

Why not binding arbitration over trash?

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The Via Rail strike lasted 32 hours before both sides agreed to end the labour disruption and go immediately to binding arbitration.

The Toronto city workers strike ran on for 35 days, yet both Mayor David Miller and the leaders of CUPE locals 416 and 79 have eschewed binding arbitration.

What gives?

In the Via case, the president of the Teamsters Canada Rail Conference said both sides in that dispute concluded there was "no possibility of an agreement in the short term."

But the Via situation notwithstanding, labour experts say disputing parties don't generally like binding arbitration because it takes away the give and take that normal bargaining affords.

In the 16-day 2002 strike by Toronto's city workers, the province legislated CUPE Local 416, the union representing garbage collectors, back to work.

Also, the Pope was coming to town, which provided additional incentive.

Binding arbitration followed.

But Miller has stated the city wants to avoid it this time around.

"Look at the (recent) police settlement (with the city). It's almost 12 per cent over three years. If the CUPE workers were awarded 12 per cent over three years it would have very serious budget consequences for the city next year, including service cuts, not being able to hire young people, and quite possibly there would have to be layoffs," Miller told reporters days ago.

The civic workers' unions are also not rushing to binding arbitration.

"The best collective agreements ... are directly negotiated between the parties," Local 416 president Mark Ferguson said Friday.