

# Taxi union controversy shakes industry

## Union organizer did not foresee controversy

By MICHAEL HOLLETT  
Herald staff writer

Two months ago Georgetown cab driver Jack McDowell set out to help a couple of fellow workers who were having trouble with the boss, he's now embroiled in a battle that could change the entire Ontario, and possible Canadian, taxi industries.

Jack McDowell is trying to organize Ontario taxi drivers into their first ever union. He didn't start out to.

Up until Nov. 25, Mr. McDowell drove a taxi for the Glen cab company in Georgetown. On that date a vote by the Glen cabbies on whether or not to certify their union ended in a five-five tie with two spoiled ballots. And on that date, less than 20 minutes after the vote, Mr. McDowell, along with the four other Glen employees who voted for the union, were fired.

**OTHER EMPLOYEES**  
Mr. McDowell and the other fired employees and supporters of the unionizing attempt are now involved with hearings before the Ontario Labour Relations Board appealing the firings as well as other alleged misdeeds carried out by the Glen management during the unionizing attempt. Mr. McDowell hoped the OLRB will set aside the initial vote, because of the alleged violations of Ontario labour law and grant the union automatic certification.

Mr. McDowell said he has ended up at the centre of the unionizing controversy more by default than by design.

**SINCE AUGUST**  
The 27 year-old Niagara Falls native only began working with the Glen cab company in August of this year. It was shortly after he started the job that Mr. McDowell said he realized there were serious problems between the Glen management and staff.

"My first impression upon meeting the Glen management was that they were a lot like a lot of new, small businessmen. They were on bit of an ego trip and they felt their employees were something less than human."

Mr. McDowell explains that the drivers were upset with the working conditions at the company. He said the drivers feel they have no rights and are completely at the mercy of the whims of the owners.

The drivers began to discuss the possibility of organizing a union and McDowell ended up in the leadership role.

"I was the only driver who really knew anything about unions and people's rights. I also have a friend who is a negotiator with the paper workers union and we figured he could give me some tips."

**KEEP COOL**  
"I'm also thought of as a guy who can keep his cool and won't fly off the handle easily, which is important in negotiations."

"That's why they elected me president." Mr. McDowell is not only president of the fledgling Georgetown local of the taxi drivers association but he is also president of the Ontario Taxi Association since Georgetown is the only local in Ontario currently in the process of seeking certification.

When McDowell and the Glen cabbies began their certification fight, they thought of it only as a local affair. There were no visions of a provincial union and, in fact, neither the Ontario Federation of Labour or the Canadian Labour Congress became involved in the certification attempt until mid-November, after the wheels were already well in motion. It was then, strapped for money to meet the local's legal fees that the union organizers turned to the CLC for financial assistance, and not it.

**HEAR TALK**  
"You hear a lot of talk of brotherhood and sticking together unions. Our appeal to the CLC for help really put this talk to the test and it proved it's true. I have found that becoming part of the union is like becoming part of a family, they do back you up with money and moral support."

"When it first started there was a cause but my heart wasn't that in it. I just wanted justice for a few people. But the more I got involved the more the principal of the thing became apparent."

"Now I am dedicated to the cause. And I'm not just dedicated to unionizing taxi drivers in Georgetown, but also in Ontario and maybe even across Canada."

"I'll fight for the union until we get it established and sooner or later we will establish it somewhere."

**ONLY WAY**  
He thinks unions are the only way of guaranteeing employee rights. "Management says go in and bargain with them individually but what's the good of that? You would have seven different contracts for seven different people and you would have nothing behind it. They aren't recognized as a unit. A union is the only way the government will back up a contract."

"Employees are subjected to a lot of unfair treatment by management and somewhere along the line someone has got to stop it."

"I'm convinced that the only way to do that is through organizing and collective bargaining."

Mr. McDowell said he doesn't think management should be opposed to unions. "It seems to me that if management is going to make a promise and keep it they should have no fear of a union. All collective bargaining means is that you get a group together, they negotiate a contract with management and then they have the protection of the Ontario government's labour board."

**SAME TOKEN**  
"By the same token the union has to live up to their end of the contract too."

Mr. McDowell thinks certain aspects of the taxi industry need to be "cleaned up" and he thinks that a provincial union would help do this. He said that currently all government regulations relating to taxis are legislated at the municipal level. Mr. McDowell thinks that 90 per cent of regulations relating to the taxi industry could be uniform across the province.

A strong taxi union could lobby for regulations to clean up the industry and also guarantee better working conditions for drivers across the



Union organizer Jack McDowell hasn't driven a cab in a month. He is now earning money to tide him over during Ontario labour board hearings by delivering pizza. Glen cab company owner, Denis Devine refused to have his picture taken.

Photo by Michael Hollett

province, he said. "Protection of the drivers is a big issue. There are over 20 robberies a day in Toronto of taxi drivers but the companies won't put in protective plexiglass between the driver and the passenger. A strong taxi union could push for this type of regulation."

**REGULATE MEMBERS**  
Mr. McDowell said a taxi union would also be able to help regulate its own membership. According to Mr. McDowell some drivers and dispatchers violate the ethics of the industry. At airports, for example, some cabbies will bribe the dispatcher to get preferential treatment. Under a union situation a local could take disciplinary action against a driver or dispatcher taking part in such practices, Mr. McDowell said.

Mr. McDowell describes himself as an idealist and it is partially this idealism that fuels his fight for the union. "If I feel someone's getting shafted, I'll fight for them. I don't do it for anything but the self-satisfaction."

"If I'm enjoying what I'm doing I don't mind working hard. I can spend 16 to 20 hours a day at it."

**PAPER MILLS**  
Mr. McDowell has previously driven a taxi in St. Catharines and has held a variety of jobs including working in a paper mill along with a one year stint as the bookkeeper at

the Millerott Inn in Acton. Georgetown's taxi dispute has not been without its share of bitterness and during the course of the unionizing attempt both sides have directed charges and countercharges at one another. The union organizers have been accused of using intimidation tactics threats and vandalism.

Mr. McDowell said of the charges, "I expected those type of stories because I was told they would do that beforehand. Management is looking for public sympathy. I have never threatened anybody, but to some people as soon as you mention union they think of longshoremen with sticks and clubs."

**NOT NEW YORK**  
"This isn't the New York docks, this a little town in Ontario and it just doesn't happen that way." Mr. McDowell said that even

if the OLRB orders Glen Cabs to re-hire the fired drivers, he expects they will find another excuse to fire them again. He said job insecurity has made the unionizing attempts difficult.

"Everybody is afraid of losing their job. You have to be awfully dedicated to ignore the fear of losing your job but the principal means far more than money."

The labour board hearings are expected to resume on January 2. Mr. McDowell is currently working as a pizza delivery man for some income to tide him over during the course of the hearings.

After the hearings are resolved, he said that probably, acting in his capacity as Ontario Taxi Association president he will help cabbies wanting to unionize in other municipalities, organize their local.

## Taxi company owner says unions unnecessary do not serve purpose

By MAGGIE HANNAH  
Herald staff writer

The principle behind unions may be good but the methods and policies are not, so says Denis Devine, one of the owners of Glen Taxi which is in the middle of a fight to bar the certification of The Ontario Taxi Association.

"Their methods are grossly outdated," he said. "When they first started unions there was a need for them, but it's got to the point now where they've outlived their usefulness. Lots of the members are almost fanatics. The whole principle behind them is wrong now that the times have changed."

The laws governing unions and their establishment need to be changed he said, and this is the fight that Mr. Devine intends to go into. He wants changes and he says he'll take his battle to the legislature if need be because his battle is the principle behind the way unions are certified, not against unions themselves in general.

The laws are made 99 per cent in favour of unions and management doesn't stand a chance the way they stand now, he says.

Union members can walk in here and curse and swear to me, threaten me and the onus would be on me to prove it," he said. "But I can be hauled into court and have to prove that I didn't do something to a union member on his word alone. It's about time they stopped shooting off their mouths and seriously looked at the situation."

**RULES STAND**  
As the rules now stand it requires a vote of 50 per cent plus one in order to get a union certified. That is totally wrong in many cases, he said.

"If 30 per cent of the employees in a big company like Ford which has, say, 500 workers were upset enough to want a union then I don't feel they need a vote. If that many people are upset then there's something wrong in the place and certification should be automatic."

"But if you're in a little place with only ten employees, say, and 20 or 30 per cent want the union that's only 2 or 3 people. You can't have one or two troublemakers in every place and then there's always a couple who can be swayed one way or the other depending on who's the best talker. In a small group that one or two people probably deserve any trouble they're getting. The way things stand now isn't right or fair to a small company. In fact, it's damaging."

Mr. Devine and his partner Les Markham bought Glen Taxi from Al and Lee MacMillan during the summer. Prior to that he dispatched and drove a car for them.

He started life as an orphan in a Hull, Quebec orphanage but can't remember when his parents adopted him and took him to Ottawa where he spent his boyhood and received his education. His father worked in the post office more than 30 years and Mr. Devine says he learned his business methods from him. Those principles are different from the ones used by every other cab company owner he knows but he isn't about

to reveal them or then his competition would be able to do what he does.

**THEY WORK**  
Whatever the methods they work, he said, since the company is already breaking even, something most new taxi companies don't do for some years after they first change hands.

Mr. Devine hasn't always been involved in taxis. He worked at a dairy at one point and then bought it. After that he went to Calgary for a time and wound up with his own trucking firm there delivering carpets from a factory to retail outlets.

Problems developed in his personal life at that point, he said, and he came back east and began driving a taxi in Milton.

"I didn't want to start doing something where people would

be counting on me for any specific time," he said. "If I was driving taxi I could come and go as I liked just like most of the drivers do."

Mr. MacMillan asked him to help out in Georgetown one day and he fell for the town.

"I didn't know what I was doing that day," he said. "I didn't know the town at all but I didn't go back to Milton again."

Mr. Devine has two sons whom he termed "charming, bright, handsome, modest and all sorts of other neat things, just like their dad," he said with a wink.

The reporter tried to get a picture of Mr. Devine and was told he never allows people to photograph him.

"If anyone wants to know what I look like they can come over here and meet me in the flesh," he chuckled.

## Regional police are initiating complaint forms

The Halton Regional Police Commission has adopted the Ontario Police Commission's recommended complaint procedure for citizens' complaints against a member of the force.

Members of the commission expressed their concern at the number of public e-mails made aware of the avenues of complaint open to them if they have reason to believe that a police officer with whom they've had dealings has not acted properly or within the law.

At the same time, the commission has recommended that Chief Ken Siderrett meet with members of the Halton Regional Police Association, and any members of the commission who wish to participate, to discuss the procedure for internal investigations.

The association supported the procedure for filing a complaint, but the members were concerned that a citizen might fill out a complaint form, but refuse to sign it, and the investigations would be carried out anyway, requiring the officer to submit a report on the matter.

**FILED COMPLAINT**  
The commission decided that if a citizens filed a complaint, but refused to sign the complaint form, they would receive written notice that unless the form is signed, the complaint will not be followed up.

"The association has to tell the officers that the board is behind them in the day-to-day carrying out of their duties, if they carry them out properly and lawfully," Judge Joseph Scime told association president Al Reulens.

The complaint procedure adopted by the commission allows several avenues to a member of the public who believes he has a complaint against a member of the force. A complaint can be filed with

any duty officer at any police station in the region.

If the complaint is minor, it may be resolved at the divisional level and in such a case the complainant is asked to sign a form indicating his complaint has been resolved. If the complaint can't be resolved at this level it will be passed on to the chief, or to an officer appointed to investigate complaints.

The chief will be required to decide whether the complaint is unfounded, or the member of the force exonerated, that the complaint is not sustained, or that the complaint is sustained. If the complaint is unfounded, that means the incident did not occur, or the member complained about was not involved. If the officer is exonerated, it means the incident took place, but the officer acted properly.

If the complaint is not sustained, it means the chief has decided there is insufficient evidence to prove or disprove the allegation. If there is sufficient evidence to support the complaint, the verdict will be that the complaint is sustained.

If the complaint is sustained, the officer may face a criminal charge, a charge under the Police Act, or other disciplinary action.

If the complainant is not happy with the results of the investigation into the complaint, he or she may ask for a hearing before the local police commission, or apply to a Justice of the Peace with a view to pressing criminal charges. The final avenue of appeal is to the Ontario Police Commission.

A brochure will be available at any local police station which details the complaint procedure, and describes the penalties for a malicious complaint which has no foundation. The brochures will be available some time in the New Year.

## Halton planning committee approves Acton subdivision

Halton region's planning committee has endorsed the town's Sept. 5 decision to grant a zoning bylaw amendment for the 4.9-hectare residential subdivision proposed for construction in Acton's north end.

Concern over the site's location adjacent to a busy CNR line had been expressed by the provincial ministry of environment and Halton's business development officer, and Oakville Coun Carol Gooding added last week that the practice of building homes near railway lines should be discouraged.

The committee recommended approval for the rezoning, however, subject to the site being suitably buffered against noise to the ministry's satisfaction.

North Halton Real Estate Ltd. co-owners Paul Nielson and Gino Civerio were on hand at the committee's Tuesday meeting to hear regional chairman Jack Iatulis tell Halton Hills Mayor Pete Pomeroy that he wouldn't want a residential subdivision built next to a railway in his home municipality of Burlington.

**DESPITE PRECAUTIONS**  
"I'm concerned about okaying any residential development that's abutting rail lines, despite the precautions that would be taken," Coun. Gooding agreed, citing problems that have arisen in Oakville as a result of similar planning "errors."

The committee was told that approximately six freight

trains and ten passenger trains use the CNR line through Acton every day. North Halton's proposed subdivision would abut the line at its southern limit while fronting on Main Street North (Highway 25) to the west and extending north to Wallace Street.

The plan of subdivision, awaiting approval by the ministry of housing, calls for the construction of 50 semi-detached homes and 32 townhouse units.

The committee also learned that noise levels in the vicinity of the rail line exceed the acceptable level, a factor which the ministry of environment wishes to have noted in all land registry deeds pertaining to the site. Mayor Pomeroy defended the choice of site, however, explaining that it could be used for no other purpose.

"I don't think (the noise) is something that can't be overcome," he said.

"Well, it's up to Acton and Halton Hills, but put it this way: I wouldn't want it in Burlington," Chairman Rafus responded.

Ward 1 Coun. Ed Wood pointed out that Acton already has three major residential subdivisions located alongside the same railway line and the close proximity "doesn't seem to be bothering any of the people living there."

**WEDNESDAY NIGHT FEVER**

Liz Majurey and Karen Herrmann, members of the disco club at Limehouse Public School, performed at the school's Christmas concert Wednesday evening. Students from all grades are in the club, and members performed a number of dance routines to the music of several well-known disco tunes. (Herald photo)

**For Quality Photofinishing**  
Leave your films with us!

**CREATIVE CAMERA CENTRE** 877-0411  
Age of Majority Photos \$5.00