



INFORMATION UPDATE 2010 #2

January 18, 2010

US STEEL MUST BE HELD ACCOUNTABLE

We spent three days in Federal Court on January 12, 13 and 14th, 2010 hearing U.S. Steel present its case that its rights under the Charter and the Canadian Bill of Rights are being violated. They claim that the Investment Canada Act (ICA) does not provide U.S. Steel with a fair hearing procedure. We then heard the Attorney General present its case that the ICA provides for a fair hearing for U.S. Steel. The third day was spent dealing with U.S. Steel's rebuttal to the Attorney General's case. What became very obvious during these hearings was that this court case or "Charter" challenge is a huge diversion.

The issue is: U.S. Steel made commitments to Investment Canada in October 2007 that they would maintain employment levels at 3,105 workers and production levels of over 4.3 million tons for three years after they seized Stelco, and declared that this purchase would be a "net benefit" to Canada. By November 2008 they already violated the commitments. In fact, far from being a "net benefit" to Canada, U.S. Steel's purchase of Stelco has been a net detriment to Canada. To this day Lake Erie is still locked out because the workers there would not agree to concessions. Hamilton Works has 850 workers employed and has only been running at reduced capacity producing slabs and shipping the slabs to the U.S. In January U.S. Steel started operating the Z-line in Hamilton, sending coils from the U.S. to Hamilton to be rolled.

U.S. Steel is relying on the Canadian Bill of Rights (BOR) Section 2(e) which guarantees persons a fair hearing under the principles of fundamental justice. They claim they have rights as a person.

U.S. Steel Canada as a "Person"

Even though the concept that corporations are persons is accepted in "jurisprudence", it bears no relation to reality. Corporations are very unequal social relations made up of two main aspects that are in antagonistic contradiction: 1) owners of capital, and 2) workers. This unequal antagonistic social relation is extremely unstable and tense. Owners of capital, who consider themselves "the person" with regard to business law and the Bill of Rights, are not capable of existing without their opposing aspect, the working class. Workers are what give the corporations value through their work-time transforming raw material into social product and providing services. An insight into the nonsense that a corporation is a "person" becomes clear when one considers the Stelco case. In November 2008, when the recent layoffs started and in March 2009 when U.S. Steel announced the shutdown of Stelco, did the 3000 workers and over 9000 pensioners want the shutdown of Stelco? What person wanted to crater Stelco? Was it the "person" of John Surma (the CEO of U.S. Steel), the "persons" of U.S. Steel's Board of Directors, or was it the "persons", the workers who produce all the wealth? Or was it the 9000 pensioners who rely on the present production and the survival of the company for their pensions? The concept that a corporation such as U.S. Steel is a person is wrong and should not be argued as a basis of fact and law as the government is doing.

THE CASE WITHOUT THE SMOKE AND MIRRORS

The resolution of this case is straightforward. U.S. Steel broke their contract with the federal government and they should be required to redress the damage that they caused. This means restarting Stelco production at both plants at full capacity and compensating steelworkers, local steel businesses and communities and the various governments for the loss of social product and expenditure of revenue for additional social programs. The court diversion of a Charter challenge and other sideline issues should

be cut short with emergency legislation forcing U.S. Steel compliance and redress, And at the end of the day, a just resolution in the case of U.S. Steel violating its contract with the ICA is that the government should seize Stelco and renew it as a public enterprise, and it could become the core of a self-reliant Canadian steel industry filling the domestic demand for steel.

HEALTH CARE IS A RIGHT!

There is more disturbing news on the health care front. Hamilton Health Sciences has just announced that they will be making cuts of up to \$35 million to “balance their books.” And Joseph Brant Hospital is preparing to close up to 20 beds to “balance the budget”. Through slight of hand, a basic human right to health care is being reduced to “balancing the budget.” It is actually presented that “plans are going ahead to get the books balanced “since Ontario hospitals are not legally permitted to carry deficits.

Then to cover up what is happening, a spokesperson for the hospitals is quoted as saying “We want to assure the public that in terms of emergent and urgent situations, we’ll always be there to meet their care needs. But there will be activity levels in some areas that we’ll have to reduce that will result in longer waiting times.”

The working people of Canada have to oppose this destroying of health care by a thousand cuts. All levels of government are preparing conditions to attack the social services under the excuse of “balancing the budget”. Health care cannot be reduced to something that is available only if the budget is balanced. Health Care is a Right!

SUPPORT THE HEROIC HAITIAN PEOPLE

Local 1005 sends it deepest condolences to the Haitian people, in Haiti and to the Haitians here in Canada, for the loss of life and destruction resulting from the earthquake on January 12, 2010. Many individuals and countries are sending assistance.

Canada, the U.S. and France are sending teams and have pledged aid. The concern we have is given Canada, U.S. and France’s orchestration of the 2004 coup, what kind of assistance will they provide and on what considerations. Since 1915 the U.S. has invaded Haiti countless times, and have been the supporters of the most brutal dictatorial regimes (Papa and Baby Doc Duvalier) in Haitian history. It can be said that what is missing is the discussion on what is the cause of the state of Haiti before the earthquake, which so much contributed to the present disaster. It is quite shocking to read comments by Hillary Clinton which claim that it is an act of God :”it is biblical, the tragedy that continues to daunt Haiti and the Haitian people. It is so tragic...” Then we have the comment by French President Sarkozy that the plight of the Haitian people is a “curse”. Or we have the widely promoted comment by Reverend Pat Robertson that because the slaves overthrew French rule in 1804, the Haitians had made a pact with the devil “and the devil said, ‘Okay it’s a deal.’ And they kicked the French out. The Haitians revolted and got themselves free. But ever since, they have been cursed...”

The big powers have been involved in Haiti for a long time, and have been trying to impose their will on the Haitian people. It is now being promoted that these same powers, with their tens of thousands of troops and aircraft carriers will solve the problems of the Haitian people. But if we are into Biblical references, the question can be asked : “**Can there be a cure from the gods of plague?**”

PROROGUING PARLIAMENT

At the end of 2009 Prime Minister Harper prorogued Parliament for the second year in a row. What does this action mean for the Canadian workers and people, and what response should the workers give. Local 1005 will be discussing this at its weekly Thursday afternoon meeting which begins at 3:30 p.m. at the Local 1005 Union Hall at 350 Kenilworth Avenue North. Everyone is invited.

