaign for them to create legislation around the protection of temporary farmworkers. They did introduce the Temporary Foreign Workers Protection Act, and we were part of the campaign around that with, you know, others in the coalition and got some improvements, some protections for temporary foreign workers. I'm still—I'm now a volunteer board member of the Migrant Workers Centre. That does—provides legal advocacy for migrant workers. So, yeah, still involved. You know, considering that outside of the public sector, the unionization rates continue to decline in the private sector, and so the vast majority of workers out there are not—don't have any representation. So, the Employment Standards Act is becoming increasingly important to those workers to know that a minimum wage is closer to a living wage, for example. These are important social questions.

DK [00:42:52] It's interesting in some ways, it almost seems to do some of the things that trade unions were originally set up to do.

DF [00:42:59] Well, we've often said that the Employment Standards Act is the un-unionized workers collective agreement.

DK [00:43:05] Right, yeah, but its not going to replace the need to unionize.

DF [00:43:10] No, that's right. Or to have representation. Right? Absolutely.

DK [00:43:14] Yeah. Also, to jump back for a moment, in your union activities as a pattern maker did you experience much in the way of labour strife, or incidents there, arising thereof?

DF [00:43:34] Yeah, sure. Well, in Ontario, particularly in the 1960s, there was no anti-scab legislation, for example.

DK [00:43:47] Right.

DF [00:43:48] And particularly in this—in the newly-organizing smaller workplaces, aside from the big the auto industry and the big industries in Ontario. It was a struggle to unionize and to be successful in striking smaller to medium sized plants. So, during my activism days, I became associated with a militant rank and file group of Teamsters and of course, Teamsters, you know, is in the culture of the Teamsters you don't cross picket lines. So, there was a lot of attempts to build a picket line support for strikers in the small to medium-sized industries, and I was involved not only, when I was in the union, but also while I was in university. I couldn't stay away from the labour movement when I was in university. I just—because, you know, I was a mature student in university and most of the kids were playing card games in university in their spare time whereas I wanted to be back in the labour movement or involved with the labour struggles and was involved in organizing mass picketing at struck plants. And because there were so much strike

breaking going on right across the province and ex parte injunctions limiting the picketing. So, the picket line was ineffective, a small picket that was ineffective against, you know, the bussing in of scabs and strike breakers. On one occasion, there was a kind of medium-sized auto plant, that was on strike. It was then I guess it was the Auto Workers' Union, right, and at that time was a strike, of predominantly South Korean workers, very militant, very strong union people.

DK [00:46:09] Yeah.

DF [00:46:11] It's not appreciated, you know, the history of militancy among Korean workers.

DK [00:46:16] But I've certainly noted it myself from some of them that were in Korea, you know.

DF [00:46:22] Yeah, oh, in Korea for sure—

DK [00:46:24] Because as a whole, unofficial, not recognized by the government union movement there, but those people were quite militant.

DF [00:46:32] Yeah. Anyway, so this is a strike of these folks. We organized a mass picket in front of this plant. Police were there, of course, to push back the pickets and let the strikebreakers go in on a bus—they were busing them in on busses. So, this one big police officer started pushing me and sort of pushing me back and started walking all over my feet, right? And pushing me back. So, I guess I must have stood on his feet, too. Anyway, he threw me to the ground—through me to the ground and arrested me, and I was charged with assault of a police officer. The Teamsters were with me and one of the big Teamsters, when they saw the police officer throwing me on the ground (he ripped my shirt) this big Teamster, we used to call him, George the Bear Longlay. Yeah. In those days, people had nicknames. Remember? (laughter)

DF [00:47:44] That was Bear—George the Bear Longlay. He was a bear. He jumps on the cop, right, and pulls the cop off of me, right. So, he gets charged with it (laughter). Anyway, so yeah, got arrested, taken to the local jail, fingerprinted and charged and let go. On the same picket line there been a number of over a period of time, a CBC camera person had been arrested as well for obstruction, I guess, or whatever. Anyway, the Auto Workers Union hired a lawyer to defend me, and because it's a mass picket line, there are people [unclear] I needed witnesses that I hadn't deliberately assaulted this—I mean, I might have stood on his foot, right? Or something like that. Their claim was that I had lifted my foot two feet off the ground and jumped on him. (laughter) Anyway, we get to court, and the judge is—got to be known as a hanging judge from Ghana. He had a reputation in Ghana of being a hanging judge. Anyway, we had a preliminary hearing, and without hearing the evidence, he concluded that George the Bear Longlay was guilty of what he had done without having been any evidence presented. I didn't have any witnesses to as to what happened. Right. It was a melee. No one could testify as to what my conduct was. That I knew anyway. The lawyer said that well, the next, our line of attack is that there is a tradition in British common law where you can rely on character, where you can have witnesses say, you know, I'm not a violent character. I don't have a character that would lead to me to being, aggressive and assaulting a police officer. I had to line up a number of character witnesses to for my defense. .

DF [00:50:18] I was able to get—I was in university at the time—I was able to get my teacher of statistics who was an Egyptian to be a witness. He was 'Okay, yeah, I'll be a witness.' A woman by the name of Sylvia Schwarz whose family owned the Park Plaza hotel in Toronto. (laughter) I mean, aside from the fact that she was also a midget. A lovely person. But anyway, yeah, she was a friend of the family, and she's, 'Sure, I'll be coming.' And I also—I was a big brother at the time. I was a volunteer big brother with the Children's Aid Society in Toronto, a big brother to a young boy. And I worked with a social worker, so I got the social worker to be a character witness for me. The next day—the first day the hearing was adjourned, and then the next time I'm in the court, we're waiting in the waiting area for our case to go before the judge and—oh, I should say that the lawyer that the union had hired also hired a private detective investigator who had been a police officer to investigate the character of the police officer. He found out that he was not well liked in the police department— very aggressive and opportunistic—and so we had this background on the police officer himself, but that was—that didn't kind of kill the case. What happened was we were in the waiting area. My character witness are all sitting down waiting, and the police officer that arrested me start—walks past us, and he recognizes the social worker. He says, 'What are you doing here?' 'Oh,' she says, 'I'm here as a character witness for David Fairey.' 'Oh.' Within about 15, 20 minutes, the counsel for the police department can come to us and say, 'If Mr. Fairey will apologize to the police officer in front of the judge, we'll drop the charges.' It turned out that the police officer had applied to the Children's Aid Society to adopt a child, and my social worker had been the social worker that had investigated him and his wife to see if they were suitable, and she had recommended against them being adoptive parents.

DK [00:53:20] So, he really needed a character witness. (laughter)

DF [00:53:23] That's right. So, I —

DK [00:53:27] What an irony.

DF [00:53:27] Went back in front of the judge and I say, you know, kind of biting my tongue, saying, 'I'm sorry I stood on your foot.' (laughter)

DK [00:53:36] Right. Yeah.

DF [00:53:39] Then anyway, that was interesting.

DK [00:53:41] There you go. That's a great—

DF [00:53:42] Piece of history.

DK [00:53:45] You know, what you're describing your time on the picket line and things like that. You don't see a lot of stuff like that nowadays. So many things now go through arbitration boards, courts, that kind of thing. Is that the future event for organized labour to be sort of increasingly part of the state machinery, as it were? Or does it need to get more militant as in the old days.

DF [00:54:16] Well, I mean, we have seen this past year the Longshore had a big strike, right? So, I don't think—the actions are because of the decline in unionization in the private sector and because the economy is— we don't have big private sector unions, and we don't have big private sector employers. You think about, you know, the big employers are public sector, municipalities, school boards, health sector, education. I think that the

big strikes have been primarily in the private sector except, for example, during the Solidarity days in B.C., to where it was a Socred government. The political atmosphere is different, but I think it's the nature of the changing composition of the labour movement, which has had an effect on the militancy and the ability of interest of workers in striking.

DK [00:55:37] I've always considered that the rise of the public sector unions is really what you date from the sixties on anyway has sort of contributed maybe to an overall progressive sense of the labour movement, right? I don't know if you agree with that or not.

DF [00:55:57] Well, yes, I think so, but I think we're still in an era of defensiveness. I don't see any, for example, hours at work. You know, there was a rollback on hours of work where from, you know, there had been some progress made, in construction, for example, to shorter hours of work. There had been in the public sector, in the health sector, the hours of work got rolled back from 35 to 37.5. You know, nurses are working 12 hour shifts. You know, what happened to the eight hour day? We don't see an aggressive campaign, for example, around hours of work which I think is long overdue.

DK [00:57:02] You see we're returning in that way to the 19th century or something?

DF [00:57:05] Yeah. I mean it's over a hundred, you know, it's 150 years since the eight hour day movement. So, there needs to be some—a real push on some of these issues I think. We seem to be stuck in, you know, what has been. Just holding on to what we've got and not moving forward.

NF [00:57:26] How do we get out of defensive mode. What do labour organizers today need to need to know or need to be conscious of to get out of defensive mode?

DF [00:57:38] I think. It's a tough question. I don't have a simple answer to that. Okay. I think—you need to be thinking of what we would like to see in the future. What kind of a society, what kind of working conditions would we like in the future? What do we want for our children? We all want good jobs. We want decent housing. I think that they just need to raise their horizons. In terms of, what are we missing? Quality of life. A lot of people in trouble out there. A lot of people in trouble. Well, certainly the labour code needs to be changed significantly. We need to have sectoral bargaining.

DK [00:58:53] Can you explain that a bit?

DF [00:58:55] Well, our current labour code is based on what used to be called the Wagner model, which was introduced in the United States in the late 1930s. During war, the Wagner model, which is what we call enterprise bargaining. Unions are certified on the basis of organizing and representing the workers in a particular workplace.

DK [00:59:18] Right.

DF [00:59:19] Not the same as—the public sector has sectoral bargaining. You know, the whole, you know—

DK [00:59:26] Right. Already there.

DF [00:59:27] We have master agreement sectors. The whole sector is unionized. In the private sector, we don't have sectoral certification, which means that, for example, how is it possible for a domestic worker who's one employee working in a person's home as a

childcare worker, right? How is it possible for that person to get organized, to be unionized? A union is not going to spend that kind of resources to try and organize one workplace with one employee, right? Or a fast food place, where there's a constant turnover of staff. So, what is really needed is the ability of unions to organize on a sector or geographic basis. You sign up everyone in the sector. You sign up the majority of people who are childcare workers, right? You know, domestic workers who sign up about, you know, the majority that are in fast food outlets, right? Rather than having to go to each Starbucks, you know, every Starbucks by Starbucks by Starbucks. Organize the sector. Have a sectoral agreement. That, I think is a major blockage to expanding the scope.

DK [01:00:44] So, if we have sectoral bargaining, it can improve the whole, for example, health care system where you don't get people suffering from burnout and just leaving if you've got a healthier workforce, I guess.

DF [01:00:58] That's right. Yeah, and the ability to move around. I mean, if you're working in a sector. But the labour movement in the—because during the NDP period when there was a review commission on the labour code, and the majority of—and this is in 1990 something—the majority report recommended sectoral bargaining, but the NDP chose not to implement the recommended, and it's now back on the table again. There's now—there was a division in the labour movement about that, at that at the time of support for it, which probably explains why the NDP didn't adopt the regulation.

DK [01:01:58] It wasn't just an employer lobby push back?

DF [01:02:00] No, and I think had something to do with jurisdictional issues.

DK [01:02:09] Right.

DF [01:02:10] Who's going to be the union? Whether or not more than one union could represent a sector, for example. There's all kinds of issues, but the labour movement now, I think the B.C. Federation of Labour now is in support of sectoral bargaining, which is a move forward for sure.

DK [01:02:27] Right on.

DF [01:02:28] Yeah. But that's a major obstacle, I think. Yeah.