

## A BRIEF HISTORY OF HOW GOVERNMENT HAS USED THE LAW IN AN ATTEMPT TO CRIPPLE THE UNION & RESTRICT THE RIGHTS OF UNION WORKERS



### 1946 - TRADE UNION AND TRADE DISPUTES ACT

In June 1946 the employers started constructing a major stumbling block in the Bermuda Worker's Association's (BWA) pathway to success. June 24, 1946, the House of Assembly received the Trade Union and Trade Disputes Bill from the Executive Council. Dr. Gordon predicted that the "Act would continue to form the centre of controversy and the legislature had lost a 'splendid opportunity' of allaying the long standing unrest amongst the ranks of Bermuda's labour".

*Dr. E. F. Gordon, Hero of Bermuda's Working Class: By Dale Butler*

### 1965 - TRADE UNION ACT

The UBP Government created this Act after the Dock strike in 1959 and Belco strike in 1965. The purpose of this Act was to further minimize the rights of Union labour; i.e. the Unions could only own so much property and were prohibited from making financial contributions to political parties, etc.

### 1975 - LABOUR RELATIONS ACT

Labour disputes continued between 1966-1974. The UBP Government created this Act to require essential service workers to give a 21 day strike notice.

### 1991 - SPECIAL PROVISIONS RELATING TO ESSENTIAL INDUSTRIES

The UBP Government created an Essential Industries Disputes Settlement Board to deal with any issues arising in an essential industry.

### 1992 - TRADE DISPUTES ACT

Bermuda Forwarders had a labour dispute that couldn't be resolved through the 1975 Act because that Act required the consent of both parties to go to arbitration. The UBP Government created this Act to allow for a labour dispute to be referred to a Tribunal.

### 1998 - TRADE UNION AMENDMENT ACT

The UBP Government created this Act to prevent middle management from joining a Union and introduced the cancellation of a bargaining unit. The UBP Government decided that non-union workers in a bargaining unit should be able to participate in a ballot for decertification.

### 2021 - TRADE UNION & LABOUR RELATIONS (CONSOLIDATION) ACT

This Act is deemed by the current Government to be the most "pro-Union legislation of any administration in Bermuda" however, many of the amendments affecting labour were recommended by the Union. Section 57 created by the UBP represents an anti-union principle that was never agreed to by the Union. Minister Hayward made a commitment to meet with both BIU & BPSU prior to taking this Bill to the House of Assembly and he failed to follow through on his commitment. As a result, the PLP Government remains steadfast on a law that was passed by the UBP in 1998, enabling non-union members to vote in a ballot of decertification

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