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September 30, 2019

Janitors become first group to test BC's new successorship provisions setting major legal precedent for workers in highly precarious sectors of the economy

Over 20 janitors at risk of losing their jobs Monday will now be retained by the successor contractor, Bee-Clean Building Maintenance, after winning a crucial decision at the BC Labour Relations Board on Saturday

VANCOUVER, BRITISH COLUMBIA – Janitors at two Oxford Properties sites in downtown Vancouver, including the historic Marine Building, are celebrating a massive victory that will require the successor cleaning contractor to hire all the existing employees on Monday, as they take over the cleaning contract.

This month, the janitors at 401 West Georgia and 355 Burrard Street working for Supra Property Services decided to come together to unionize with the Service Employees International Union Local 2 so they could win job security and better working conditions for their families.

“This is a great victory for us,” exclaimed Loida Ubay, one of the workers at 401 West Georgia and witness at the Labour Board hearing. “I’m happy with tears of joy! We were all so incredibly stressed and worried and I’m just so relieved everything worked out.”

Ubay, who has worked in the building for five years was suddenly going to be jobless because the new contractor did not want to hire her or recognize her union rights. “This job is so important to me,” said Ubay, “how would I pay my bills?”

Bee-Clean Building Maintenance, a huge national contractor that cleans up to 250 million square feet of space across Canada, attempted to displace almost all of the newly unionized workforce, arguing that the new successorship provisions should not apply to this group of workers.

Last Friday, the BC Labour Relations Board held an expedited hearing on the matter.



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Bee-Clean’s legal counsel maintained that they signed the contract with Oxford Properties prior to the workers’ union application at the BC Labour Relations Board. The contract at both these buildings will take effect on Monday September 30, 2019.

All 24 workers at the two buildings signed and delivered an open letter addressed to Bee-Clean and Oxford Properties. An excerpt from the letter summarizes the workers key demands: “We are requesting that you accept our wish to form a union, re-hire and recognize our seniority, and negotiate a union contract with us in good faith. Working families at Bee Clean Building Maintenance contracted by Oxford properties deserve to work with dignity.”

Last May, the BC provincial government amended Section 35 of the BC Labour Code to include successorship provisions for contracted workers such as building cleaners. This new legislation obliges the successor contractor to hire the existing employees and binds them to “all proceedings under the Code” from the previous contractor.

Previously, workers were forced to re-apply for the same jobs they had been doing for years with no guarantee that the new company would re-hire them. This is still the case for non-union workers.

“I have gone through five contract flips in the last 13 years,” explained Rosario Agustin, who works at the Marine Building at 355 Burrard Street. “It’s not fair that we must go through so much stress each time there is a contract change. That’s why we decided to form a union and have job security when contracts do change.”

The purpose of these changes to the Code was to provide job security to unionized workers during contract flips in highly precarious sectors of the economy. These protections include their right to collective bargaining and preserving the hard-fought improvements workers won through this process.

From the looks of it, the changes appear to be serving their purpose.

The Service Employees International Union, Local 2 represents 16,000 workers across Canada including over 10,000 workers in the janitorial sector. The goals of SEIU’s Justice for Janitors campaign is to organize janitors across a city or market, so together, workers can raise standards in the cleaning sector and reverse the race to the bottom.

For more information, please visit www.justiceforjanitors.ca

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