

Industrial Relations in Scandinavia Les relations industrielles en Scandinavie

Gil Schonning

Volume 25, numéro 2, 1970

URI : <https://id.erudit.org/iderudit/028124ar>

DOI : <https://doi.org/10.7202/028124ar>

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Éditeur(s)

Département des relations industrielles de l'Université Laval

ISSN

0034-379X (imprimé)

1703-8138 (numérique)

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Citer cet article

Schonning, G. (1970). Industrial Relations in Scandinavia. *Relations industrielles / Industrial Relations*, 25(2), 212–225. <https://doi.org/10.7202/028124ar>

Résumé de l'article

L'importance d'un système efficace de relations industrielles est sans cesse croissante, dans le cas de pays qui désirent atteindre des buts de développement, de stabilité économique et de plein emploi.

Les mécanismes complexes des relations industrielles sont aptes à engendrer aussi bien des profits accrus que des coûts élevés, imputables aux heurts possibles dans le processus de relations industrielles. Il est donc valable de chercher les causes de stabilité ou de perturbations dans différents systèmes, ainsi que d'analyser quelles incitations et mécanismes seraient de nature à amortir ces heurts. Notre étude s'intéresse particulièrement à la chaîne d'interrelations salarié-syndicat-patron-propriétaire.

Le climat dans lequel se déroulent ces relations est surtout influencé par les normes de la société telles que prônées par la population. En effet, ceux qui ont réussi à améliorer leur système de relations industrielles ont d'abord concentré leurs efforts sur la création d'un climat favorable aux relations industrielles. Ils ont fait des recherches sur les limites d'un système de relations industrielles, défini plus clairement les rôles des deux parties principales en cause. Enfin, ils ont obtenu le consensus en ce qui concerne l'élimination ou tout au moins la minimisation des éléments perturbateurs du système. Puisque l'idéologie dominante du système de relations industrielles d'un pays est souvent applicable dans un autre, il nous semble intéressant de considérer les facteurs et les mesures qui ont contribué à rendre le système Scandinave plus stable que le nôtre.

Les facteurs les plus importants à l'origine de cette stabilité sont les suivants : les deux parties en cause s'entendent afin d'abolir toutes causes futiles de mécontentement et de respecter la position prise par l'autre partie. La décision finale est laissée à l'autorité centrale qui contrôle les points non établis dans la législation et négocie quant à la somme totale de profits qui doivent revenir aux travailleurs. Dès le début, dans les accords de base, on a convenu du déroulement pacifique des négociations. On s'entend au départ sur une politique de plein emploi, ce qui influence le comportement du gouvernement des deux parties en cause. Enfin, le facteur probablement le plus important est l'importance donnée à la formation pour les deux groupes appelés à négocier. Certains attribuent la stabilité du système de relations industrielles au fait que ce sont des partis travaillistes qui sont au pouvoir ; il ne faut pas surestimer ce phénomène, car le gouvernement doit toujours conserver l'appui des deux groupes (syndicats-employés et patrons-propriétaires). Comme dans la plupart des pays occidentaux, sauf l'Allemagne, les syndicats sont organisés selon le métier ou l'industrie, ces différents syndicats étant réunis au sommet en un organisme central. Ces organismes centraux sont l'organisation centrale des syndicats et la Confédération des employeurs qui sont les agents négociateurs pour tous les travailleurs et les patrons affiliés à ces organisations ; ayant pris connaissance des demandes venant des échelons inférieurs et spécialisés des organisations syndicales, ils en discutent dans l'optique d'éviter la grève, de conserver le plein emploi, la stabilité des prix, etc. Au cours des négociations on en arrive à cerner le cadre économique, c'est-à-dire les hausses de salaires que peut permettre l'économie sans mettre en danger la stabilité des prix, parfois on mettra l'accent sur les salaires, d'autres fois sur les avantages sociaux, ou sur les droits des plus bas-salariés. Fait à remarquer, lorsque les négociations portent sur des points autres que celui des salaires, les pourparlers ont tendance à être très longs afin de retarder la grève.

Le rôle joué par le gouvernement au sein de ce système s'exécute via deux organismes : le Service de médiation et le Tribunal du travail. Ce dernier juge les griefs alors que le Service de médiation assiste les parties à conclure une entente sans recourir à la grève. Nous devons noter ici que le recours à toute sanction économique est suspendu pendant la durée de la convention collective.

Le Tribunal du travail, qui doit veiller à faire respecter les lois sur le travail ainsi que les droits de tous, est un organisme tripartite où siègent des représentants du gouvernement, de l'organisation centrale du syndicalisme et de la Confédération des employeurs. Le Service de médiation, constitué d'un médiateur du palier supérieur du gouvernement et de plusieurs médiateurs régionaux, non seulement tente de régler les crises, mais aussi cherche à les prévoir et les éviter ; aucune grève ne peut être déclenchée sans que cet organisme en ait été avisé préalablement.

Des commissions consultatives mixtes, formées de membres nommés par les organismes syndicaux et les organismes patronaux ont donné des résultats valables en faisant des études techniques et économiques qui ont été le point de départ de la planification de l'industrie.

CONCLUSION

On ne peut qualifier le régime de relations du travail en Scandinavie comme étant une collusion entre syndicats et employeurs. Le conflit et la grève y sont toujours présents. Ce succès relatif est dû en grande partie aux efforts conjoints des deux parties d'établir de nouvelles organisations, de nouvelles structures et d'éduquer leurs membres par une approche plus prévisionnelle de la négociation collective, approche qui joue essentiellement le rôle d'une politique des revenus.

On peut également dire que, de façon normale, le système centralisé de négociation a rendu plus égale la répartition du pouvoir entre les trois groupes en présence. Lors de circonstances extraordinaires, les gouvernements n'ont pas hésité à se servir de leurs pouvoirs, surtout lorsque l'intérêt public était menacé.

Industrial Relations in Scandinavia

Gil Schonning

The author enumerates the characteristics of the Scandinavian system of industrial relations, notes ten most significant one and compares their system with the one prevailing in Canada.

There is increasing evidence that countries that are committed to specific goals of rapid growth, full employment, price stability, etc. must also commit themselves to more economic management, especially to keeping prices competitive which, in turn, forces these countries to give more attention to the functioning of their industrial relations systems.

An industrial relations system defined along the lines provided by the Task Force on Canadian Industrial Relations is inherently unstable whether the nexus of relations is governed by law and supported by traditional social norms, or, by and large, the latter alone.

While large economic benefits can and do accrue from most industrial relations systems, all or part of these benefits can, from time to time, be wiped out when industrial relations become particularly unstable. This can happen in a number of ways, such as through strikes, go slow, work-to-rule and/or an increased amount of absenteeism caused by lack of motivation, and the often significant indirect effect of these actions. With increasing international trade specialization, a disturbance in one country can affect production employment and prices in another country, which may produce various other undesirable effects. Possibly even more important, the key groups

SCHONNING, Gil, Counsellor (Labour) Office of the High Commissioner for Canada, London, England.

in industrial relations might produce collective bargaining results that are inappropriate to the economic situation in a given period. Evidence suggests, although not clearly, that sometimes the share from total income going to wages and salaries may be too small. This is usually followed by extended periods when rising prices and incomes expectations lead to undesirable results, including the need for government restraints, accompanied by higher unemployment.

In view of the inherent potentials in an industrial relations system for creating benefits (via increased productivity), as well as for creating periods of high cost from industrial relations disturbances, it would appear worth our while to examine what makes some systems more stable than others, what creates disturbances and what sort of encouragement, services or other devices might be used to minimize these disturbances.

It is with the operating part of the industrial relations system that we are particularly interested — the worker-union-management — owner relationships. These relations are, of course, influenced by a highly complex set of factors, but basically they receive their characteristics from a set of social norms held by the population which produces the « climate » for industrial relations, and, consequently, the attitude and behaviour of the key parties in the system. These social norms, while not immutable, can be pretty strongly held, as witness the recent tussle in the United Kingdom when the trade union won a victory over the Government on the penal issues.

It is said that a rich country such as Canada is more capable of absorbing the cost of industrial relations disturbances than, say, a developing country, especially one with one or two industries only. Or, it is said that our system is less costly than the Italian one. Both examples are rather irrelevant. Any system can be improved upon but those who have achieved this have done so by working hard at it by, first and foremost, producing a favourable industrial relations climate ; by increasing education about what the industrial relations system can yield, by clarifying the roles each of the two key parties can play and by finding common grounds for removing or minimizing the factors causing instability in the system. Obviously, no industrial relations system can be wholly stable where economic motivation is high, consumer demand insatiable and where output must be rationed. But evidence suggests that the intensity of the conflict within the system can be reduced with positive effort.

One way of discovering ideas for improving our own system of industrial relations is to examine what inputs were made by another country which has achieved a greater measure of industrial stability. Precise institutions, machinery or procedures in one country are not readily adaptable in another, but principles and ideas often are. With this in mind, we might explore what factors and efforts have gone into making the Scandinavian industrial relations system less unstable than ours.

It is not too surprising in view of the expanding amount of communication among the four Nordic countries, especially at the official levels, that these have developed quite similar industrial relations systems. Their objectives are much the same and the means used to achieve these objectives have followed similar lines. On the scale of sophistication, Sweden has arrived at a higher level than the others, but each has been frequently using ideas and techniques from the others and all have gained a measure of stability and rationality in their systems that is worth looking at.

What is the secret of their achievement? Homogeneity in three of the four may, in part, account for the similar development; they may be said to have similar social norms, but Finland is different in many respects. It has, nevertheless, modelled its system on the others, especially on Sweden and with growing success.

It is, of course, difficult to identify precisely all the factors and deliberate efforts that have shaped their industrial relations systems, but the essential ones do emerge, both from documentation and from personal contacts. We can only draw to the attention of the reader some of the more basic elements that have gone into changing the Scandinavian industrial relations system from being pretty unstable to becoming relatively stable.

All four countries trace the beginning of their trade union movements to the 19th century and like many such movements dating from that period, they experienced a great deal of opposition and contributed to a somewhat turbulent type of industrial relations. The history of the period up to World War II is well documented. All we need to recall is that for the most part of the period the union-employer relations were, by and large, decentralized and strained and collective bargaining rested principally on power generally unfettered by knowledge. The climate for trade union development was not wholly negative but neither was it positive. It was essentially a period in which the « free-for-all » prevailed,

resulting in the strong gaining advantages over the weak. Being a « free-for-all » meant that the parties pursued short-term objectives rather than long-term gains.

Gradually and in succession, the labour market parties in these countries came to the conclusion that the existing system was not only wasteful and costly but exhibited tendencies alien to a maturing democracy. Possibly equally pervasive was the fear by both that in the absence of a more rational approach the State might intervene, something neither party wanted.

Usually after a protracted period of negotiations between the parties a Basic Agreement was drawn up and signed. The Agreement spells out a code of conduct and includes certain rights and obligations. In agreeing to the terms of the Agreement (not binding in law) both parties, but especially the trade unions, gave up some of their earlier freedom of action in return for greater stability and, hopefully, greater longer-term gains. The document marked a turning point in the trade unions' attitudes to industry and employers' attitudes to trade unions, both indicating an extended sense of responsibility to society generally.

Many disagreed with the terms of the Basic Agreement and considered it a sell-out, in that it put trade unions and employers in a strait-jacket. The opposition to the Agreement has dwindled with time, in part because the leadership of both sides have worked diligently in making the more self-regulatory system work. Forming trade unions and shaping new relationships became easier because of the effort on all sides to improve the climate in which trade unions and collective bargaining could develop.

The trade union in these countries is now regarded by the public as a responsible and mature institution forming an integral part of the democratic fabric of each. Many factors have accounted for this. We shall limit these to what are believed to be the principal ones. Both sides agree to follow a positive policy of removing causes of unnecessary conflicts and to recognize and respect each other's roles, but not dogmatically. Secondly, a major share of the locus of decision-making was shifted to the central level which included not only responsibilities for bargaining about the share of aggregate income that should go to labour, but also responsibility for keeping unruly elements in check. Thirdly, the strict observation of the peace obligations was laid down in the Basic

Agreement. Fourthly, the development of a full employment policy in each country which when strongly pursued tends, in part, to determine the behaviour of both labour market parties as well as the Government. Lastly, and possibly the most pervasive, has been the exceptionally strong emphasis given to education and training by both parties. Possibly nowhere in the Western world do trade unions spend as much per capita on their own education development as in these countries. (Finland has tended to lag somewhat in this and other respects, in part because of the troublesome political division within the trade union movement). Trade union training and education in these countries emphasizes not only such essential matters as running an efficient union, training of shop stewards and expanding trade union policies, but also such matters as the operation of the economy and reasons for Government policies.

It has been asserted that a principal reason for the improvement in the stability of industrial relations in these countries stems from the trade unionists having had a party of their own choice in power over much of their recent history. It is claimed that this party pursued social and economic policies which were favourable to trade unions. There is much in this argument but it ought not to be exaggerated at the expense of the many positive programmes carried out by the labour market parties themselves. There had to be a high degree of consensus about government policies by both parties.

As in all Western countries, apart from Germany, which have had a long trade union tradition, unions formed along craft or special interest group lines. The picture even now is one of too many unions, despite the trend towards amalgamation. The development went quite early towards national unions who, in turn, banded themselves together into a central structure called the L.O. Most of the salaried worker's unions, a more recent development, have found it to their advantage to have separate central bodies. Similarly, the employers organized themselves into industrial groups followed by the formation of confederations of these.

Collective bargaining was, for a long time, a local matter. However, the Basic Agreement provided that the central bodies should carry out the first stage in the negotiations. That is, the Central Trade Union Organization and the Confederation of Employers have become the bargaining agent for all workers and employers belonging to these organizations. As such, they are charged with the responsibility of obtaining results sufficiently acceptable to the national groups (sometimes a rather difficult

task) which will avoid strike action and also be conducive to maintenance of full employment, stable prices, etc. This is a pretty considerable objective. Briefly, the procedure adopted prior to the central negotiations is to allow local demand to flow upward and then to be sifted at two or three different levels before reaching the bargaining agent. How much this information is used, very few know. The negotiators then attempt to hammer out what is termed an economic frame. This is done in the context of a great deal of agreed-upon information and free from the pressures of employers and trade unions being directly involved. While the content of this frame may vary from time to time as to money wages, drift, fringes, emphasis on the lower-paid, etc., the outcome must on the one hand prevent undue disturbance among the workers and on the other hand through cost to the employers, prevent undue disturbance on prices and the labour market generally.

When the frame has been arrived at, and this can take weeks or months depending on the difference in the attitude towards what the economy can afford and the amount of accumulated dissatisfaction at the grass-roots, the national organizations may accept or reject it. If accepted, negotiations continue between national unions and the National Industry Employers Association as to distribution of the result. Further negotiations usually take place also at the plant or establishment level. In other words, one might recognize three levels of negotiations under this system.

An observation one might make about the strong attempt to avoid strikes is that when the grass-roots boys are particularly restless, sometimes for other than monetary reasons, central negotiations tend to be particularly lengthy. This is probably a sort of trade-off to strike action. At home, such situations do frequently lead to strike in order, it is claimed, to allow the workers to blow off steam.

What role does the government play in this system? One sometimes gets the impression that the Labour Market parties are so mature and well-disciplined that they need no third party help. In many ways this is true because they have outgrown the need for certain props provided earlier. All the countries have, for example, a Collective Bargaining Act which dates back to the early part of the century. This legislation provided or implied, among other things, the right of trade unions to organize. The law has now almost been forgotten because there is no longer any question about this right.

The State does provide for two important services which are essential to the whole operation, the Labour Court and the State Mediation Service. Both of these institutions also date back a great many years. The Labour Court arbitrates grievances and the State Mediation Service assists the parties in achieving settlements without strike action. Before examining the roles of these institutions let us examine the status of the collective agreement. The terms and conditions of an agreement, once signed, remain unaltered for an agreed-upon period. A peace obligation covers every agreement in Scandinavia; in Finland and Sweden it is regulated by the Collective Agreements Act, in Norway by the Labour Disputes Act and in Denmark it is based on « customary rules ». This means, of course, that strikes, lockouts, or other offensive actions constitute a violation of the Agreement. This statutory obligation refers to both trade unions and the individual worker in all the countries except Finland — where the legislation exempts the individual workers. (This makes wild-cat strikes possible). This mandatory rule supercedes any clause to the contrary that may be put in the Agreement.

Employment relationships are also regulated either by law and/or the Basic Agreement. Among these are the questions of dismissals, layoffs and hiring.

The Labour Court

The need for different machinery for dealing with « rights » and « interest » disputes was made early in Scandinavia. In cassation, Labour Courts were established in all four countries (as early as 1915 in Norway). These deal exclusively with rights disputes. The Court is an independent, tripartite body whose administrative cost is borne by the State. The size of the Court may vary from seven to nine. All are appointed by the State (technically by the President in Finland and by the King in each of the other three). On nomination, two or three are appointed from the Employers Confederation and the same number from the Central Trade Union Organization. Two or three persons appointed, including the Chairman and Vice Chairman, must have legal training and judicial experience.

The work of the Court is to judge cases covering interpretation and sometimes the validity of the Collective Agreement, or cases concerning prohibited offensive actions or acts against the laws of right of association and bargaining. In all these areas the Labour Court acts as a

Supreme Court. There is no appeal of its judgements. The establishment of only one Court in each country assumed that the vast majority of grievances between labour and management would be settled before reaching the Court. This was not so in earlier years. The high annual volume of cases confirmed that a large number of grievances reached the Court, but with growing maturity of the organizations and experience gained from the judgments of the Court which established precedents, this volume has grown rather thin. The procedure of the Court follows that of ordinary courts, with a calling of witnesses and carefully prepared factual statements in writing supporting the judgement. Much care is taken to make both sides understand clearly the reasons for the judgement. So far, the Court has functioned successfully without the help of specialized labour lawyers. The vast majority of the judgements are unanimous. The results of the voting are made public.

The suits in this Court are, as a rule, conducted by and against parties to collective agreements. This is true even where rights and duties of individual employers and workers are concerned. Judgements may call for compensation. In this respect, compensation given by this Court may differ from compensation given by an ordinary Court. In Norway and Sweden damages may be mitigated according to special rules, but in Denmark and Finland, damages are usually replaced by a compensatory fine not closely related to the actual loss. Both must be paid by the violator to the wronged party. It is not known what approach has been the most effective. Certainly the very heavy fines that can be levied on violators of the Collective Agreement in Denmark and Finland appear to be conclusive deterrents.

State Mediation Service

While work stoppages are prohibited in cases of rights disputes, there is no such ban in cases of conflicts of interests. Legislation appeared quite early which provided a service that would minimize strike action on interest issues. In three of the countries this service consists of one State Mediator plus an appropriate number of regional mediators. Denmark has used three State mediators plus a number of regional ones. For some time this service was crisis-related along the line of our own compulsory conciliation. The law provides that no strike action may take place before notice of such has been sent to the mediator. He would then perform the usual role of a mediator.

With time and experience, this service has become more flexible. The responsibility of this service is not limited to the crisis period but also for identifying and resolving developing trouble spots at any time. Mediators may also enter the negotiations at an early stage — so-called on-going mediation. In some instances, use has been made of specially appointed mediators. In the last two central negotiations in Sweden a specially appointed Board was used to achieve settlements.

Apart from the above measures designed to reduce and resolve conflict of interest and conflict of rights, three other deterrents come to mind. The central system of negotiations impose a very great responsibility on the members to find a solution, more so than in the case of a local negotiation. Secondly, any strike action contemplated by one member of the Central Confederation must first be sanctioned by that Confederation. Thirdly, there is always the sovereignty of the State. Evidence shows that in certain circumstances the State has from time to time intervened to protect the « public interest ». Only Sweden has so far escaped such intervention.

Joint Consultation (Advisory Bodies)

Improving relationships between workers and management at the place of work has received increasing attention in the postwar period. Joint consultation committees or work councils have been established for this purpose. These are made up of elected representatives of workers (with shop stewards being *ex officio* members) and representatives of management. The terms of reference of such a body are usually fairly wide. The agenda for discussion might include : promoting efficiency and quality of production ; rationalization and changes in the enterprise with joint assessment of technical, economic and human problems involved ; training programmes ; welfare ; information about the enterprise and future plans.

As in Canada, the degree of success of these committees or councils varies widely, even though in Scandinavia they have been formally agreed to and given support and encouragement by the two central confederations. Norway has also experimented in the postwar period with a tripartite Joint Industrial Council (advisory). This institution was created by the Norwegian Parliament in 1947. It is the only one of its kind in Scandinavia. The principal purpose of the Joint Council was to establish agencies in industries that could act as links between industry and the

government for the purpose of improving development in the industry. These joint councils have been responsible for carrying out either alone or in co-operation with research agencies, complete economic and technical surveys which have been used as a base for rationalization of industry. These agencies have been particularly busy since the creation of EFTA and the EEC because these brought changes in the Norwegian markets and the need for industrial changes which require manpower planning, training, mobility, etc.

Concluding Observations

The Scandinavian Industrial Relations system cannot be characterized as a cosy collusion between trade unions and employers, despite the very low incidence of strikes and the high degree of stability reached in the system. The conflict and the strike weapon are still present. Neither can we find evidence for the possibility that infrequent use of the strike has produced less security of employment and a slower rate in the advance in the standard of living, two key objectives of the labour movement. The converse is probably true.

According to the Scandinavians, whatever success has been achieved through the new approach is simply a reflection of the growing maturity of the participants. They would, therefore, argue that the old system of industrial combat was destructive, both in the sense of contributing to the nation's instability, as well as being a destructive force alien to a maturing democracy. A simplified explanation for the dramatic changes that have taken place in these countries is that a large enough group of the elite from both sides of the market agreed to resolve industrial disturbances and to shift collective bargaining from the haphazard approach to one that might make a more predictable contribution both to the parties thereof and to the stability of the economy. Both sides have made tireless efforts through establishing new organizations and structures and by training and education and publicity and propaganda to convince a growing number of their members of the soundness of this approach. The efforts have produced quite a cohesive and disciplined membership.

Essentially, the central approach to bargaining performs the role of an incomes policy and possibly more effectively than one imposed. It is, of course, difficult to assess how much improvement has been achieved between wages and salaries on the one hand and other forms

of incomes. It is known, however, that the trade unions have achieved a measure of success in their objective to gain greater equality of incomes within their own ranks.

It has been said that the centralized system of bargaining has made the division of power more equal among the three groups, trade unions, employers and the government. This, no doubt, is true under « normal » conditions. Under less normal conditions, the government, even in those countries, has not hesitated to use its extra power when it felt the public interest was threatened. Moreover, under especially abnormal circumstances, some of these countries have had to resort to the imposition of prices and incomes control (currently a price freeze in Norway, price control in Denmark, prices and incomes control in Finland). Sweden has escaped, so far, having to use such powers. External factors may have partially accounted for this but it has more likely been achieved through rational bargaining, plus far more sophisticated manpower and labour market operations than obtained in the other countries. In these respects, Sweden has currently come closer to reaching a rational optimum model of an industrial relations system than in the other three countries.

The question is often raised — How long can such a centralized system endure? It is a fair question. The self-interest and group interest exist and are still pretty strong. Many trade unionists would prefer to participate directly in the wealthier enterprises rather than adhere to a social policy of growing equality. (Some Danish trade unions have asked for more decentralized bargaining). There is the problem of communication between the top and the bottom of such large structures. There is the restlessness of the younger generation who have different aspirations from the old, who are less amenable to the discipline demanded, and who are not at all impressed by the old concepts of collective freedom and solidarity of the workers. There is the question of the ability of the organizations to maintain a pragmatic and flexible approach to new problems and the emerging dissenters. Success over the years may have bred some degree of dogmatism — an attitude the people broke with a long time ago.

Whatever happens in the future, the system is an interesting one, worth looking at. It has an experimental characteristic and, as such, it requires considerable effort to keep it from acting up. One becomes impressed by the attitudinal change in the basis of bargaining from one of enmity to one of equality; by the near absence of the legal profession; by the working out of separate agreements on a number of issues away

from the heat of collective bargaining ; by the on-going and increasing effort by both parties through their own organizations or through the tripartite Labour Market Boards to remove or reduce points of friction often caused by change, and the firm agreement between the parties that rational bargaining combined with effective manpower programmes can do much to get the economy in tune with changing external and internal forces and so reduce the need of government to impose measures that tend to exchange price stability for high unemployment.

Does Canada have anything to learn from the Scandinavian model ? Central bargaining can only be a remote possibility in our country in view of the divided political jurisdiction. This does not, however, preclude the parties from agreeing to bargaining agents covering larger aggregates. Nor does it preclude employers and trade unions from having central confederations for other than collective bargaining purposes.

Some features of the Scandinavian system of industrial relations might be worth considering. The governments, employers and trade unions could, for example, do a great deal to thaw out the continuing frigid industrial relations climate. This item ought to have the highest priority in Canada. Much public relations work needs to be carried out in order to erase the myth that the trade union is an enemy of the people. Full public acceptance of the trade union as a desirable institution in our democracy, not just *de jure* but *de facto*, should be a prime objective. It would challenge trade unions to more rational behaviour. We have much to learn from the Scandinavians in this area.

We might explore ways and means of assisting trade unions to spend more on education and training of their members.

Employer associations and trade union organizations ought to be encouraged to explore with each other the advantages of jointly working out special agreements covering matters of common interest. The purpose might be two-fold. Agreements might be reached on common interest items that do not now enter the area of interest disputes but which often contribute to conflict caused by lack of agreement and procedures for dealing with them. Secondly, an agreement also could be reached between the parties to reduce gradually the number of items that enter the interest dispute area.

We might examine the advantages and disadvantages of establishing labour courts along the lines used in Scandinavia.

We ought to expand our experiment with on-going mediation — possibly as a substitute for compulsory conciliation.

We ought to be less reluctant to use the central tripartite bodies, for example, in the case of the consultation programme.

It might be useful to study the possibilities and advantages of establishing tripartite industrial councils along the lines obtained in Norway.

LES RELATIONS INDUSTRIELLES EN SCANDINAVIE

L'importance d'un système efficace de relations industrielles est sans cesse croissante, dans le cas de pays qui désirent atteindre des buts de développement, de stabilité économique et de plein emploi.

Les mécanismes complexes des relations industrielles sont aptes à engendrer aussi bien des profits accrus que des coûts élevés, imputables aux heurts possibles dans le processus de relations industrielles. Il est donc valable de chercher les causes de stabilité ou de perturbations dans différents systèmes, ainsi que d'analyser quelles incitations et mécanismes seraient de nature à amortir ces heurts. Notre étude s'intéresse particulièrement à la chaîne d'interrelations salarié-syndicat-patron-propriétaire.

Le climat dans lequel se déroulent ces relations est surtout influencé par les normes de la société telles que prônées par la population. En effet, ceux qui ont réussi à améliorer leur système de relations industrielles ont d'abord concentré leurs efforts sur la création d'un climat favorable aux relations industrielles. Ils ont fait des recherches sur les limites d'un système de relations industrielles, défini plus clairement les rôles des deux parties principales en cause. Enfin, ils ont obtenu le consensus en ce qui concerne l'élimination ou tout au moins la minimisation des éléments perturbateurs du système. Puisque l'idéologie dominante du système de relations industrielles d'un pays est souvent applicable dans un autre, il nous semble intéressant de considérer les facteurs et les mesures qui ont contribué à rendre le système scandinave plus stable que le nôtre.

Les facteurs les plus importants à l'origine de cette stabilité sont les suivants : les deux parties en cause s'entendent afin d'abolir toutes causes futiles de mécontentement et de respecter la position prise par l'autre partie. La décision finale est laissée à l'autorité centrale qui contrôle les points non établis dans la législation et négocie quant à la somme totale de profits qui doivent revenir aux travailleurs. Dès le début, dans les accords de base, on a convenu du déroulement pacifique des négociations. On s'entend au départ sur une politique de plein emploi, ce qui influence le comportement du gouvernement des deux parties en cause. Enfin, le facteur probablement le plus important est l'importance donnée à la formation pour les deux groupes appelés à négocier. Certains attribuent la stabilité du système de relations

industrielles au fait que ce sont des partis travaillistes qui sont au pouvoir ; il ne faut pas surestimer ce phénomène, car le gouvernement doit toujours conserver l'appui des deux groupes (syndicats-employés et patrons-proprétaires). Comme dans la plupart des pays occidentaux, sauf l'Allemagne, les syndicats sont organisés selon le métier ou l'industrie, ces différents syndicats étant réunis au sommet en un organisme central. Ces organismes centraux sont l'organisation centrale des syndicats et la Confédération des employeurs qui sont les agents négociateurs pour tous les travailleurs et les patrons affiliés à ces organisations ; ayant pris connaissance des demandes venant des échelons inférieurs et spécialisés des organisations syndicales, ils en discutent dans l'optique d'éviter la grève, de conserver le plein emploi, la stabilité des prix, etc. Au cours des négociations on en arrive à cerner le cadre économique, c'est-à-dire les hausses de salaires que peut permettre l'économie sans mettre en danger la stabilité des prix, parfois on mettra l'accent sur les salaires, d'autres fois sur les avantages sociaux, ou sur les droits des plus bas-salariés. Fait à remarquer, lorsque les négociations portent sur des points autres que celui des salaires, les pourparlers ont tendance à être très longs afin de retarder la grève.

Le rôle joué par le gouvernement au sein de ce système s'exécute via deux organismes : le Service de médiation et le Tribunal du travail. Ce dernier juge les griefs alors que le Service de médiation assiste les parties à conclure une entente sans recourir à la grève. Nous devons noter ici que le recours à toute sanction économique est suspendu pendant la durée de la convention collective.

Le Tribunal du travail, qui doit veiller à faire respecter les lois sur le travail ainsi que les droits de tous, est un organisme tripartite où siègent des représentants du gouvernement, de l'organisation centrale du syndicalisme et de la Confédération des employeurs. Le Service de médiation, constitué d'un médiateur du palier supérieur du gouvernement et de plusieurs médiateurs régionaux, non seulement tente de régler les crises, mais aussi cherche à les prévoir et les éviter ; aucune grève ne peut être déclenchée sans que cet organisme en ait été avisé préalablement.

Des commissions consultatives mixtes, formées de membres nommés par les organismes syndicaux et les organismes patronaux ont donné des résultats valables en faisant des études techniques et économiques qui ont été le point de départ de la planification de l'industrie.

CONCLUSION

On ne peut qualifier le régime de relations du travail en Scandinavie comme étant une collusion entre syndicats et employeurs. Le conflit et la grève y sont toujours présents. Ce succès relatif est dû en grande partie aux efforts conjoints des deux parties d'établir de nouvelles organisations, de nouvelles structures et d'éduquer leurs membres par une approche plus prévisionnelle de la négociation collective, approche qui joue essentiellement le rôle d'une politique des revenus.

On peut également dire que, de façon normale, le système centralisé de négociation a rendu plus égale la répartition du pouvoir entre les trois groupes en présence. Lors de circonstances extraordinaires, les gouvernements n'ont pas hésité à se servir de leurs pouvoirs, surtout lorsque l'intérêt public était menacé.