

# The Global Helicopter Pilots Association—the New Kid on the Block

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The Canadian Industrial Relations Board (CIRB) makes it easy to apply for union certification. They examine five basic points:

- Does the Board have jurisdiction?
- Is the application timely?
- Is the employee organization a trade union within the meaning of the Code?
- Is the proposed bargaining unit appropriate?
- Does the trade union represent the majority of the employees?

They also believe the “average employee group should be able to apply without the expense of a lawyer.”

Indeed—the application for certification filed on December 21, 2006 by the fledgling Global Helicopter Pilots Association (GHPA) was handwritten using a cheap CHC promotional pen, and launched an unprecedented process that has become a classic David and Goliath story.

The journey to get to that point, and to where we are today is bittersweet, to say the least. But what a journey!

The pilots of CHC International, the predecessor of CHC Global Operations, were spread out across the globe in more than 35 small bases, often comprised of one or two aircraft. Pilots with 30-years experience with the company often knew only a handful of the other 200 or so pilots. Organizing this independent group of individuals had been repeatedly referred to as “impossible.”

CHC pilots had tried to organize in the past but this geographical barrier became a limiting factor in its membership drive, and management would invariably squash the small group through firing and/or redeploying the pilots to more remote bases.

In 2005, the World Wide Web offered a solution through an Internet forum, called “Onevoice,” a cyberspace meeting place to share ideas. Much like PPrune, the CHC forum allowed complete anonymity, but with that came vociferous opinions, unverified information (rumours), personal attacks and threads that became a cat and mouse game of trying to guess who was using handles like “mastbumper”, “nrdroop”, and “contrarianlemming.”

It soon became obvious that management had infiltrated the forum and Onevoice disappeared, only to be resurrected a few months later with stricter membership controls. Now the forum moderator (who to this day remains anonymous) required a sign-in process to verify that only CHC employees were signed on and not part of management. Participants had the choice to use their real name or create an anonymous username. Not many identified themselves—the paranoia and oppressive culture created by management, and the Canadian helicopter industry as a whole, was deeply ingrained in all the pilots.

Having been a freelance writer for many years, I offered to place a story about helicopter unions in one of the Canadian aviation magazines. Exposure in the mainstream media may legitimise the idea of unions and encourage supporters to come

forward. And the timing seemed perfect—the EMS pilots in Canada had just been certified by the CIRB and were entering into their first round of collective bargaining.

But the idea of a pilot union in Canada still made people uneasy, and no one from the union or management would comment on the record. With little “hard” news the article became a primer on how to become unionised, and the editor could not publish it. Much of their advertising money comes from the operators, after all! However, the research conducted to write the first draft was not wasted—information learned from the Canadian Labour Congress, the B.C. Federation of Labour, the Canadian Office and Professional Employee Union (COPE) and the Professional Employee Association of B.C. (PEA) was passed on to the Onevoice forum, and soon pilots began identifying themselves as true supporters for an association.

And that had been the original idea—over 80% of the members on Onevoice wanted to see an Association, voluntarily recognized by CHC management. The model chosen was similar to Westjet, a small western-based budget airline that started in 1996 and by 2006 had been named Canada's most admired corporate culture for the second year in a row. What corporation wouldn't want to reach that status?

In February 2006 a PowerPoint presentation outlining the pilot's concerns was presented to CHC management. They asked for a few months before responding. In the meantime, several long-time employees “knew” what the response would be and suggested that the group go ahead and seek formal certification from the CIRB.

Polls were conducted on Onevoice to gauge the level of support for this move forward, and the response was overwhelming. Keenly aware that the traditional method of a membership drive—meetings with speakers and membership forms available—would not work with the Global pilots, a secure website was established that provided log-in access to a Members Only page, a Forum, an on-line store where memberships could be purchased, and recruitment information was made available. A virtual office with an address in Vancouver only a few blocks from CHC's head office seemed appropriate, complete with a conference room for rent. Already we had imagined hosting the first collective bargaining meeting on our turf! A mission statement, a code of ethics and a constitution were posted on the web page—all borrowed and adapted for our purposes from established unions like the PEA, Air Canada Pilots Association (ACPA) and the Airline Pilots Association (ALPA).

CHC management responded to the February presentation in May 2006, and to no one's surprise all concerns were glossed over, and voluntary recognition of any association was rejected. But thanks to the support of a number of pilots all over the globe, the GHPA was ready to launch. On June 26, 2006 the inaugural meeting was held in Songkla, Thailand. True to our dedication to technology, some other bases were connected via cell-phone and Internet during the meeting where Executive Members were elected, the Constitution ratified and the first members paid their fee.

Through word-of-mouth and numerous dedicated members in larger bases the GHPA membership reached 55% of the estimated pilot workforce in a few short months, and the application for certification was filed just before the Christmas holidays—six months after our inaugural meeting. The speed in which we gained a majority of support spoke volumes about the underlying desire for a collective voice.

But then came CHC's objections. In a 25-page document they outlined their assertions that the GHPA wasn't a “real” union; that the CIRB had no jurisdiction over pilots working internationally; that CHC was not the “true” employer; that the GHPA did not represent the majority of pilots; and finally, that the pilots within CHC were not aware we were applying for certification. Under the CIRB rules, the GHPA had 10 calendar days to respond to these allegations. Plenty of time, had we expected it.

However, Murphy's Law reared its head, as it so often does in aviation: the virtual office didn't inform anyone in the GHPA about the 25-page fax for two days. Then there was another day for it to be couriered to Victoria. By then we had less than seven days to respond. The Victoria lawyer who had agreed to represent the GHPA was immersed in another case and was unable to drop everything in such a short time frame, and all seemed lost.

Then, in classic union "brotherhood" fashion, the Canadian EMS pilots came to our rescue and put us in touch with the Office and Professional Employees International Union (OPEIU)—the New York based union that represents PHI, OLOG, Ft. Rucker, Air Methods and several other pilot organizations, including the Canadian EMS pilots.

Over an early morning telephone conversation where we discussed the GHPA's goals and current situation, the OPEIU graciously agreed to assign one of their Canadian labour lawyers to our case—and in the tradition of any legal thriller, over long nights and early mornings, we put together a 50-page response to CHC's assertions.

Ten days later we received another submission from CHC, reiterating much of the same argument, to which the GHPA lawyers responded again with more evidence in our favour.

While the CIRB likes to settle certification applications in a fair, expeditious and economical manner, CHC used numerous tactics to delay the process. The hearing before the board to determine if the CIRB had jurisdiction over pilots flying internationally proceeded in August 2007. CHC brought in seven witnesses from Africa, Thailand and Canada while the GHPA had one lone witness to testify.

It was a long and arduous wait for the decision, and many GHPA members thought the movement had ceased. But on December 12, 2007—almost a year after applying for certification—the Board ruled 100 percent in favour of the GHPA.

It was a huge win. But unhappy with the outcome CHC appealed the decision, asserting that the Board had misinterpreted the law, and also filed an appeal in the Canadian Federal Court of Appeals.

The CIRB re-examined all the evidence and in April 2008 ruled 100 percent in favour of the GHPA again! And the GHPA filed a petition to dismiss the Federal Court appeal.

Of course, we now have to endure more stalling tactics on the part of CHC management, and deal with their next assertion that they are not the "true" employer of the pilots, that they are just a "pilot hiring agency." It makes little sense to the pilots working in the field, but it is part of the process.

The GHPA and the OPEIU are committed to seeing this through to completion, and they look forward to negotiating the first collective agreement. A move to give pilots a collective voice that appeared simple at first has become—due to CHC's anti-union attitude—a long, drawn out and expensive process. Needless to say, CHC will not likely be voted as one of Canada's most admired corporate cultures, but with the help of the GHPA, the pilots coming to work for CHC may finally receive the respect and remuneration deserved.