Trade Union Responses to the COVID-19 Pandemic

A. Regional Pandemic Situationer: Impact on BWI Industries

1. Impact on BWI industries and affected workers

Since the first COVID-19 case in the US was confirmed on 20 January 2020, US cases are approaching 1.7 million. New York State had the most cases by far at 367,600, followed by New Jersey with 155,000, Illinois with 112,200, and California with 96,900. The US government issued social distancing guidelines on 16 March. California issued a stay-at-home order on 19 March, followed by New York, Illinois and Washington, leading to State stay-at-home orders being issued in 42 States.

Unemployment claims totalled 38.6 million between mid-March and 16 May. The U.S. lost 20.5 million jobs in April amounting to an unemployment rate of 14.7%, although 18 million were temporary layoffs.\(^1\)

Construction lost 975,000 jobs in April with a sector unemployment rate of 16.6%. Specialty trade contractors made up the majority of the sector’s unemployment rate with 691,000 jobs lost while building construction lost 206,000 jobs. 1.3 million jobs were lost in manufacturing.\(^2\) Many migrant workers who normally work in the logging industry are having trouble getting into the country so the sector has been struggling with availability of workers. The shutdown saw workers leave logging and it is often difficult to recruit them to come back so companies have to reinvest much more money to train new workers.\(^3\) In April loggers saw a loss of 50,000 jobs. The hospitality and leisure sector lost 7.7 million jobs in April while health care lost 1.4 million jobs.\(^4\)

Minorities and people living in low-income households suffered the most from the economic shutdown. The unemployment rate for Latinos increased from 6% in March to 18.9% in April.\(^5\) 39% of workers living in a household earning $40,000 or less lost jobs compared to only 13% of workers in households earning more than $100,000.\(^6\)

In the US, around 6 million essential workers are immigrants – including health workers, construction workers, cleaners, farm workers and retail/grocery workers.\(^7\) According to the National Immigration Law

\(^3\) https://www.ualrpublicradio.org/post/forestry-industry-sees-economic-hit-due-covid-19
\(^6\) https://www.dailyreporter.com/2020/05/08/us-unemployment-speaks-to-a-depression-era-level-of-14-7
\(^7\) https://www.nilc.org/2020/04/10/immigrant-workers-on-frontlines-need-covid-protections-now/
Center, “Construction workers have described an inability to wash their hands at work, working in cramped conditions, having to share tools, and lacking masks or gloves.” Undocumented workers have no access to the federal benefits provided for COVID-19.

Since the first case of COVID-19 was recorded on 25 January in Canada, cases have grown to more than 85,711. More than half of the cases are in Quebec (47,900) with 25,900 in Ontario. Alberta had 6,800 and British Columbia had 2,530. Most provinces and territories issued state of emergency orders, with the exception of Newfoundland and Labrador, and Nunavut which issued public health state of emergency orders instead.

Canada reported 1.1 million job losses in March and 2 million job losses in April. Canadians under the age of 25 have been hardest hit – they comprise 14% of the population but 30% of the workers who are unemployed due to COVID-19. The unemployment rate rose from 7.9% in March to 13.3% in April. These numbers do not include 1.1 million workers who have stopped looking for work. If counted, the unemployment rate would have been closer to 17.8%. Almost 97% of newly unemployed workers were on temporary layoffs. In April the construction industry shed the most jobs of the goods-producing sector – 314,000 or a reduction of 21.1% followed by manufacturing – 267,000 or 15.7%. The unemployment rate in the transportation and warehousing sector was 10.4%. In addition employment losses continued to be more rapid in April in jobs offering less security, including temporary and non-unionised jobs. The Canadian logging sector saw the closure of 40 saw mills up to mid-May due to the pandemic because of low industry prices and the closure of upstream wood and pulp manufacturers. The services sector lost 1.4 million jobs or a reduction of 9.6%.

Some parts of Canada are shut down with no construction work happening while others are operating almost normally, according to the Iron Workers Union (IW) General President, Eric Dean. The Province with the highest number of cases, Quebec, was totally shut down with no construction work at all. The IW is also known as The International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers Union. The IW represents 120,000 members in North America.

In Canada temporary migrant workers have been allowed to enter and exit the country for work purposes despite the travel restrictions due to COVID-19. During the coronavirus pandemic, the value of migrant workers has been acknowledged more because of the essential services they provide to Canadians and Canadian businesses.

2. Pathways and social partner agreements on COVID-19 policies

All BWI affiliates in the US and Canada have been doing constant and continued lobbying with government representatives to advocate for positions that will protect workers. This has been done in collaboration with other unions and sometimes employer groups and government entities that are employers. These unions have successfully won some of their demands, including: expanding eligibility for unemployment insurance, increased amount for unemployment insurance, wage subsidies for employers, guarantees of no layoffs for a period of time for recipients of wage subsidies, provision of personal protective equipment (PPE), emergency funding for

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8https://www.nilc.org/2020/04/10/immigrant-workers-on-frontlines-need-covid-protections-now/
10https://www150.statcan.gc.ca/n1/daily-quotidien/200508/dq200508a-eng.htm
public transit to stop layoffs, subsidies for employer health coverage so that it continues after workers lose their jobs, support for small businesses so that they can be ready to reopen when allowed, among other demands.

Some unions like the Teamsters, the International Brotherhood of Electrical Workers, the Service Employees International Union, United Auto Workers and Communication Workers of America have secured agreements with UPS, Verizon, General Motors, Ford and Fiat Chrysler. Wins include the provision of paid leave if they are diagnosed with COVID-19 or have to be quarantined, the temporary closure of plants to clean and ensure worker safety, the provision of PPE and the production of clear plastic face shields by Ford and United Auto Workers.

B. BWI and its Affiliates in Action

1. Employment and Wage Protection

In the US, BWI affiliates worked with other trade unions and government representatives to improve the CARES Act to expand eligibility for unemployment, increase the amount of unemployment insurance (an additional $600 per week); extend the duration of unemployment insurance to add 13 weeks, and to waive the waiting periods. In addition, they worked for the inclusion of the paycheck protection programme which provides low-interest, no-fee loans to businesses with less than 500 employees. Recipients are not allowed to lay off workers if they receive this funding. Only a maximum of 25% of the loan can be used for non-payroll costs.

The International Union of Painters and Allied Trades (IUPAT) in the United States has 160,000 active and retired members who work in the finishing trades as industrial and commercial painters, drywall finishers, wall coverers and glaziers, among other trades. IUPAT released a platform that included 4 pillars designed to protect jobs and workers: (1) Immediate cash infusion and extended medical leave; (2) Provide healthcare protections for both the insured and uninsured; (3) Bolster/secure retirement plans; and (4) Invest in American infrastructure. IUPAT advocated for the provision of an economic stimulus package to protect the economy which would include plans to ensure the construction industry would ramp up and put workers back to work quickly as the economy begins to reopen. This infrastructure investment would include support to weakened public health infrastructure, especially hospitals as well as roads, bridges and energy.14 The International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART) have 203,000 members who are sheet metal workers, service technicians, bus operators, engineers, conductors, welders, as well as other trades. SMART called for the reinstatement of thousands of railroad workers who were laid off in recent years in order to provide the transportation for PPE supplies to be shipped around the country.15

Unions have also advocated for protection of health insurance coverage during the crisis, including 100% coverage of COBRA – a programme where employees can choose to pay to continue their employer-provided health insurance after they leave their jobs - and inclusion of the protection of employer-provided benefits in the various subsidy programmes for employers. They have also been advocating for paid sick leave for workers who do not normally have it and extended medical and family leave.

BWI affiliates lobbied the Canadian government for employment and wage protection as well, including in collaboration with other unions and employer groups resulting in the provision of the Canada Emergency Response Benefit (CERB) and the Canadian Employment Wage Subsidy (CEWS) covering 75% of wages. For those workers in Canada that are not able to work because of COVID-19, the government is providing CAD 500 per week. Unifor has gone further to advocate for eligible workers to be allowed to receive the Supplemental

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Organising for resilience in a Time of Adversity

Launch of BWI COVID-19 Declaration and General Secretary’s Report
7 July 2020, Tuesday

Unemployment Benefits (SUB) they would be entitled to under normal layoff circumstances which the employers are willing to pay and are no cost to the government.16

Unifor is Canada’s largest private sector union, with more than 315,000 members across the country working in transport, communications, manufacturing and services sectors. Unifor lobbied for funding for public transit, which the government of British Columbia decided to provide on 8 May for Vancouver. This support is estimated to cancel 1200 layoffs of Unifor members and nearly 300 other union members in the Translink system - Vancouver Metro Area’s transportation system which includes buses, rail, ferries, roads and bridges.17

On the 20th of May United Steelworkers issued its call for additional government interventions that would further assist and protect workers as well as employers. Some of the provisions include: a 25% top up of the CERB provision of the 75% wage subsidy; an expansion of eligibility for CERB “to include the long-term unemployed, those who were forced to leave work because of COVID-19 and those who do not meet the income threshold,” and “no further layoffs, outsourcing or offshoring,” for employers receiving the CEWS, among other provisions.18

2. Health and Safety at Workplaces

BWI affiliates have been very outspoken and active in advocacy on health and safety in the workplace in relation to COVID-19. IUPAT has released a COVID-19 Construction Site Management Plan which can be modified and used by employers to ensure compliance with laws, research and best practices to reduce transmission risk.19

SMART has an online form to report when Centre for Disease Control Protocols are not being followed. This information is submitted to the leadership of the union to be “used as evidence to support emergency measures sought by the SMART Transportation Division in petitions to the Federal Railroad Administration (FRA), Federal Transit Administration (FTA) and Federal Motor Carrier Safety Administration (FMCSA),”20

The International Association of Machinists and Aerospace Workers (IAM) in the US released a statement calling for the federal government to invoke the Defense Production Act to ensure adequate PPE for workers. In a letter to the president, IAM International President Robert Martinez Jr. also offers the IAM’s cooperation in identifying out-of-work IAM members and closed manufacturing facilities to produce medical supplies. IAM and the National Federation of Federal Employees Federal District 1 (NFFE-IAM) have sounded the alarm over several Veterans Affairs (VA) health care facilities with a lack of PPE and rising COVID-19 cases. Stories have emerged of inadequate basic safety supplies, such as masks, soap and hand sanitizer.21 The Iron Workers Union has its safety team monitoring workers who are becoming sick and identifying best practices as they work to enforce protocols at jobsites in Canada and the US.

19https://www.iupat.org/covid-19/iupat-cpwjr-jobsite-guidance/
20https://smart-union.org/td/covid-19-report/
United Steel Workers (USW) is the largest private sector union in North America with more than 225,000 members in Canada and more than 850,000 members continent-wide. USW members work in all sectors of the economy – including sawmills, mines, manufacturing plants, oil refineries, steel mills, security companies among others. USW in Canada is an affiliate of BWI and has quick links on its website to take action for union members to write letters and contact government officials to demand better protection of workers during the pandemic. USW has also written a letter to the Ministry of Labour regarding concerns that workplace inspections in response to workers filing complaints about workplace safety and the right of workers to refuse unsafe work were being conducted by phone or video which does not allow adequate investigation of the complaint.22

Unifor in Canada released a statement in response to the passing of a local PSW 40 member that might have been prevented if he had been provided adequate PPE at his workplace. “From the onslaught of the pandemic we have been demanding personal protective equipment from employers and governments. This tragedy could have been avoided if he only had access to proper personal protective equipment. Our COVID Heroes deserve better,” said Jerry Dias, Unifor National President.23

Affiliates are also using some of their health care funds to fill the gap when some of their members are laid off from work. These funds will only go so far though, and that is why the unions are also advocating for a 100% subsidy of COBRA coverage (continuation of the same health care plan provided by the employer after a layoff which is normally paid for by the employee).

The British Columbia Building Trades Union, a member of the BWI affiliate Construction Maintenance and Allied Workers of Canada (CMAW), developed a publication: Covid-19 in Construction: Prevention Resource Guide which provides health and safety protocols for contractors and is available on the CMAW website. CMAW, a national union which includes building construction trades also has information about health and safety from job sites and employers.

3. International Framework Agreements and Engaging MNCs

BWI has sent letters to companies with which they have international framework agreements as well as other companies with which they have global social dialogue to ask them to ensure the protection of workers during COVID-19 as well as to provide economic protection. BWI has also offered to work cooperatively with these companies to share good practices in order to develop the best protection and protocols for workers and their workplaces.

4. Migrant Hotspots and Support for Migrant Workers

Unions have called for protection of immigrant and migrant workers before and since the pandemic began. Documented immigrant workers can generally access the same COVID-19 benefits as non-immigrant workers in both the U.S. and Canada. However, undocumented workers do not receive any benefits under the CARES Act and the situation of Temporary Foreign Workers is precarious.

Many immigrant workers in the US are concerned about accepting assistance from the government COVID-19 packages because they fear it will be considered a public benefit by immigration. Accepting public benefits has the potential to threaten renewal of immigration applications because of a requirement added by the Trump administration. Most provisions of the CARES Act are not considered in public charge determinations, but workers are still wary.24

24For more information visit: https://protectingimmigrantfamilies.org/immigrant-eligibility-for-public-programs-during-covid-19/
IUPAT has worked on the Temporary Protected Status (TPS) that many workers have in the US. IUPAT members and other workers are recipients of TPS which the Trump administration had cancelled for some countries but then reinstated due to pressure from unions and employers.

Unions in North America are also calling for better protection, living conditions and working conditions for migrant workers, noting that the crowded accommodation in which they live and work are conducive to spreading COVID-19. This includes demands for PPE, hygiene and sanitation provisions, accommodation that allow social distancing, and coverage of health care costs related to COVID-19 for both documented and undocumented workers.

There are 1.8 million migrant and undocumented workers in Canada. For temporary foreign workers who hold valid work permits, the situation is problematic as well. When temporary worker permits expire, their Social Insurance Numbers also expire which means they cannot receive the CERB. New Brunswick Province in Canada banned temporary foreign workers but lifted the ban in May. In mid-May the federal government began allowing temporary foreign workers to switch employers in order to fill much needed gaps in essential services and sectors experiencing worker shortages.

The Minister of Immigration said that this allowance would likely benefit around 200,000 workers.

5. Humanitarian Actions

USW of Canada is working with other unions and organisations in order to provide support to workers where jobs are under threat globally and where conditions were already of concern before the pandemic. USW says, “Clothing brands have abruptly cancelled orders from factories and declined to pay for orders of clothes already completed. As a result, supplier factories in places like Bangladesh, Cambodia, Vietnam, India, Honduras and Myanmar are unable to pay workers’ salaries.”

They will be working to demand that the garment industry and governments provide support to workers and when rebuilding that these workers are treated justly and fairly.

SMART sheet metal local unions are working with union contractors to produce and donate metal nose strips to help meet the production goals for face masks noting the shortages faced by their fellow health care workers and first responders.

In addition BWI affiliates are highlighting resources for emotional support for their members.

6. Organising and Members Retention

Union members have been hit hard by job losses and BWI affiliates have made adjustments to their ways of working in order to ensure member retention and the protection of democratic structures and processes within the unions due to social distancing requirements. All the affiliates are offering up-to-date information on their websites, social media accounts, email and text message alert systems among others, including video interviews with union leaders and workers, government officials and allied organisations regarding the COVID-19 pandemic and how workers can be protected. The information also includes summaries and easy-to-understand information about benefits and relief related to COVID-19 and how they can be accessed.

IAM has given stamps to its members that are valid for 6 months even if they are unemployed so that they remain members. They have also given dispensation to their local affiliates who have had to cancel meetings.

29https://www.goiam.org/news/a-message-to-iam-members/
For their convention they are developing an alternative process that would allow every member an opportunity to vote, submit resolutions and submit Constitutional amendments. President Eric Dean of the Iron Workers Union spoke to national leaders who are reporting about 30% unemployment of members plus the additional challenge of underemployed members. They are offering alternative contract, election and nomination procedures for their union members.

Unions are also using calls to action on their websites, showing members how they can contact their representatives to ask for general and specific worker protections through email and phone calls. The Iron Workers Union is dealing with challenges of paying membership dues on a case by case basis for their members and IUPAT has frozen dues for April.

The USW International Executive Board passed a resolution recommending the postponement of the 2021 convention to 2022 to give time for the local union elections to be held and allow resources to be built up to do this after the COVID-19 pandemic. The union will be supporting the locals through this process. United Steelworkers also provides advice for holding effective virtual union meetings on its website.

### 7. Matrix of Actions relative to the 7 BWI Convergences

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<th>BWI Convergence</th>
<th>Summary of Actions and Outputs Relative to COVID-19 Pandemic</th>
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<tr>
<td><strong>BWI for All</strong></td>
<td>BWI affiliates have advocated for workers’ rights and protection in all their activities in North America. They have advocated to include migrant workers as well, including allowing migrant workers’ status to be extended and for new temporary migrant workers to be allowed to work in North America. They have also advocated for PPE, health care coverage and unemployment insurance for all workers, recognising the precarious situation of immigrant and migrant workers.</td>
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<td><strong>Safe Work</strong></td>
<td>Unions have worked with government officials to influence guidance and policy that protects the health and safety of workers in light of COVID-19. They have entered into agreements with employers and developed workplace manuals and guides to ensure the prevention of COVID-19 exposure in the workplace. Concerns about inspections not being conducted in person in response to workers’ complaints have been raised and unions continue to monitor the response of government officials and employers to whistleblowers.</td>
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<td><strong>Youth in Unions</strong></td>
<td>BWI affiliates have noted that young workers are much more likely to lose jobs during the COVID-19 crisis and this is raised in their advocacy to ensure employment and wage protection. They also have apprenticeship and training programmes which are going on-line to the extent possible.</td>
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<td><strong>Gender Equality</strong></td>
<td>BWI affiliates have developed programmes focusing on women workers. Unions advocated for the inclusion of support for child care for workers during COVID-19 – this is needed for all workers but definitely impacts women workers in particular.</td>
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BWI affiliate Unifor along with the United Electrical, Radio and Machine Workers of America (UE) issued a joint statement on the occasion of Earth Day in April 2020. They acknowledged the urgency of the climate crisis and the need for reducing greenhouse gas emissions. They pledged: “Our unions will continue to support actions that address climate change, worker rights and the interrelated issues of runaway corporate power, deteriorating health and safety on the job, environmental racism, forced migration, the targeting of immigrants and the destruction and impoverishment of working class communities.” CMAW recognised the 50th anniversary of Earth Day on Facebook and BWI affiliate local unions in the US held Earth Day activities.

BWI affiliates have supported campaigns related to the Tokyo Olympics and posted news about protests and advocacy carried out by BWI and other unions related to the rights of workers developing the sites for the Tokyo Olympics and the FIFA World Cup 2022 to take place in Qatar.

BWI affiliates have campaigns that work on just and safe workplaces in global supply chains, including construction, manufacturing, garment workers and farmworkers. They have noted that due to cuts in orders for garments as a result of the pandemic that are produced internationally the plight of garment workers with less or no protection in other countries needs solidarity support from unions in North America. The affiliates also participated in statements and letters focused on calling for the protection of workers in various countries due to the Covid-19 pandemic.