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Public Sector Collective Bargaining in Canada: Beginning of the End or End of the Beginning

edited by Gene SWIMMER and Mark THOMPSON, Kingston, Ontario, IRC Press, 1995, 446 p., ISBN 0-88886-422-1.

Students of public sector industrial relations will be delighted by the publication of this volume. It provides comprehensive coverage of the public sector, updates the authors' 1984 book *Conflict or Compromise: The Future of Public Sector Industrial Relations*, and adds significant new material on a variety of topics (e.g. privatization).

The volume is especially timely. The public sector has been the most visible part of our industrial relations system since the 1960s when public employees unionized in massive numbers. Not only did this development change the face of the labour movement, it altered irrevocably the traditional paternalistic relationships that had characterized public employment for half a century. Early public sector unionism was also militant unionism. Collective bargaining effected the way public services were provided, disrupted those services from time to time, contributed to higher levels of taxation, and created a whole new set of pressures on public managers and government budgets.

At the same time that unionism was exploding, attitudes began shifting about the role of government itself. In many respects Canada was built by public agencies and branches of government carrying out economic policy in transportation, communications, and other sectors. Most Canadian governments embraced Keynesian economics, which justified public intervention in economic endeavours. Beginning in the 1980s, these approaches were challenged as governments, confronted with large debt, began to reduce the size and scope of their activities. Much greater reliance was placed in the operation of the free market. The intervention of government in the marketplace came to be seen as the problem rather than the solution. Poli-

cies emphasizing full employment gave way to debt reduction strategies.

The consequences of these shifts could be seen in the privatization of major government-owned enterprises including PetroCanada, Air Canada, Canadian National Railways, liquor stores, and provincial telephone companies. It led to the contracting out of work formerly performed by public employees in activities as diverse as highway maintenance, labour mediation, and vehicle licensing. Hospital and recreation centres were closed, class sizes increased, and new user fees imposed. The suspension of normal collective bargaining and the imposition of wage freezes or rollbacks became commonplace. All of these changes, and others like them, have had an enormous impact on public sector employees, unions, and managers.

This book highlights the causes and consequences of these changes. In fact, the book's subtitle — "Beginning of the End or End of the Beginning?" captures nicely the crossroads at which public sector industrial relations currently sit. From the introductory chapter, which sketches the main institutional features of the system, to the individual chapters on specific topics (e.g. health care, compensation) the theme of major change is a recurring one.

The book is comprised of sixteen chapters, with the co-authors taking responsibility for the introduction and conclusion as well as two other chapters. The rest of the chapters are contributed by established academics or individuals with recognized expertise on particular subject matter. As a result, the discussions are of high quality, reflect views from across the country (and abroad in one case), and contain strong reference lists. Half the book addresses broad subject areas important to an understanding

of public sector industrial relations: union evolution; Charter of Rights; workplace equity; compensation; strikes; privatization; and, comparative experience. The other half of the book focuses on developments and structures in particular sectors: local government; province of Quebec; health care; elementary and secondary education; police and firefighters; provincial public service; and federal civil service. As a result readers gain an appreciation for broad trends across different parts of the public sector combined with a more detailed analysis of the experience in particular sectors.

Several chapters stand out. In Chapter 3, Katherine Swinton assesses the impact of the Charter of Rights on public sector industrial relations. It has been popular wisdom that Supreme Court decisions have been harmful to the rights of unions. Professor Swinton, while acknowledging that unions have been on the losing end in a number of cases, takes a contrary view, arguing convincingly that "while the decisions often fail to provide labour with *new* instruments to expand the scope of collective bargaining, they have nevertheless provided important protection for labour's past gains in the political process" (p. 54, emphasis in the original). The author further concludes that the courts have largely deferred to legislators for policy direction, an approach that she prefers to the "edicts of judges" (p. 76). In Professor Swinton's opinion, public sector unions have not been harmed by Charter decisions and may have benefited in important ways.

Chapter 10, which deals with health care, also makes new contributions to our understanding of public sector developments. Larry Haiven provides an excellent overview of the structure and process of bargaining in this complex industry, then turns his attention to the very emotive issue of hospital strikes. The experience during nursing strikes in five provinces is reviewed with a focus on steps taken to ensure the provision of

essential services. Professor Haiven finds that, due to a conservative setting of minimum staffing levels both by tribunals and nurses themselves, patient safety was not threatened. He also notes that the situation was nevertheless chaotic in many hospitals, a result he attributes to poor managerial planning. He concludes that all parties are learning how to handle hospital strikes and the limited strike model (in which some employees are designated as essential) holds the most promise for effective dispute resolution.

A comparative chapter by Phillip Beaumont of the University of Glasgow also makes a noteworthy contribution. Placing Canadian public sector developments into a wider context serves the very useful purpose of demonstrating that the forces that are re-shaping our industrial relations are far from unique to Canada. Debt reduction strategies, greater emphasis on free market policies, contracting out, and privatization are not confined to this country. Moreover, in most OECD countries, Canada included, public sector employees wages declined relative to the private sector in the 1980s. Professor Beaumont concludes by suggesting that the forces buffeting public sector industrial relations will increase rather than retreat during the 1990s, a fact that is increasingly self-evident in Canada.

Space limitations have permitted me to focus on only three of the book's many fine chapters. Suffice to say, the book as a whole constitutes the best single source of information on Canadian public sector labour-management relations. It provides both up-to-date factual information and informed analysis of ongoing developments. It is the ideal text book for anyone teaching a public sector course and should be required reading for all graduate students with an interest in industrial relations or public administration. The authors are to be congratulated for their efforts.

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