



Kahnawà:ke Ratitsénhaiens

Mohawk Council of Kahnawà:ke

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Tsi Nahóten Karihwanákere No'nenk News Release

MCK responds to Mercier Bridge threats of legal action

For immediate release

(Kahnawake – 15, Seskéha/August 2011) The Mohawk Council of Kahnawà:ke is issuing a statement (see attached) in response to the threats of legal action regarding issues pertaining to workers on the Mercier Bridge. Specifically, this involves documents recently sent via Canada Post and through an advertisement published in the *Eastern Door* on 12 Seskéha/August.

The statement clarifies misinformation contained within these documents.

The MCK would like to make absolutely clear to the community that the MCK has not taken a side in the bridge issue. Its position remains the same as it has been throughout: it will continue to work towards the goal of creating mechanisms that will allow **all** qualified Kahnawà:ke ironworkers, regardless of whether they choose to be affiliated with a union or not, to have the opportunity to work on the largest ironworking project ever located on our Territory.

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Notice to the Community

For immediate release

(Kahnawake – 15 Seskéha/August) In the past several months the Mohawk Council of Kahnawà:ke (MCK) has had to provide the community with information regarding the labor situation on the Mercier Bridge. While the MCK is pleased to inform the community on the issues it is involved with, there are other persons or entities that seem to either misunderstand the facts or choose to present information that is questionable or completely incorrect.

Most recently, paid advertisements in the local media and letters placed in Kahnawà:ke post office boxes accuse the MCK of "attempting to tax bridge worker's pay."

It must be stated clearly, once again, that the idea of paying into a 'community fund' was not the MCK's suggestion. On June 6th about a hundred men showed up at the MCK offices to inform Chief & Council that they did not wish to affiliate with a union and pay union dues. Instead, they made the suggestion to pay into a "community fund" in order to reach an agreement.

Later, a follow-up meeting took place which included Chief & Council, the three contractors (Wayne Rice, Sterling Deer and Peter Morris) and representatives of the workers in which all present came up with a solution that removed a stalemate that threatened to stop all works on the bridge. That solution was the one suggested by the workers: pay into a fund that would be used to assist various community organizations. The MCK wholeheartedly endorsed the idea. The monies would be distributed at a later time. Details on the selection and distribution of the monies collected were not decided at that time. At NO TIME was any of this "imposed" by the MCK, as stated in the literature distributed by the "Kanien'kehá:ka Bridge Workers" and its legal representatives.

The ironworkers are all very much aware of the issues that are at play in this scenario. The complicated matter of Quebec laws that INCLUDE the union in labor legislation meant that negotiations HAD to take place in order to remove obstacles that could have prevented the works on Contract B from proceeding and to ensure that the federal Order in Council of 1932 (Mohawks given preference on repair works on the Mercier Bridge) would be respected.

Not only were those obstacles removed, but the MCK was further able to convince Quebec to formally recognize Mohawk Self Insurance (and the removal of CSST), as well as Quebec agreeing to accept the Kahnawà:ke Trades Qualification Program as the mechanism to approve the qualifications of ALL Kahnawà:ke workers wishing to work on the bridge, removing elements of CCQ.

The letter received by lawyers retained by the "Kanien'kehá:ka Bridge Workers" makes two demands, both of which are disturbing in their scope.

The first, asserting that, "The certification of bridge workers by the MCK on criteria other than the one provided for in the applicable laws is illegal," is clearly contrary to the spirit of Kahnawà:ke creating its own mechanisms that are advantageous to the community. Are they suggesting that we just use the existing federal and provincial laws instead? The same ironworkers had a seat at the table to develop our own regulations.

The second states that, "any mandatory payroll deduction in lieu of union dues to a fund created by the MCK is contrary to the Indian Act." This statement is wrong on every level. As stated earlier, the MCK did not 'create' the fund and has not stated any preference as to where these monies will go. And the *Indian Act* has no relevance in this matter.

Community members should be reminded that the 'community fund' issue is a temporary measure that pertains exclusively to the Mercier bridge issue. It is not being considered for other works in the community but, rather, addresses issues very specific to the unique demands of a complex set of circumstances that come with a project that is split between federal and provincial authorities and funding sources, each that have their own sets of laws and regulations.

In closing, we must remind the community once again that the MCK has never taken a side in this issue but, rather, has been put in a position where it has to deal with issues and situations that are unique. The MCK's position remains the same: we will continue to work towards the goal of creating mechanisms that will allow all qualified Kahnawà:ke ironworkers, regardless of whether they choose to be affiliated with a union or not, to have the opportunity to work on the largest project ever located on our Territory. And it will continue to defend our jurisdiction and build on the foundations that currently exist.

We believe that the vast majority of community members share that position and we will continue to work in the best interest of ALL Kahnawà'kehró:non.

In Peace and Friendship,

MOHAWK COUNCIL OF KAHNAWÀ:KE