UNJUST Transition

The Future for Fossil Fuel Workers

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REFINERY TOWN IN THE PETRO-STATE

Co-Opting the Just Transition

Emily Eaton, Andrew Stevens, and Sean Tucker

ON A BITTERLY COLD DAY in January 2020, dozens of Regina Police Service officers attempted, unsuccessfully, to clear a barricade set up at the Co-op Refinery Complex (CRC) in Regina by locked-out oil refinery workers. The confrontation led to Jerry Dias, then national president of Unifor, Canada's largest private sector union, being arrested, loaded into a police wagon, and taken into custody. Dias and hundreds of Unifor representatives from across Canada were in town as part of an effort to reinforce the picket lines blockading entrances to the refinery, thereby forcing the company to get serious about negotiating an end to the dispute. That night, news outlets across Canada rolled the footage of the national union leader being detained, evoking expressions of solidarity from allies as well as vitriol from those who wanted "eastern" labour leaders to stay out of local oil and gas affairs.

The lockout would drag on for another five months. For many workers, the long dispute, which divided the community, was about maintaining their pension plan and ensuring the survival of their local union, Unifor 594. We believe this lockout was also a bellwether event for fossil fuel workers in an industry being forced to respond to the deepening climate emergency.

In the years leading up to and during the lockout, the employer justified its demands in terms of cost savings that were necessary for investments to shift to a low-carbon economy. Two weeks prior to the lockout, in an open letter, the company reasoned that pension concessions were needed "because we understand that a shift in our traditional fossil fuel market is already taking place and we must be prepared to address the challenges with significant investment in our refinery."[1] And yet local media and analysts who covered the historic dispute left the company's stated reasons for locking out their workers largely unexamined.

This dispute provides a window into the ways that other fossil fuel companies may manage their labour relations as they respond to new climate change–driven government regulations and position themselves as part of the coming net-zero future. Ultimately, this is a story about a powerful fossil fuel company — ironically, of an enterprise that began its story as a consumer co-operative — trying to break its workers' union under the guise of climate action, a story that may become more familiar in the decades ahead if oil and gas workers, their unions, and civil society are unsuccessful in winning a transition to a low-carbon economy centred on principles of justice.

As we see it, energy transition is happening now — industries are having to respond to changing regulations and consumer demands — but exactly *how* companies respond remains an open question. The CRC is responding by engaging in greenwashing and delaying action through far-off promises it may not be serious about achieving, while using the spectre of the coming low-carbon future to attempt to break the collective power of the union. The six-and-a-half-month lockout at the Co-op Refinery serves as a cautionary tale and, hopefully, motivation for workers and broader civil society to push for a transition that is more just, humane, and supports a livable planet well into the future. This experience also illustrates the complexity of change and the hopes and fears of refinery as well as other oil and gas workers.

The CRC is a wholly owned subsidiary of Saskatoon-based Federated Co-operatives Limited (FCL), which in turn is owned by over 164 retail co-ops from British Columbia to northern Ontario. The CRC was founded in 1935 as the Consumers' Co-operative Refineries Limited, with 632 shareholding members. Nine years later, in 1944, it joined the FCL. Today FCL had the second highest total sales revenue of all Saskatchewan companies.

The dispute with its workers occurred within the broader climate politics and regulations that emissions-intensive energy industries are attempting to shape and navigate. Regional politics in fossil fuels have evolved from a time when energy unions worked to chart independent policy positions on the oil economy to the current "petro-populism" of western Canada in which labour has often aligned itself with corporate interests. In this political economy, are unions representing workers employed in the oil and gas sector, like Local 594, equipped to lead a transition to different but equally well-paid jobs? Especially in what political scientist Angela Carter describes as a "petro-province"?[2]

FEDERAL CLIMATE CHANGE REGULATION SPURS A RESPONSE

Since the CRC opened in 1935, the concentration of CO_2 in the Earth's atmosphere has increased from 308 to 417 parts per million (a 35 percent increase).[3] Over this same period, the average temperature on the planet has increased by 0.8 Celsius.[4] The consensus among scientists is that this warming is due to human activities, primarily burning fossil fuels.[5] In response to worsening climate change, and as part of global efforts to reduce greenhouse gas (GHG) emissions, Canada has committed to reducing its emissions 40–45 percent below 2005 levels by 2030 and reaching net zero by 2050. The federal government's emissions reduction plan, released in March of 2022,[6] includes several new regulations with which the oil and gas industry will have to comply and on which fossil fuel companies have been consulted for some time. A new clean fuel standard, methane reduction measures, and a cap on oil and gas emissions are among the new and coming regulations targeting the sector. Whether these regulations will deliver the GHG reductions to match Canada's commitment, it is clear that fossil fuel–intensive industries are in a period of adjustment. If they can't produce operating plans that show a path to net-zero emissions and performance models to match these plans, refineries risk being phased out.

Like other oil and gas operations, the CRC, which emits about 2.1 million tonnes of carbon dioxide per year, is attempting to maintain its social licence by promising it will use carbon capture technology and biofuels to reduce its emissions 40 percent by 2030.[7] It says it is "aspiring for net neutral by 2050."[8] However, it appears that the CRC's commitment to sustainability is mostly an exercise in "greenwashing." There has been no meaningful investment into winding down their fossil fuel business in line with the global goal of transitioning to a near-zero future.[9] This response is hardly unique.

Fossil fuel companies must also adapt to a consumer demand for electrification of vehicles and heating, along with changing patterns of global investment in environment, social, and corporate governance. Both the refinery and its parent company, FCL, know this.[10] Currently, about 5 percent of all new vehicle sales in Canada are fully battery electric.[11] This is forecast to increase to 60 percent by 2030,[12] and 100 percent of all new light-duty vehicle sales will be "zero emissions" by 2035 under the new federal mandate.[13] Whether economies are actually able to transition off of oil and gas and meet their GHG targets, the industry is already in the throes of a profound transition. This is a transition that oil and gas companies in the US and Canada have been planning for — while also actively resisting and delaying — for decades. The CRC is no exception.[14] Refineries are valued at several billion dollars each and they risk becoming stranded assets with huge environmental cleanup liabilities in the coming decades.

THE POLITICAL ECONOMY OF OIL AND GAS IN SASKATCHEWAN

The Government of Saskatchewan, led by Premier Scott Moe, has vocally opposed Ottawa's regulations for the oil and gas sector, with particular venom directed toward the federal price on carbon emissions and environmental protection regulations. One of the pillars of the province's "30 Goals for 2030" growth plan, released in the fall of 2020, is increasing "oil production by 25 percent to 600,000 barrels per day."[15] This flies in the face of reports, such as the International Energy Agency's *Net Zero by 2050*, that call for no new investments in fossil fuel supply, instead focusing on winding down production.[16]
Many commentators have pointed out that the province is in a perpetual state of conflict with Ottawa over how to reach Canada's international GHG emissions reduction goals. This barb from the Saskatchewan minister of energy, in 2021, is illustrative:

> [T]he constitutional treatment of Saskatchewan can no longer be based on economic punishment. When it comes to the energy conversation, the whole world is tearing up the script

> and we're adjusting to what the Bank of America is calling the new energy world order.… Our stability has been in spite of, and not because of, the federal government, as provinces like Saskatchewan have fought the energy fight.[17]

Oil and gas have become celebrated industries in Saskatchewan since global commodity prices began to rise in the early 2000s.[18] This has helped to create what scholars describe as the "petro-state," whereby the political geography of a region or country is defined by its economic relationship with oil.[19] Indeed, governments of all political stripes in the province have worked to empower the oil industry as a matter of public policy.[20] As Carter writes, "successive governments in Saskatchewan — socialist and conservative — have championed the oil and gas industry, starting with the CCF in 1944."[21] Western Canada's position as a centre of "carbon capital" has certainly aided this trend, particularly due to its surging bitumen exports and branding of Canadian oil as the world's "most ethical."[22] Business-friendly royalty and taxation regimes are thus configured to entice capital investment in an effort to compete with other oil-producing provinces and regions.[23] In this context, the political consensus is that expanding oil and gas pipelines destined for export markets will benefit all communities, businesses, and workers in the region — part of what Stuart Trew labels "pipeline populism."[24] Broader questions of labour rights and wealth distribution are subordinated to the interests of employers in the petro-state's new common sense, wherein workers' interests and corporate interests are framed as one and the same, exemplified by the slogan "I love Canadian oil and gas."[25]

Regina can be described, as Steve Early puts it, as a "refinery town," with the CRC dominating the political, economic, and social spheres of the prairie municipality.[26] The facility is listed as the second largest property taxpayer at the municipal level,[27] and it has become a significant patron of cultural and social programs, even financing a municipal public emergency notification system.[28]

In Saskatchewan, questioning the hegemony of this industry is met with severe consequences. A short-lived decision by Regina's city council in early 2021 to ban fossil fuel companies from sponsoring civic infrastructure and events demonstrated the province's ideological commitment to oil and gas. While the policy would have had no material effect on the industry other than disrupting one avenue for the CRC to influence public opinion through corporate social responsibility initiatives, it was enough to mobilize the refinery, industry organizations like Canadian Association of Petroleum Producers, and Conservative government–backed advocacy groups like Alberta's Canadian Energy Centre against the municipal council. Saskatchewan premier Scott Moe went so far as to threaten the province's second largest city with a suspension of yearly grants in lieu of property taxes from SaskPower and SaskEnergy in an effort to turn the public against their elected local representatives.[29]

In Saskatchewan, and arguably in much of western Canada, conservative forces have successfully positioned fossil fuel workers (and at times the unions that represent them) as inherently aligned with the interests of industry leaders — or what some political economists have described as the "carbon-capital elite."[30] However, oil-producing states like Norway, which is heavily reliant on fossil fuels as a staple of employment and national revenue, reveal a different trajectory. There, a close alliance exists between the social democratic establishment, oil workers, and their respective unions and labour federations. Politicians who recognize the need to accelerate the green transition actively invite these workers to become "heroes of tomorrow" in their narratives about the role of fossil fuel labour.[31] Tensions certainly exist when it comes to phasing out the oil industry and what this means for Norwegian jobs, but conservative groups have not successfully achieved hegemony among this important constituency as they have in Canada. It is within this political and economic context that FCL and Unifor 594 began negotiating a new collective agreement in 2018.

NEGOTIATING TRANSITION

Until about 2010, the CRC largely reflected the co-operative principles that have governed most of its existence.[32] While marking the eightieth anniversary of the refinery in 2015, FCL boasted, "The Refinery units continue to stand as towers of hope, embodying not only what has been done, but also what can be done … when people work together."[33] Article 4 of the Local 594 collective agreement speaks to the value of cooperation in the context of labour relations, binding both parties to a commitment to "foster and promote the highest level of employee morale and employee-employer relationships." Signage celebrating this relationship even appears at an entrance to the facility.

Despite FCL's espousal of co-operative values and principles in its public relations strategy, power and decision making have become increasingly centralized and undemocratic. Along with this centralization, a cultural shift has led to growing antagonism between management and workers. Throughout the lockout, FCL and CRC aligned their messaging with the political discourse of the Government of Saskatchewan: Unifor was an eastern union interested in stirring up trouble in the province. This strategy proved highly successful in winning public support.

In the years leading up to the dispute, CRC leadership insisted that the refinery needed to transition the facility to meet new fuel standards, cope with a federal carbon tax, and respond to an anticipated decline in fossil fuel consumption.[34] Former FCL CEO Scott Banda situated pension concessions in the context of preparing for a downturn in refinery profits due to carbon pricing and slowing demand for fossil fuels. "It's real; it's happening; it's going to impact us. It will be at the refinery," he remarked in a 2017 interview.[35] FCL's VP of energy, Cal Fichter, expressed similar concerns: "We recognize that the world is changing and there is a political momentum to transition away from fossil fuels."[36] Ironically, in 2021, FCL acquired 171 Husky Energy retail fuelling stations.[37]

The company's supposed financial constraints also framed the previous round of negotiations with Local 594, but at that time the company pointed to the downturn in oil prices, rather than federal regulations, as the main cause of concern. As bargaining commenced in 2016, the company announced that FCL's revenues were being hit by the recent slide in oil prices and the general weakening of the energy sector.[38] Amid this turmoil, Banda wrote in a letter sent directly to refinery employees, "While we cannot isolate ourselves from challenges in today's western Canadian economy, co-ops are uniquely positioned to answer those challenges." Much of this correspondence was aimed at pressuring workers to accept a defined contribution pension plan for new hires.[39] "New pipelines," the letter continued, "are putting pressure on the cost of our crude supply," suggesting that increased capacity could result in increased prices of refinery inputs, thereby jeopardizing the bottom line.[40] Labour costs, the company insisted, were spiralling out of control compared to competitors. Workers recognized this move as a historic turning point in labour-management relations.

But the company was attempting to mask the facility's financial success. Regina's Co-op Refinery Complex benefits from its proximity to the cheaper Western Canadian Select (WCS) crude oil stream — a fact that is largely kept quiet by both the provincial government and FCL — by way of reduced product costs and, therefore, higher profits.[41] As a process operator remarked during an interview, "It's the cheapest of the cheap. It's the difference of what it costs us now — because everyone is complaining that raw crude is so cheap. Yeah if you're a driller, it's shitty. It's awful, because your raw crude is cheap. But for us we buy it cheap from you but we can still make the same item at the end of the day."[42] The CRC is also at the financial heart of the co-operative system. In 2022, FCL's Energy Segment,[43] of which the CRC is a part, accounted for 64 percent of the co-operative's overall sales or $7.96 billion, and 75 percent of FCL's net income.[44] As Canada's fifth largest refinery, processing oil was a significant contributor to FCL's $1.1 billion profit in 2018 — the most profitable year in its ninety-one-year history.

Despite its record profitability in the lead-up to the historic lockout, FCL attempted to create a sense of looming financial hardship, citing increased competition, new pipelines, and the potential for new federal emissions standards. It mobilized these future threats as reasons for its assault on Local 594,[45] and particularly for its position that pension concessions were crucial for the co-op's continued existence. Management was ready for this fight, having spent years setting up the issues and playing into prevailing attitudes in Saskatchewan that see environmental regulation as a threat to livelihoods and prosperity. But it wasn't always like this in Saskatchewan. Through the history of the CRC we can trace a story that mirrors the broader trajectory of western Canadian politics. Starting with principles of cooperation and workers developing independent energy policy, it ends up today in an era of petro-populism where workers have made difficult concessions and been appropriated in the narratives and interests of their employers.

TRANSITIONING AWAY FROM ENERGY POLICY INDEPENDENCE AND CO-OPERATIVE VALUES

Until the early 1980s, unionized oil workers in Canada forged their own political trajectory centred on public ownership and control, with strong roots in the anti-corporate and co-operative movements of Saskatchewan. In 1942, workers at the farmer-established co-op refinery unionized with no contest from the employer and began agitating for their interests in national energy policy. Notably, they became Local 1 of the newly formed Oil Workers' Industrial Union (OWIU). The union was formed on the cusp of the socialist Co-operative Commonwealth Federation (CCF) being elected to office in 1944, with Tommy Douglas as premier.

Neil Reimer, who was involved in the initial union drive at the CRC, was the leader of the refinery workers' union from the early 1950s to 1980. According to Reimer, "the movement was so politicized and because the role of co-ops was so important, we had to decide what role the union movement would play. The role of co-ops, socialism, and democracy were all part of it."[46] Reimer's experience led him to conclude that the CCF and the co-operatives could not be trusted to uphold the interests of refinery workers, or workers more generally — unions would be required to protect labour's interests despite the social democratic mantra of the government. Throughout the 1940s and 1950s, Canada's first refinery union — which became Local 594 of the OWIU in 1948 — proceeded to define labour organizing and political mobilization throughout the sector, with the CRC functioning as its operational base.[47]

By the 1960s, Canadian oil worker unions had flagged the problems of foreign ownership and the necessity of a Canadian energy strategy, part of the wider left-nationalist tendency that defined the era.[48] Two major strikes against the energy companies in 1965 and 1969, involving "hot oil" boycotts, illegal walkouts, and sympathy strikes, implemented national-pattern bargaining.[49] By the 1970s, OWIU (now the Oil, Chemical, and Atomic Workers International Union, or OCAW) had crafted its own national energy policy, which advocated for the expansion of PetroCanada, investment in solar, wind, and biomass research and development, along with conservation programs as an alternative to pricing mechanisms such as a general pollution tax because the union viewed "market-based" solutions as hurting ordinary working people.[50] These developments represented the maturation of several ideas that can be traced back to the union's original base at the co-operative refinery in Regina.

However, national-pattern bargaining became severely fragmented and weakened throughout the 1980s and 1990s, and the OWIU's energy policies of the late 1970s have now been all but abandoned. After breaking away from OCAW in 1979, the independent Energy and Chemical Workers Union (ECWU) developed their 1980 energy strategy. While the strategy remained on the union's agenda through the decade, there was no accompanying rank-and-file education campaign to rally the membership around these ideas. In 1992 the ECWU merged with other unions to form the Communications, Energy and Paperworkers (CEP) union. The CEP's subsequent energy strategy, published in 2002, reiterated many of the points made in the ECWU's 1980 policy position. The climate crisis was in the foreground, but the document contained no demand for nationalization. Caught between recessions, unemployment, and concerted anti-unionism by governments and employers alike, refinery workers were hardly alone in retreating from the militancy of the previous decades. Ultimately, the ECWU and subsequent CEP would effectively abandon its own proposals for transforming the oil industry in Canada and follow the prerogatives of industry.

In Regina, workers told us that shifting attitudes within the leadership of FCL and CRC have unsettled decades of stable labour relations. For one Local 594 member, "Everything is negative. I called it the 'house of hatred'.... They hate the workers. Anything that you come up with, they don't want to hear. Any safety issue you bring up, they don't wanna hear.... There's no incentive there to do your job better." Prior to beginning the lockout in early December 2019, one 594 member remarked to one of the editors of this book that the "plant is in the toilet."

COLLECTIVE BARGAINING — 2016–2020

A dispute in the 2019–2020 round of bargaining was predictable, but few Local 594 members anticipated the scope of the struggle that would ensue. The CRC had established the groundwork for a protracted dispute during the last round of bargaining in 2016. At that time, the company demanded pension concessions and the elimination of the most skilled and experienced job in the bargaining unit, the master operator (MO). Tasked with authorizing work and maintenance, as well as overseeing safety-sensitive operations, the elimination of the MO position from the bargaining unit could severely weaken the union at the bargaining table. The union gave ground on their pension but not the MO.

Rank-and-file members of Local 594 recognized that neither the workers nor the union leadership were prepared to challenge the employer in 2016: "I think why we settled last time is we weren't as prepared as we should have been," said a 594 member during an interview. "We didn't really think that they were willing to spend hundreds of millions of dollars to save $30 million worth of wages." Ultimately the members agreed to the employer's offer, which included the creation of a two-tier pension scheme, and avoided a dispute. But the employer's push for concessions would not abate. Due to the delay in negotiating the 2017 deal, discussion of the next contract began only one and half years later.

Weeks before the 2019 lockout, Gil Le Dressay, VP of refinery operations, stated: "Bringing trailers on-site [to house replacement workers] is not something we want to do, but is something we have to do for the safety of our people and our community.… We must be prepared to safely run our refinery in the event of a labour disruption."[51] After failed attempts at bargaining and mediation, the union served the company with the required forty-eight-hour notice of job action on December 4, 2019. The company responded by declaring a lockout before the strike could commence.[52]

Prior to the union's strike notice, the co-op said it had no plans to lock out employees before Christmas, but the threat of uncertain disruptions, like work-to-rule, forced its hand. The CRC was racing to secure occupancy permits for its "scab camp," situated on land leased from the City of Regina for the stated purpose of a temporary work camp, as it wrestled with fire codes and other building standards even after the lockout had commenced. Senior managers noted that the camp had been filling up before the local authorities had granted all the permits, pointing to the significance of the camp for the refinery.[53] Picket lines were immediately established at all entrances and exits to the plant, with fuel trucks delayed thirty minutes or more in some cases.

The delay of fuel trucks in and out of the refinery complex prompted the CRC to seek an injunction against the union on December 17, claiming that picketers had been involved in improper and illegal conduct on the picket lines and had threatened violence and assault.[54] While Unifor's legal counsel requested time to prepare a response, the court immediately instituted a five-minute limit on the blockade of vehicles used to shuttle replacement workers, fuel, and supplies into and out of the facility.[55] Helicopters were already being deployed to outflank the picket line, even at the early stage of the lockout.

Both the summary of injunction affidavits and statements from workers on the line suggest that the company was needlessly dispatching fuel trucks to the site to exaggerate the hardship faced by the employer, drivers, and contracted trucking companies and to build a case for legal action.[56] As one worker alleged in court documents, "fuel trucks [were] leaving the Complex empty or underloaded." In-scope dispatchers also said that it is not uncommon for truckers to wait extended periods of time in the fuel marshalling area of the refinery, further indicating that the employer may have deliberately created a sense of urgency that could be used against Local 594.[57]

Through the injunction, a long-standing legal tool, the employer sought to debilitate labour's capacity to disrupt business operations while nominally supporting the right to picket — provided it had no meaningful effect. "In a labour dispute," Banda made clear, "everyone understands that there's two rights: there's the right for the union to picket in a peaceful way and there's the right for the business to operate, and what we have been denied is the ability to operate."[58] Documents submitted by the employer's legal team reveal the company's interest in criminalizing the activities of the union, its members, and even community allies. Evidence drawn from access to information documents reveals that the company wanted the provincial government to go even further by involving the Ministry of Corrections, Policing, and Public Safety directly if the municipal police force and courts failed to uphold the company's business interests.[59]

In mid-December, Unifor's national leadership called for a boycott of all FCL-affiliated co-op businesses.[60] By the New Year, the public face of the dispute quickly shifted from Local 594 members and its executive team to Unifor's national leadership, marking a turning point in the lockout. Bargaining was now taking place in full public view, as both sides launched comprehensive advertising campaigns defending their respective positions. Unifor's national executive largely took over decision making, putting a community unionism strategy developed by Local 594 in jeopardy as securing public sympathy gave way to militant confrontation with the employer. The stated reason for the lockout — the need for savings to transition the refinery to compete in a "low-carbon" economy — was no longer being discussed.

In January 2020, companies affected by the picket lines began coming to the aid of the refinery. Owners of trucking companies made a public appeal to municipal and provincial leaders to crack down on locked-out workers, specifically demanding the Regina Police Service (RPS) investigate alleged acts of sabotage against trucks.[61] This resulted in trucking companies staging their own act of civil disobedience by blocking traffic in the city's downtown corridor for a day as a protest against the government's unwillingness to dismantle the picket lines. Similar allegations surfaced as local residents accused union members of using caltrops to spike the roadways adjacent to the refinery.[62] Trucking companies continued their appeal by writing to the premier, provincial ministers, mayor and city council, and the Regina police chief to escalate pressure on the union. Little was said in the media of the employer's role in the lockout.[63]

In an effort to pressure both the company and provincial government to take action, Unifor barricaded all entrances to the refinery on January 20, 2020. Hours later the labour relations terrain shifted considerably when Unifor's national president, Jerry Dias, was arrested by the municipal police, along with several picketing workers, for violating the injunction.[64] Dias's arrest signalled the significance of the dispute to labour leaders across Canada. Prior to the arrests, unions in the province had been officially silent, as Unifor was unaffiliated with the Saskatchewan Federation of Labour and the Canadian Labour Congress. The lack of solidarity undermined attempts to build a broader campaign not only in support of Local 594, but also for workplace pensions and benefits in a profitable oil and gas industry. Dias's detainment catalyzed a protracted assault by the employer on Unifor's "eastern Canadian" roots at a time when the latest western separatist movement, known as #Wexit, was gaining traction in the region and premiers Moe and Kenney, in Alberta, were constantly attacking Ottawa. The CRC continued to cast Unifor as an outsider, not aligned with the interests of western Canadians; it silenced efforts to build rapport with members of the public and further alienated Local 594 from mainstream Saskatchewan.[65] Tension increased in the community and many 594 members felt unsupported walking the line during the cold prairie winter.

By February 2020, pressure for increased police presence on the picket lines escalated as union blockades began to inflict gas shortages at Co-op and other service stations in Manitoba, Saskatchewan, and Alberta. Regina's police chief had long struggled to resist attempts by political leaders to involve themselves in the RPS's affairs, despite being cast by the union as working in the interests of the refinery. Calls from the premier demanding the RPS enforce an injunction order issued a month earlier made the chief of police's hands-off approach less tenable.[66] At the time, self-identified farmers even threatened to detonate a bomb in order to break up the blockade, according to a letter uncovered through a freedom of information search.[67] Furthermore, FCL's CEO seemed to accept support from United We Roll — a conservative movement with far-right supporters — in response to confrontations at Alberta Co-op Cardlock stations.[68] Opponents of Local 594 also used social media to shift the narrative about the dispute, casting workers as entitled union "thugs" working against the interests of rural Saskatchewan. Additional picket line arrests and a permanent police presence at the blockade soon emerged. Throughout all of this, there was no discussion of the energy transition that is upon us.

Leading up to a court decision in February, the CRC asked for an unprecedented $1 million fine and the imprisonment of two 594 union leaders who they claimed had instigated the blockades.[69] Ultimately the union was found guilty of contempt of court and served with a $250,000 fine, along with community service for one of the local's vice-presidents. The minister of labour refused to order the parties back to work despite calls from the municipal council and Local 594 members, instead appointing special mediators to help resolve the conflict.[70] Veteran mediators Vince Ready and Amanda Rogers provided written recommendations, which Local 594 members subsequently approved with 98 percent support. However, Ready and Rogers noted in their report: "The Employer makes clear in its submission that it has no appetite to resolve the present dispute without achieving its bargaining objectives,"[71] chief among them elimination of the MO position.

Amid these significant challenges, the COVID-19 pandemic hit Saskatchewan in March of 2020. Worries of the virus infecting replacement workers housed in the CRC's camp mounted, and calls for health authority inspections resulted in some government action.[72] Escalating financial hardship associated with the initial COVID lockdown, sharp decline in fuel demand, and the length of the dispute resulted in waning public interest. Media attention was punctuated by periodic reporting. The discovery that 60,000 litres of oil sludge from the refinery had been seeping into the municipal sewer system (and partially into a local waterway called Wascana Creek) attracted considerable media attention.[73]

On April 29, Local 594 members voted against the company's "best and final offer." The refinery insisted on continuing the lockout and self-servingly used the pandemic to gain even more concessions. By this point all legal avenues had been exhausted by the union and a meaningful legal disruption of the employer's supply and distribution line was effectively silenced. This left locked-out workers in the unusual position of lobbying the government for back-to-work legislation with an arbitrated resolution.

However, the minister of labour, Don Morgan, resisted pressure to intervene, arguing that "we'd like to see at the end that this becomes a negotiated settlement that was arrived at between the two parties, not negotiated on the floor of the [Legislative] Assembly."[74] By June, Local 594 and the CRC returned to the table, and with further intervention from the mediators, workers eventually accepted a contract containing concessions that 594 had fought for over four years. A contentious return-to-work agreement outlining the use of discipline and grievances to handle recalcitrant and militant workers was maintained after the seven-year contract was signed.

The deal was a bitter pill to swallow for refinery workers. However, and most importantly, the union had managed to uphold solidarity: No workers are known to have crossed the picket line during the dispute. They also maintained the MO position in the Local, something that the CRC had, since 2016, sought to eliminate in the name of "operational efficiency." But workers did experience injustices when they returned to the plant in July 2020: the company swiftly terminated several workers (later, these dismissals were reversed by an arbitrator) and the CRC also laid off the MOs (later, in 2021, it eliminated the position entirely). The union accused the refinery of bad-faith bargaining and the Saskatchewan Labour Relations Board concurred. In October 2022, the board found that CRC had misled the union when it failed to disclose a decision to eliminate the MO position while bargaining was taking place in March 2020. In their unanimous decision, the board stated: "All of the evidence that leads to this conclusion is too voluminous to spell out in detail."[75]

RAMIFICATIONS OF THE LOCKOUT

The 2019–2020 CRC lockout holds multiple implications for the transition that will take place in the coming two decades. It is noteworthy that through all the twists and turns of the dispute there was virtually no discussion — in the media or by elected officials, the union, rank-and-file members, or the company — of the CRC's initially stated reason for its bargaining position: the need for cutting labour costs to fund the refinery's transition. Imagining the future of fossil fuel refining comes first and foremost from the voices of Local 594 workers themselves. They are best situated to narrate what was lost and gained through the lockout and how the transition can be just. But the CRC's plans for a low-carbon future are suspect.

The refinery's aim to achieve net-zero emissions is far-fetched and serves as cover for endless concessions, including workforce reductions. Workers cannot rely on the CRC, or any other employer, to advance a transition agenda that balances the interests of workers with environmental stewardship. A close look at the refinery's environmental and health and safety track records compared with facilities elsewhere in Canada shows that it lags far behind and potentially poses a significant threat to surrounding communities. Despite significant occupational disease and other health hazards for refinery workers, the CRC has been successful at deflecting political and public scrutiny of safety issues at the plant — all at the expense of workers.

It is clear that unions and workers must mobilize if they are to achieve a transition that is truly just. The pension plan dispute illustrates this point. While the employer claimed existential financial hardship should workers not concede to changes at the bargaining table, it continued to be highly profitable leading up to and after the labour conflict. While often seemingly less central than wages and working conditions, the struggles over pensions, not just in this conflict but in the wider history of labour negotiations, are important. For the most part, the media propped up the CRC's narrative around pensions and allowed many of the company's talking points to go unchecked for much of the dispute.

Finally, we must not forget the role that the state played in this situation. The police, the courts, and the government all worked to protect the interests of capital over that of labour — this, despite the pretext of the Saskatchewan government's stance of neutrality throughout the lockout and successive Supreme Court of Canada decisions that have upheld the constitutional right to strike and picket. The courts rendered the picket line ineffective and elevated the company's right to protect its business interests over the labour rights of the workers.

On the whole, this begs the question: Will the trajectory of the fossil fuel sector be one of a "just transition" toward a less carbon-intensive economy with the needs of oil and gas workers front and centre, or will the winding down of extractive industries lead to acrimonious labour relations and social injustice? Coverage of the lockout generally failed to dig deeper into issues such as labour's role in transition and the costs workers bear when they are forced into things like pension concessions. This paints a dire picture of an unjust transition towards what the oil industry has defined for itself as a sustainable future. Both workers' interests and the environment are sacrificed to assist in industry's attempt to delay its evitable demise.

But another way is possible. To build a just future for workers and the environment, energy sector unions will need to become both environmental actors and stewards of good jobs as part of a genuinely "just transition." Labour will need to build its power and advocate for itself and its communities loudly, and it must take its place at the policy tables when governments and employers are making decisions about the future of fossil fuels.

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