

THE CORPORATION OF THE DISTRICT OF BURNABY

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TO: MUNICIPAL COUNCIL
FROM: ALDERMAN V. V. STUSIAK, MUNICIPAL COUNCIL REPRESENTATIVE
TO THE G.V.R.D. LABOUR RELATIONS COMMITTEE
SUBJECT: LABOUR NEGOTIATIONS

Attached for the information of the members of Council is a copy of an article entitled "A Collective Bargaining Strategy" which is taken from the Autumn 1981 issue of the CUPE periodical, "Public Employee".

This material is being referred to Council at this time so that the content of the article can be considered at the same time as the Tabled Matter with respect to Labour Negotiations is considered on 1982 January 18.

Respectfully submitted,



Ald. V. V. Stusiak, Municipal Council
Representative to the G.V.R.D.
Labour Relations Committee.

AGENDA 1982 JANUARY 18
COPY - MANAGER



A Collective Bargaining Strategy

Why are we being forced into more and longer strikes? Why and how are so many employers taking such a tough stand and blunting the edge of our strike weapon? And what can we do about it? Here are the answers.

Since the birth of CUPE in 1963, there has been a steady increase in the frequency of strikes of CUPE locals. This can be largely explained by the changes in the composition of the membership in CUPE as well as changed economic conditions.

- (1) Many of the new groups of CUPE members unionized because of the large gap between their wages and benefits and the wages of those already unionized. Better communication within CUPE and the principle of standardizing conditions of employment led many of these groups to strike for "catch up", a frequent strike slogan in Canada in recent years.
- (2) Sharp increases in the inflation rate since 1972, together with employers who were slow to react to the changed conditions, has resulted in marked increases in strikes in both the public and private sectors.

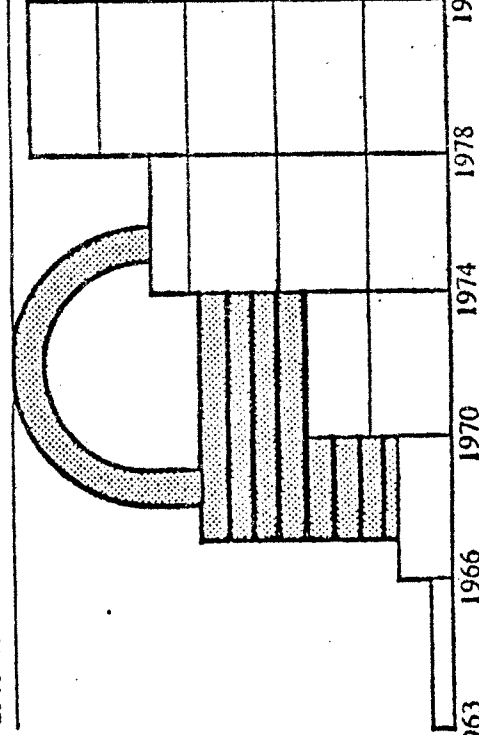
- (3) The policies of cutbacks, take-aways, and ceilings on government spending which have been introduced since 1975 have forced CUPE members to strike merely to retain existing conditions and benefits.
- It is clear from the above that CUPE strikes are not only occurring with greater frequency, but they are also lasting much longer.

The following table shows the incidence and length of strikes and lockouts in CUPE since 1963.

Strike and Lockout Statistics in CUPE 1963-1980

At Four Year Intervals

Years	Average annual Strikes or Lockouts	Average Duration in Work Days
1963-1966	5	14
1967-1970	13	17
1971-1974	37	14
1975-1978	72	23
1979-1980	95	27



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It is important to examine why this has occurred:

(1) Public Employers are Learning to Cope With Strikes

Although public sector strikes do cause great annoyance, politicians and the public are learning to cope with them more easily. The mere threat of a strike against a municipality, school board, or hospital a decade or two ago would have quickly brought the necessary concessions and the strike would be averted. Strikes which did occur lasted just a few days or a week at the most. These employers were simply not organizationally prepared to cope with a strike.

Today that has all changed. With advanced planning and preparation, public employers are much better prepared to take a union on in a good fight.

(2) Politicians Have Been Replaced by Professionals

Over the past decade many elected politicians have vacated their seat at the bargaining table and have been replaced by the professional negotiator. Obviously, the professional, whose fee or reputation is built on beating the union down, regardless of the long term cost, is far less susceptible to pressure from the union or the general public.

(3) Technological Changes Prolong Strikes

As a result of changes in technology, employers and the public can endure longer strikes. Also public enterprises are not necessarily in the monopolistic position they were in formerly. A few examples will illustrate.

At the municipal level, the "leverage" enjoyed by a public employee union on strike was centered around the continuing supply of fresh water and the collection of garbage, particularly in warm weather. Today, water purification is highly automated and a small crew of supervisory staff working extended hours can maintain the water supply for several months.

Strikes against school boards also used to be of short duration because of the need to have furnaces tended during the heating season. More automated heating systems have now reduced the manpower required, making it easier for the school board to endure a strike.

(4) The Impact of Contracting Out

The contracting out of public services has had an enormous impact on the effectiveness of public sector strikes. During a public employee strike, many of the services to the public are continued by the work of contractors.

(5) Exclusions from Bargaining Units

Employer attempts to exclude more and more classifications from the bargaining unit is one further method of reducing the effectiveness of unions and diminishing the power of the strike. In many cases, these exclusions do not fall in the category of



managerial staff. By working overtime, these excluded personnel have been able to continue operations for extended periods of time.

6) **The Financial Squeeze on Public Employers**
One of the main difficulties in public sector bargaining is the financial squeeze on governments. Increasing conflict between public employees and the state results from government's inability to meet payroll demands.

The heavy demands made by the corporate sector for and-outs and tax concessions is causing government expenditures to outstrip revenues.

With both federal and provincial governments increasingly assuming the financial obligations of benefit to corporations, it any wonder that they have difficulty in providing funding for the health, social and educational services provided by public employees?

The corporate share of federal and provincial tax revenue is declining at the same time that corporate demands on the public treasury are increasing. This means greater government deficits. In such periods of economic crisis, governments first put the rews to the public employee.

7) **The "Profitability" of Public Employee Strikes**
Another reason that public sector strikes are more frequent and longer is that some public employers think that strikes can be "profitable"; that is, they can be used as a means of balancing a budget.

A strike in private industry means loss of production. However, with many public services, the opposite forces are at play. Many public employers believe they save money when their employees are on strike. There is no payroll to be paid, so costs are reduced. Yet, there is no corresponding reduction in revenues—the tax money still keeps rolling in spite the strike. Many public employers are actually encouraging and provoking their employees to strike as a means of saving money and balancing the budget. They are "encouraging striking employees "to pay" for their own settlement.

A New Approach Required

All of the above examples illustrate the changes that are making traditional public service strikes less effective. But this is not a plea to abandon the use of strikes or to find some magical "other way". There is no other weapon in the hands of workers to bring pressure on employers. However, strikes are supposed to hurt the employer. But many CUPE strikes are not hurting anymore. Therefore, public sector unions will find it necessary to turn the screws a little tighter, to stay out on strike a little longer and to find new techniques, if the strike weapon is to remain as effective as it was in the past.

What Must Be Done

(1) Co-ordinated Bargaining and Co-ordinated Strikes

The days when any CUPE local could effectively bargain by exercising its full local union autonomy are long over. Every individual CUPE local settlement has an impact on every other settlement. In the face of highly co-ordinated and sophisticated bargaining by public employer groups, it is folly to believe that individual CUPE locals can have much impact. CUPE locals which bargain on their own pay a heavy toll in lesser wages and benefits. In addition, the precedents they set penalize others.

CUPE must co-ordinate both bargaining and strikes to make them more broadly-based. In cases where two or more CUPE locals bargain with the same employer, historical differences must be resolved. Every effort must be made for joint proposals and joint or co-ordinated bargaining so that all groups will be in a strike position at the same time. The situation where one CUPE local is crossing the picket line of another CUPE local cannot be tolerated any more.

In metropolitan areas where there are a number of municipal locals, they should be bargaining together. In smaller centres, all municipal and school board locals, and if possible, other CUPE locals in the area (public utility, university, home for the aged,



library, etc.) must co-ordinate their bargaining strategies.

This co-ordination may result in bigger strikes. It should also result in shorter strikes.

(2) Picketing

Picketing generally has three purposes: 1) keeping out of scabs. 2) a morale building activity for the strikers. and 3) providing information about the strike to the public. However, there are few instances where public employers have hired scabs during a strike. Therefore, in addition to picketing, CUPE must explore other uses of picketers' time. It may be far more useful for strikers to distribute leaflets about the strike to the community, or circulate a petition, or organize public support from the users of the public service, or provide some form of community service with the appropriate publicity.

(3) New Forms of Strike Activity

Our strike tactics have become ritualized. Most often "strike" equals work stoppage and pickets, and no more, CUPE must develop a whole new collection of additional, imaginative strike techniques, such as, strikes which only hit the sensitive parts of the employer's operation; wild cat strikes, work to rule, rotating strikes. Alinsky-style disruptions, non-collection of taxes and other revenue, calling the strike the day before the tax bills are to be sent out and informing the public that the strike is saving taxpayers their billings, and the forms of hospital strikes developed in France in 1968 and Quebec in 1972 where the employer was locked out and the workers ran the hospitals themselves. (Hospital administrators fear most that their hospitals can be run without them!) CUPE must continually explore ways of hurting the employer, without necessarily resorting to strike action.

(4) No More "Gentlemanly" Strikes

A strike must be considered as all-out war and all the pressure possible must be exerted to stop the operations of the employer to the fullest extent. Too often striking unions continue to provide services as a form of goodwill during a strike. Invariably, this has worked to the disadvantage of the union in the long run.

(5) Public Relations

The media has effectively turned public opinion against public employees. This has become key to the politicians' resolve to cut back public employee working conditions. Therefore, an important factor in the success of the strike weapon is the use of the media to influence public opinion.

CUPE locals tend to ignore the whole question of their public image during the life of the agreement and during the whole course of negotiations. It is only after the strike has started that they suddenly become concerned and madly put in a long distance call to the National Public Relations Department to send someone out yesterday. By then it is too late to do what should have been done before the strike started.

Therefore, when a strike situation appears at all likely, locals and their representatives must contact the National Director of Organizing and Servicing. It will be the Director's responsibility to ensure that P.R. and Research advice and assistance is available to bring the union's case before the public and to put the dispute in its proper perspective. This pre-strike groundwork is absolutely essential.

(6) Political Action

CUPE locals must become more effectively involved in political action, either independently or through Labour Councils and

Labour Federations to ensure public bodies are more labour oriented. (Extreme care must be exercised to avoid the frequent occurrence where unions have given candidates electoral support only to be betrayed once these candidates are elected). Once such labour representatives are elected, it is imperative to maintain a continuing liaison with them. Further, they must be accountable to the labour groups which elected them.

(7) Coalition Building

Those citizens who are the "consumers" of the services CUPE members provide should be our strongest allies in a bargaining or strike situation. Yet the politicians and the media have manipulated them into being our enemies.

Accordingly, CUPE locals must make every effort to develop coalitions with recreation groups, home and school associations, senior citizens, tenant groups, student councils, property owners, etc, to ensure a high level of public services.

(8) Defence Fund

Strikes are costly. The recent municipal and school strikes in Greater Vancouver cost the Defence Fund \$3 million.

Considering the gains made, it was money well spent. However, as a result of the increase in the number and length of CUPE strikes, the Defence Fund has had a deficit for six months.

Therefore, in order to ensure that all members who qualify for strike benefits shall receive them, some amendment is required in the Defence Fund. This would provide a mechanism which would automatically trigger an increase in Defence Fund contributions when the Fund reached a low of \$2.5 million and would stop when it reached a high of \$10 million.

The following resolution was adopted:

Be it resolved that:

1. Where two or more CUPE locals bargain with the same employer, every effort must be made to merge. Failing that, such locals must co-ordinate their bargaining through joint proposals.
2. Where they do not now exist, every CUPE local must co-ordinate its bargaining strategy with other local unions in the same jurisdiction and within a meaningful geographic region.
3. With the assistance of the National Departments of Organizing and Servicing, Research and Public Relations, each region and jurisdiction must call a collective bargaining policy and strategy conference before each round of bargaining.
4. Annually in the month of October, the Director of Organizing and Servicing shall confer with all Regional Directors to review the bargaining strategy for all groups in his or her region.
5. The Director of Organizing and Servicing, together with the Regional Directors, shall conduct a complete review of bargaining in each region and each jurisdiction with the goal of developing coalition bargaining with other unions in CUPE's jurisdiction. The Director shall provide an interim report to the National Executive Board within six months and a full report to the next National Convention.
6. When a strike is likely, the National Director of Organizing and Servicing shall be notified well enough in advance to ensure P.R. and Research assistance is available.
7. CUPE National will assist locals in building coalitions with groups of consumers of public services.
8. CUPE National shall prepare a Pre-Strike Check List and Manual and will revise the current CUPE Strike Manual.