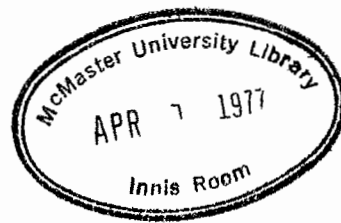




THE CANADA-UNITED STATES LABOR LINK UNDER STRESS



A RESEARCH REPORT

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Canada-U.S. Labor Link Under Stress

ONE UNUSUAL FEATURE of North American industrial relations is that the United States, its possessions, and Canada are linked by many "international" unions, most of which are headquartered in the United States. While these links are for the most part taken for granted in the U.S., they have been a contentious issue in Canada throughout the twentieth century but particularly in recent years when Canadian nationalism has been on the rise. Canadian nationalists are strongly criticizing the widespread and growing American influence on many phases of Canadian life¹ with the result that the U.S.-Canada labor link is currently under severe strain. Some Canadian experts believe its days are numbered.²

Evolution of the Labor Link

The international labor link was first established in the eighteen-sixties and the eighteen-seventies, when craftsmen moved back and forth across the border. Where they became unionized, they carried their union cards with them. Early on, some American unions began sending organizers into Canada. However, the initiative for establishing formal relations came not from the United States but from Canada's small, isolated local unions which sought support from the emerging national unions in the U.S.³

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¹Abraham Rotstein and Gary Lax, eds., *Independence: The Canadian Challenge* (Toronto: Macmillan, 1972); Kari Levitt, *Silent Surrender* (Toronto: Macmillan, 1970); and Gary Teeple, ed., *Capitalism and the National Question in Canada* (Toronto: University of Toronto Press, 1972). I would like to thank Bill Freeman, Harry Waisglass, Allen Ponak, Jerry Rosenblum, Richard U. Miller, and Steve McBride for their helpful comments.

²Ed Finn, "International Unionism," presentation given at McMaster University, March 14, 1974 (mimeographed).

³Stuart Jamieson, *Industrial Relations in Canada* (2nd ed.; Toronto: Macmillan, 1973), pp. 44-77, and John Crispo, *International Unionism* (Toronto: McGraw-Hill, 1967), pp. 11-23.

There is little evidence that self-conscious Canadian or American identity played a dominant role in decisions on either side of the border. The early labor organizations were craft unions, and the common heritage of culture and craft, combined with the evident benefit of strength in numbers, appeared sufficient to warrant establishment of international unions. Where Canadians did consider establishing purely Canadian organizations, their small numbers often precluded effectiveness.⁴ Americans, it appears, did not, in general, consciously calculate the peculiar benefits to them of having Canadians as members but, instead, simply thought of Canada as a natural extension of North American culture. To American unions, "the existence of the boundary was irrelevant to the question of . . . territorial jurisdiction."⁵

Williams estimates that by 1902 "approximately 95% of Canadian union members were in locals affiliated with a central union of the U.S.,"⁶ but in that year the first major strain on the international link emerged. The American Federation of Labor had evolved by 1900 into the major central trade union organization in the States. It was built upon the principles of craft unionism, the exclusive right of each affiliated union to organize all of the employees in a craft, autonomy of individual unions, and nonintervention in political matters via a separate political party.

The Trades and Labour Congress of Canada had been founded in the same year as the AFL (1886), but unlike the federation its predominant purpose was to promote favorable legislation. Any labor organization was welcome into membership. When the AFL and the TLC established regular contact (but not formal interlinkage) in the late eighteen-nineties, the AFL began to pressure the TLC to expel the Knights of Labor who were considered dual unionists. The Knights had played a major role in the early years of the TLC, holding the presidency for several turns, but by the eighteen-nineties they were in decline. The Canadian Congress resisted AFL pressure, but in 1902 it gave in and expelled the Knights who, together with other purely Canadian unions, immediately established the National Trades and Labour Congress. This organization, which in 1908 became the Canadian Federation of Labour, began a long line of federations based upon the principles of Canadian union autonomy and industrial, as opposed to craft, unionism.⁷

Also in the early nineteen-hundreds the Catholic Church in French-

⁴C. Brian Williams, "The Development of Canadian-American Trade Union Relations, Some Conclusions," *Relations Industrielles*, XXI (July, 1966). Some British unions also had members in Canada in the nineteenth and first part of the twentieth century.

⁵*Ibid.*, p. 333.

⁶*Ibid.*, p. 342, footnote 14.

⁷Arthur M. Kruger, "The Direction of Unionism in Canada," in Richard U. Miller and Fraser Isbester, eds., *Canadian Labour in Transition* (Scarborough, Ontario: Prentice-Hall, 1971), pp. 90-93.

speaking Quebec became concerned about the threat of American-based unions to traditional French-Catholic culture and encouraged formation of Catholic unions whose primary motive was "non-economic preservation of the cultural integrity of French Canada."⁸ In 1921, these organizations federated into the Canadian and Catholic Confederation of Labour. Over the years the Church's influence has become progressively weaker, but this organization continues today as the Confederation of National Trade Unions.⁹

The purely Canadian federations throughout their history have organized a minority of Canadian trade unionists. The dominant Canadian federation up to the forties was the TLC which claimed to be an autonomous Canadian federation equal in its own sphere to the AFL in the U.S. On several occasions however, it was compelled by the AFL, via the Canadian sections of the international unions, to adhere to American policy.

By the late twenties, more than 70 per cent of Canadian unionists were still in international unions, but this number declined rapidly during the world depression. By the mid-thirties, approximately one-half of trade unionists in Canada were in purely Canadian unions. According to one source, the Canadian unions at the time "were plainly more militant, more vigorous, more imaginative, and thus more successful than [their American counterparts]."¹⁰ They were also "confident that it was only a matter of time until they replaced the international unions as the dominant force in the Canadian labour movement."¹¹

This was not to be. Although vigor, imagination, and militancy were undoubtedly important, the surge of Canadian unionism was probably due as much to the general trend toward industrial unionism throughout North America. In this respect Canada was ahead of the U.S., but in 1935 several unions in the United States established the Committee for Industrial Organization and began vigorously to organize workers in the mass production industries. This new movement was viewed as a threat to traditional AFL principles, and the unions involved were expelled and became the Congress of Industrial Organizations. With the protection and encouragement afforded by favorable legislation, the CIO met with considerable success in the U.S., and its esprit spilled over into Canada. Many local organizations began to appear, calling themselves CIO, but little in the way of leadership or money was forthcoming from the CIO in the U.S.¹² Nor did Canada pass favorable

⁸Fraser Isbester, "Quebec Labour in Perspective, 1949-1969," in Miller and Isbester, *op. cit.*, p. 241.

⁹*Ibid.*, pp. 253-266.

¹⁰Irving M. Abella, *Nationalism, Communism, and Canadian Labour* (Toronto: University of Toronto Press, 1973), p. 1.

¹¹*Loc. cit.*

¹²*Ibid.*, p. 5.

legislation.¹³ Despite these drawbacks, by 1940 the CIO in Canada was an accomplished fact. Even though the AFL had expelled CIO unions in the U.S., the TLC's leadership preferred to maintain these unions in membership. Under intense AFL pressure, however, they were expelled.

In general, the amount of autonomy granted to the Canadian sections of the new industrial unions was greater than that granted by the AFL-affiliated craft unions.¹⁴ As a result, in 1940 the CIO industrial unions joined with the nationalistic All Canadian Congress of Labour (the successor to the Canadian Federation of Labour) to form the Canadian Congress of Labour. The CCL began immediately to seek reconciliation with the TLC, but this was not accomplished until 1956, the year after the AFL and CIO had merged in the U.S.

After 1935, the number of Canadian members in international unions rapidly began to increase. By 1940, more than 60 per cent were in internationals and by 1950, 70 per cent. The 70 per cent level was generally maintained until the sixties when governmental employees began organizing in large numbers in purely Canadian organizations. By 1975, international unions accounted for only 51.4 per cent of Canadian union members, the lowest per cent since the thirties (see Table 1).

TABLE 1

PER CENT OF CANADIAN TRADE UNION MEMBERS IN INTERNATIONAL UNIONS 1902-1975
(SELECTED YEARS)

Year	Per cent	Year	Per cent
1902	95.0	1951	70.5
1911	89.7	1961	71.9
1921	72.8	1966	70.2
1931	69.5	1969	65.0
1935	51.2	1973	55.3
1941	62.4	1975	51.4

Sources: 1902—C. Brian Williams, "The Development of Canadian-American Trade Union Relations, Some Conclusions," *Relations Industrielles*, XXI (1966), footnote 14. The figure is an estimate. 1911—Irving Brecher and S. S. Reisman, *Canada-United States Economic Relations* (Ottawa: Queen's Printer, 1957), Table 32, p. 205. 1921-1966—*Union Growth in Canada, 1921-1967* (Ottawa: Information Canada, 1970), Table IX B, p. 95. 1969-1975—*Labour Organizations in Canada* (Ottawa: Information Canada, 1976).

¹³Daniel Coates, *Organized Labour and Politics in Canada: The Development of a National Labour Code* (Ph.D. Dissertation, Cornell University, 1973).

¹⁴The autonomy of the CIO unions was not as complete as generally believed. Abells makes a convincing case that, contrary to previous reports, many CIO union leaders in the U.S. did actively intervene in the affairs of their unions in Canada. Abella, *op. cit.*, pp. 218-219. The previous reports are Crispo, *op. cit.*, and Paul Norgren, "The Labor Link Between Canada and the United States," *Industrial and Labor Relations Review*, IV (October, 1950), 44-54.

Major Issues in the Debate

Canadian employers have long been opposed to international unionism. Early in the century, they argued that foreign agitators were entering Canada to stir essentially peaceful Canadian workers to strikes and violence. They also charged that international unionism would produce labor costs that would adversely affect the competitiveness of Canadian industry.¹⁵ In recent years the attitude of employers toward international unions has been more mixed. Since World War II, executives of U.S.-based multinational firms have generally been favorable toward international unions.¹⁶ Many purely Canadian employers have continued to be hostile.

Canadian nationalists have assaulted the international link from another perspective.¹⁷ Basically, they argue that international unionism is not in the best interest of Canadian members. Several issues are salient.

Special Canadian needs. Despite cultural similarities, many aspects of the Canadian environment differ substantially from the U.S. Economically, Canada is much more dependent on foreign trade. Politically, Canada has a parliamentary form of government, and its provinces are much more autonomous than are individual states in the U.S. Because of these and numerous additional differences, nationalists argue that Canadian unions should do their own research, education, and public relations work and should formulate their own policies. Many of the larger internationals, such as the Auto-workers and the Steelworkers, do make such provision. However, in the preponderance of internationals, Canadian members make up only a small proportion of the total, and most of these unions make little attempt to provide for separate research, education, or publications.

As a rule, Canadians have equal opportunity—along with all other members—to affect overall union policy, and most internationals attempt to ensure a Canadian voice on the union executive. However, since the bulk

¹⁵The attack on international unionism grew so intense that, as a result of a coal miners' strike in 1903, the Dominion Senate passed a bill (later killed in the House of Commons) making it an indictable offense for any person "not a British subject" to "urge or induce workmen by any act or means, whatsoever, to quit any employment in which they may be engaged, or to enter upon any strike with the object of enforcing additional wages or terms of employment from their employer." "The American Labor Movement Is Continental, Not Local," *American Federationist*, June, 1903. Cited in C. Brian Williams, "Development of Relations Between Canadian and American National Trade Union Centres—1886-1925," *Relations Industrielles*, XX (April, 1965), 357.

¹⁶Robert W. Cox and Stuart M. Jamieson, "Canadian Labour in the Continental Perspective," *International Organization*, XXVIII (Autumn, 1974), 814.

¹⁷Ed Finn, "Prospects for an Autonomous Labour Movement," *Canadian Dimension* (September-October, 1964); "The Struggle for Canadian Labour Autonomy," *Labour Gazette*, LXX (November, 1970); "The Tide of History Is Against American Unions in Canada," *Canadian Dimension* (July, 1973); and "International Unionism." See also Clive Cocking, "Canadian Run Unions: The Growing Movement," *Saturday Night* (May, 1973); Kent Rowley, "My Fight for an Independent Union Movement," *Canadian Dimension* (March, 1973); and Teeple, *op. cit.* A comprehensive review of the issues as of 1967 is contained in Crispo, *op. cit.*

of membership is generally American, U.S. relevant issues dominate international conventions. At times, international unions have taken policy decisions that, if implemented, would negatively affect Canadian members. For example, several internationals supported the Burke-Hartke Bill, which was designed to protect U.S. industry from foreign imports, and the Domestic International Sales Corporation Act, which provides tax incentives for American firms producing for export. Since much of Canadian industry is controlled from the United States, these measures would inevitably harm Canadian workers. To counter this critique, continentalists point out that the international link provides Canadian unionists with the opportunity to affect and moderate U.S. union policy. Because of their Canadian membership, several U.S.-based unions have called for exclusion of Canada from any restrictive legislation.

Another complaint of Canadian unionists is that many internationals make no provision for a separate Canadian voice in the international trade secretariats.¹⁸ Often the Canadian international outlook is different from the American.

Structure. The issue of service is closely tied to the question of union structure. Canada is typified by a few large unions and many small unions. These small unions find it difficult to provide adequate membership because of lack of resources—a problem that has been a major issue in Canada for a decade. While the Canadian Labour Congress has continually worked for the acceleration of union mergers, the continentalists have argued that the issue should not be tied into the question of Canadian autonomy, since there are small national organizations as well as small internationals. They also note that a multitude of unions is a problem in both the United States and Great Britain which have no autonomy problem.¹⁹ However, nationalists argue that the international link exacerbates the situation. Because they are tied to an American parent, Canadian sections of internationals cannot act on their own initiative. In 1975, for example, when merger talks between the International Rubber Workers and the International Chemical Workers broke down, the Canadian Director of the ICWU suggested that the Canadian sections seek amalgamation on their own. As a result, he was fired. Subsequently,

¹⁸The international trade secretariats are organizations which encompass individual unions in given trades or industries from several countries.

¹⁹The continentalist viewpoint is expressed in Charles Bauer, "Wither International Unions," *Canadian Labour* (November-December, 1972); Harry J. Waisglass, "Continental Unionism: Gain or Drain?" *Labour Gazette*, LXXII (October, 1972); David B. Archer, "American Influence on Canadian Unions," in John N. Redekop, ed., *The Star-Spangled Beaver* (Toronto: Peter Martin, 1971); and Lynn R. Williams, "United Steelworkers of America—An International Union," *Civil Service Review* (March, 1975).

several locals of the ICWU broke away from the international, set up a purely Canadian union, and began an active raiding campaign.²⁰

Breakaways face legal blocks. Both U.S. and Canadian courts have determined that local unions going on their own forfeit all assets and lose all accumulated benefits.²¹ Such benefits are particularly important to many craft unions. The ability of parent organizations to remove local officers for violations of union policy via trusteeship also makes it difficult for locals to choose their own course.

Politics. In the United States, the two-party system has become firmly embedded, but party discipline is weak, and candidates for either party may acquire individual records on issues of particular interest to labor. Canada, on the other hand, has a parliamentary form of a government and a history of tight party discipline.

Early in the nineteenth century elements of the U.S. labor movement gave their support to political parties, but they found this course to be ineffective. Thus, when the AFL was formed, it adopted a policy of party neutrality. This policy may have made sense in the United States, but it is ineffective in parliamentary systems where labor or socialist parties have generally acquired trade union support.²² For Canada the international link acted as a drag on the development of party-union relations for decades, and this helps to explain the slow development of public support for positive social and labor legislation.²³

When the U.S. passed national legislation—the Wagner Act—in 1935 to encourage the growth of trade unionism and collective bargaining, Canada did not follow suit, despite considerable trade union backing. This failure is generally attributed to the decentralized nature of Canadian politics and particularly to a 1924 legal decision which gave the provinces primary responsibility for labor matters. Coates argues that the federal government could have found sufficient authority to legislate under the British North America Act but failed to do so, partly because of organized labor's political weakness.²⁴ Only after the moderately socialist Cooperative Commonwealth Federation (CCF) became significant in Canadian politics during the forties was substantial progress in social and labor legislation achieved.²⁵

²⁰"ICWU Canadian Director Removed from Post," *Canadian Industrial Relations and Personnel Developments*, November 5, 1975, and "Canada-Only Chemical Union Blitz," *Montreal Gazette*, December 16, 1975.

²¹R. B. Morris, "The Reverter Clause and Breakaways in Canada," in Teeple, *op. cit.*

²²Everett M. Kassalow, *Trade Unions and Industrial Relations: An International Comparison* (New York: Random House, 1969), Chap. 2.

²³Primarily because of the British heritage, the TLC did not oppose establishment of a labour party but, under American influence, it did not wholeheartedly support the development either. See Gad Horowitz, *Canadian Labour and Politics* (Toronto: University of Toronto Press, 1968).

²⁴Coates, *op. cit.*, p. 216.

²⁵Desmond Morton, *NDP—The Dream of Power* (Toronto: A. M. Hakkert, 1974).

The long debate in the Canadian labor movement about whether to support a political party was finally resolved in 1961 when the CLC backed the New Democratic Party (successor to the CCF). Politics continues to be an international union issue, however. Several internationals have constitutional bars against their locals affiliating with any political party—bars that are not always effective. Some local unions have affiliated to the NDP, despite constitutional restrictions, with the apparent acquiescence of their parent unions. Other locals have developed organizational devices designed to bypass constitutional restrictions.²⁶ Thus, continentalists hold that such formal restraints do not form a serious barrier against Canadian members expressing their political preference. Moreover, many Canadian unionists share the predominant American belief that unions should not become involved in party politics. Nationalists, however, continue to regard the issue as a prime example of an American policy inappropriate to Canada.

Left-leaning nationalists have also blamed the international unions for preventing the NDP from more forcefully supporting economic and cultural nationalism. In the late sixties and early seventies, there was a strong clash over the issue within the party between officials of certain international unions and the nationalistic “wafflers.”²⁷

Finances. Historically it was held that Canadians benefitted from international unionism because the internationals expended more resources in Canada than they took out,²⁸ and this was probably true. In 1961, the Canadian government passed the Corporations and Labour Unions Returns Act which required that international organizations operating in Canada file financial statements with the government each year. In the aggregate the statements that followed indicated that union income greatly exceeded their expenditures. But labor unions are required to report only salaries, strike benefits, and friendly benefits, such as pension and welfare payments; expenditures on such items as education, office rent, publications and postage, pro rata costs of conventions, research and legal fees, and other administrative expenses are not covered. As a result, the act has come in for much criticism.²⁹ Many argue that it does little more than mislead the public and inflame emotions. Most nationalists admit that the reports are not accurate, but they point out that the reports understate income as well as expenses. Interest income on bank accounts, for example, is not included. If the in-

²⁶Richard U. Miller, “Organized Labour and Politics in Canada,” in Miller and Isbester, *op. cit.*, p. 220.

²⁷*Ibid.*, p. 228; and Morton, *op. cit.*, pp. 131-132. The “wafflers” were a leftist pressure group within the NDP which felt that the party should adopt a more nationalistic stance on several current issues.

²⁸T. Montague, “International Unions and the Canadian Trade Union Movement,” *Canadian Journal of Economics and Political Science*, XXIII (February, 1957), 50.

²⁹“Calura-Inaccurate, Incomplete and Imprecise,” *Canadian Labour* (November-December, 1972).

ternationals had more favorable data, the nationalists argue, they would publish them. The continentalists respond that it is difficult to produce generally acceptable data. Moreover, if individual unions issued statements which indicated that the Canadian sections were, in effect, being subsidized by their American parent, this might cause considerable controversy in the U.S.

Continentalists hold that the autonomy question has been blown up out of all proportion. They argue that in most international unions Canadian members have a substantial amount of influence where it counts most—on collective bargaining. In fact, most internationals allow their Canadian locals to formulate their own bargaining demands and to carry out their own negotiations. Although the American parent generally maintains the right to approve strike benefits, in most cases these have been forthcoming automatically. There are, however, notable examples where this was not the case and a few instances where internationals signed contracts despite the wishes of Canadian members.³⁰

The continentalists also argue that membership in large international unions provides Canadian workers with a greater range and depth of experience from which to draw and more bargaining power in negotiations with employers. Many firms that Canadian workers must deal with are U.S.-based multinationals; and via the international link, pressures can be exerted on these firms in both countries. In some industries (auto manufacture is an example) genuine multinational negotiations have developed, but such negotiations are the exception rather than the rule.

Some continentalists hold that the question of Canadian versus international unionism is irrelevant. If an international union does a good job on behalf of its members and if its members believe that their interests are best served by an international union, then the nationalists have no case. There is a good deal of variance on the efficiency/effectiveness dimension in both international and national unions, but international unions tend to be held to higher standards of excellence. One observer notes that Canadian union members "may sometimes forgive arrogance, arbitrary behavior, or inefficiency, when it originates in Canada from a national union. But coming from a continental union, such shortcomings are judged with much greater severity."³¹

Some craft unionists take a harder line against the nationalists. They argue that craft solidarity is far more important than nationalist sentiment and that continual nationalist attacks endanger union strength. There is

³⁰Jamieson, *op. cit.*, pp. 57-58.

³¹Bauer, *op. cit.*, p. 4.

considerable apprehension that parent U.S. unions might simply cut the Canadian sections adrift rather than undergo the trauma of attempting to change union constitutions significantly to provide for more Canadian autonomy. When Canadians have demanded special consideration at some craft union conventions, sections of the union from different parts of the United States have demanded equal privileges. The Canadians fear that, should separation occur, the Canadian sections might be forced to merge into other unions, thus losing their historical craft identity. Of course, this is precisely what many nationalists would like to see happen.

Recent Developments

In 1967, Canada celebrated its centennial as a nation. The occasion led to a general re-examination of Canadian society and produced a wave of nationalism which engulfed many institutions including the trade unions.

In 1968, the United Packinghouse, Food, and Allied Workers merged with the Amalgamated Meat Cutters and Butcher Workmen of North America. In recognition of the nationalist sentiment, the Canadian section of the new union decided to call itself the Canadian Food and Allied Workers. This move was primarily symbolical, and all traditional ties were maintained with the U.S. parent. Additional developments have, however, been more substantive. Despite the existence of reverter clauses, whereby the assets of a breakaway union revert to the parent, several Canadian locals of international unions have disaffiliated. Among the unions experiencing Canadian breakaways in recent years are the Steelworkers, the Chemical Workers, the Brotherhood of Electrical Workers, the Distillery Workers, the Operating Engineers, the Retail, Wholesale, and Department Store Union, the Retail Clerks International Association, the Ironworkers, and the Molders.³² This problem was considered serious enough that the CLC developed a special program to deal with it. In 1968, a few breakaway unions, together with unaffiliated Canadian unions, formed the Council of Canadian Unions. In 1975, the organization had approximately 20,000 members.³³ During practically all of the years of its existence, the Confederation of National Trade Unions operated exclusively in Quebec; more recently, it has accepted into affiliation unions from other provinces.

Breakaway problems and nationalist federations are not unusual in

³²The direction of movement has not been entirely away from the internationals. During the seventies, for example, a few affiliates of the tiny National Council of Canadian Labour merged with the Steelworkers.

³³The organization has recently changed its name to Confederation of Canadian Unions.

Canada, but during the seventies a new and unprecedented trend has developed. Several internationals have split into either autonomous Canadian and U.S. sections or completely independent organizations. The first major break occurred in 1971 in the Communication Workers of America. The CWA had spent large sums of money on organizing in Canada with little success. When the 4,000-member Canadian section demanded more autonomy, "the international executive board had a soul-searching session on whether the Canadians should be permitted to continue as part of the international."³⁴ Eventually, an amicable separation was agreed upon and the Communication Workers in Canada became an independent organization.

Two years later, the Teamsters and the Brewery Workers amalgamated in the United States. The majority of Canadian locals of the Brewery Workers decided, however, not to go into the Teamsters. Arguing that the merger was contrary to the union constitution, the Canadian locals decided to continue on temporarily as the "international" union. The Teamsters took the issue before the labor relations boards in both Ontario and Alberta. In each case the board found that the merger was invalid. Since the Canadian Brewery Workers had no real interest in maintaining the international status of their union, an agreement was negotiated which recognized the right of the U.S. locals and a local in Quebec to affiliate with the Teamsters. In turn, the Teamsters ceased their legal battle and recognized the independent status of the Brewery Workers Union in Canada.³⁵

During 1974, two more internationals—the National Association of Broadcast Employees and Technicians and the United Paperworkers International Union—split into autonomous Canadian and U.S. organizations. NABET decided to maintain a loose "multinational" structure, but the Paperworkers divided into two entirely independent organizations.³⁶ The move by the Paperworkers was the most important individual union development to date. With more than 50,000 Canadian members, the union is one of the 12 largest in Canada. The split was precipitated by the disaffiliation of certain locals as well as by increasing pressure from the Canadian membership. A referendum in Canada produced an overwhelming vote to establish an exclusively Canadian union and greatly accelerated the nationalist drive.

The latest developments concern the Brotherhood of Railway and Airline

³⁴Wilfred List, "International Union Accepts Withdrawal of Canadian Section," *The Globe and Mail*, Toronto, November 17, 1971.

³⁵E. Finn, "Brewery Workers Battle Mighty Teamster Union," *Toronto Star*, December 17, 1973, and July 1974, September-October, 1974, and January-February, 1975 issues of the Brewery Workers publication, *News Bulletin*.

³⁶*Labour Gazette*, LXXV (February, 1975), 87 and Neville S. Hamilton, "The Canadian Paperworkers Union—A National Union," *The Civil Service Review* (March, 1975).

Clerks, the Teamsters, and Actors Equity. Since entering Canada early in the century, BRAC has been continually subjected to criticism by the nationalistic Canadian Brotherhood of Railway, Transport, and General Workers. Recent merger talks between the two unions failed, in part because of BRAC's international character. The 1975 BRAC convention decided to establish an autonomous Canadian division with its own constitution and elected officers.³⁷ The Teamsters decided upon a less complete restructuring. A new Canadian Conference will be created, headed by an international vice president elected by both U.S. and Canadian delegates at the international convention. The director will, however, operate with a policy committee elected by Canadians only.³⁸

In 1976, Actors' Equity, like the Paperworkers, split into two entirely autonomous, national organizations. The Canadian union will be known as Canadian Actors' Equity Association. The separation was reportedly an amicable one.

Changes at the Federation Level

Significant developments have occurred at the federation level. To a far greater extent than its predecessors, the Canadian Labour Congress has shielded itself from American influence. It has continued to endorse the New Democratic Party, favored national economic planning, opposed the Vietnam war, and supported the International Labor Organization and the International Confederation of Free Trade Unions, all contrary to the policies of the AFL-CIO. At recent conventions Canadian union autonomy has been sharply debated. In 1970, a resolution was adopted calling for "minimum standards of self-government" for international unions in the Congress, including (1) election of Canadian officers by Canadians, (2) policies to deal with national affairs to be determined by the elected Canadian officers and/or members, and (3) Canadian elected representatives to have authority to speak for the union in Canada.³⁹

These standards were a compromise. Nationalists also wanted provisions that "sufficient union dues revenue be retained in Canada and put at the disposal of Canadian union officers to finance special services needed in this country, and that Canadian union branches be given the right to amal-

³⁷"BRAC Gains Autonomy Within International Union," *Canadian Industrial Relations and Personnel Development*, January 14, 1976.

³⁸Wilfred List, "Teamsters Plan Autonomous Canadian Region Headed by Senator," *The Globe and Mail*, Toronto, February 25, 1976.

³⁹*Report of the Commission on Constitution and Structure*, Canadian Labour Congress, 10th Constitutional Convention, Vancouver, 1974, p. 5.

gamate without having to wait for prior mergers of their U.S. parent bodies.”⁴⁰

Following this decision the CLC distributed questionnaires to the international unions asking them the degree to which they were in compliance with the standards. In 1973, 90 questionnaires were distributed; 77 unions replied.⁴¹ Of those responding 43 unions claimed to be in full compliance and another 28 in partial compliance, leaving only six unions which reported noncompliance with all of the standards. The CLC did not report any concerted effort to verify these data by independent methods.

Nationalists claim that the way in which the questionnaires were constructed produced misleading results. The following quote by Ed Finn, one of the most outspoken Canadian nationalists, is indicative:⁴²

Actually, the questionnaire was worded—deliberately or otherwise—in such a way as to produce a statistical exaggeration of the most blatant kind. It asked, for example, “Does your organization hold a Canadian Conference?” without specifying what kind of conference or even if it provided for rank-and-file participation. Consequently, 56 of 88 American unions could reply, tongue in cheek, that, yes, they hold Canadian Conferences, without revealing that in many cases such meetings are merely local or regional and are confined to executive board members.⁴³

Another example of imprecise wording was the question of technical services supplied to Canadian members. The CLC simply asked what services are provided, not whether they are provided in Canada by Canadian technicians. Only about seven or eight U.S. unions, at most, operate distinctive Canadian research, PR and educational services. Yet 46 claimed they provide Canadian research services, 33 that they have Canadian PR, and 41 that they have Canadian educational programs. Obviously the research and PR facilities to which most of them referred are based in the U.S., and the education seminars are mostly those supplied once or twice a year in co-operation with the CLC.

The 1974 CLC convention saw a continuation of the nationalist drive. The decision of the Paperworkers to hold a national referendum gave renewed vigor and confidence to the nationalists. In British Columbia, where the breakaway movement has been most concentrated, the provincial federation of labor approved stiff autonomy rules for affiliates. Moreover, the Canadian Union of Public Employees, now Canada’s largest union, became embroiled in a jurisdictional battle with the CLC; this, on the surface, was a wholly Canadian conflict but in fact had significant consequences for the autonomy movement. Several Canadian provinces have independent asso-

⁴⁰Jamieson, *op. cit.*, p. 52.

⁴¹*Canadian Standards for International Unions*, Canadian Labour Congress, Document No. 1, 10th Constitutional Convention, Vancouver, 1974, p. 1.

⁴²Finn, “International Unionism,” p. 10.

⁴³Finn is referring to the 1972 survey. The results of this survey were reported in *Canadian Labour*, June 1972, pp. 13-14.

ciations which organize provincial civil servants. In the early seventies, a number of associations applied for CLC membership. CUPE was opposed, claiming jurisdiction over these employees; it held, furthermore, that the associations (like many international Canadian sections) were too small to provide efficient service to their members. Eventually a compromise was worked out whereby CUPE would not oppose the admission of the provincial organizations if they agreed to merge into a national organization. CUPE decided, however, to make a major issue out of the efficiency question at the 1974 convention.

Unlike the AFL-CIO, the CLC is structured so that unions with many locals may send more delegates to CLC conventions than unions of an equal size with fewer locals. Ordinarily unions do not send the maximum number of delegates, but in 1974 CUPE and other nationalist organizations decided to pack the convention. Convention planners expected about 1,500-1,700 delegates, but more than 2,500 showed up. Over 50 resolutions on the autonomy issue were introduced. In addition to CUPE, unions in the forefront of the autonomy thrust included the Public Service Alliance of Canada, the Canadian Union of Postal Workers, the Letter Carriers Union of Canada, and the Canadian Brotherhood of Railway, Transport, and General Workers. The depth of feeling surrounding the issue is indicated by the fact that autonomy resolutions were also introduced by local affiliates of such international craft unions as the Carpenters, Operating Engineers, Plumbers, and Labourers.⁴⁴ As a result new guidelines were established and a much tougher procedure to ensure compliance adopted.⁴⁵ The new standards are as follows:

1. Where an international union is affiliated to an international trade secretariat, the Canadian section of that union should be affiliated separately to ensure a Canadian presence and voice at the international industry level.
2. That international unions take whatever action is necessary to ensure that the Canadian membership will not be prevented by constitutional requirements or policy decisions from participating in the social, cultural, economic, and political life of the Canadian community.

The convention also called for establishment of a "Code of Union Citizenship" covering "all matters which affect trade unionists within the Canadian community and that all affiliates be required to provide those services that are necessary to protect the rights of workers both at the industrial and community levels."⁴⁶ To ensure compliance with the guidelines a four-step

⁴⁴*Resolutions on Constitution and Structure*, Canadian Labour Congress, 10th Constitutional Convention, Vancouver, 1974.

⁴⁵"New Autonomy Rules for CLC Unions," *Canadian Labour*, June 1974.

⁴⁶*Ibid.*, p. 17.

procedure was established leading to suspension of a noncomplying affiliate. More significantly, the convention also provided the Congress executive council with authority to "take whatever steps are necessary to maintain the membership of the suspended affiliate in good standing with the Congress."⁴⁷

As at the 1970 convention, some unions wanted still stiffer requirements. In addition to control over dues by Canadian members and the right of Canadian sections to undertake mergers on their own initiative, they also proposed a December 31, 1977 deadline for compliance with all requirements. These stipulations were not, however, adopted.

The new measures nearly split the CLC. Particularly upset were several unions in the building trades which have traditionally been jealous of their autonomy. According to Wilfred List, the respected labor reporter of the *Toronto Globe and Mail*, "Reports back to the international headquarters of these unions pictured a scene of wild-eyed nationalist radicals taking over the CLC."⁴⁸ Subsequently, most construction unions withheld their dues from the CLC, creating a financial crunch. This action, however, precipitated a crisis in the building trades. Instead of acquiescing in the decisions of their leaders, many locals either threatened or actually sent dues directly to Congress. Several leaders of provincial and local building trades councils also decided to hold a Canadian conference with the objective of setting up a National Building Trades Council for Canada. Over the objection of several international vice presidents, the meeting was held in January 1976. A constitution was drafted and application was made to the AFL-CIO for a charter. The AFL-CIO Building Trades Department subsequently held a meeting in Florida to discuss the issue but proponents of the National Canadian Council were not invited. A five-man committee composed of international presidents was appointed to deal with the conflict.⁴⁹

The Outlook

There is widespread agreement in Canada among both continentalists and nationalists that more Canadian autonomy is both necessary and inevitable. Continentalists believe that this can and should be achieved within the general framework of international unionism. Some nationalists, however, predict that there will be a complete severance of the Canada-U.S.

⁴⁷*Ibid.*, pp. 16-17.

⁴⁸Wilfred List, "CLC Row with Unions Is Resolved," *The Globe and Mail*, Toronto, March 6, 1975.

⁴⁹Wilfred List, "Five to Probe Canadian, U.S. Building Trades Issue," *The Globe and Mail*, Toronto, February 24, 1976.

labor link within the foreseeable future. Despite these beliefs, few observers on either side of the issue are willing to spell out the probable scenario.

One possibility is that those international unions not yet in compliance with the CLC guidelines will alter their constitutions and policies and the issues will subside. No doubt some internationals will follow this course. Others, however, craft unions particularly, are reticent to make the necessary constitutional changes both because of the principle involved and because of the potential internal repercussions. In response to the last CLC convention, for example, Martin Ward, international president of the Plumbers, stated publicly that his union did not intend to comply with the CLC rules.⁵⁰ This infuriated many Canadian officers and members of the union; a Canadian conference was called at which disaffiliation was considered. It was decided that the Canadian section would stay in the international for the time being, but Ward was required to moderate his stand and allow the union's next international convention to decide the issue.

Should other international unions take a hard line against the CLC guidelines, a showdown may be in the offing. As a result of the 1974 convention, the CLC executive has the power to expel such unions and to charter competing unions. There are, however, strong forces operating against such an outcome. One such force is the long tradition of labor solidarity and the unwillingness of the CLC leadership to pursue a course which would split and weaken the movement. Furthermore, more than 60 per cent of the Congress' affiliated membership belong to international unions. Finally, many of the unions in compliance with the guidelines concur with the rights of affiliates to decide their own policies free from interference by either the CLC or the AFL-CIO.

There is also a question of practicality. Such CLC action might not be effective. In the early sixties, for example, the CLC expelled the Seafarers International Union and chartered the Canadian Maritime Union in its place. This effort did not, however, lead to the demise of the SIU, which was backed by the AFL-CIO. Instead, after being placed in government trusteeship for a few years, the SIU was readmitted to Congress and the remnants of the CMU affiliated with the CBRT. The Teamsters have also prospered after being expelled from Congress for raiding. Even if all of the delinquent unions were to meet the current CLC guidelines, many nationalists would, no doubt, continue to push for stronger requirements, thus keeping the issue alive.

A second possibility is that the great majority of Canadian rank-and-file

⁵⁰Hyman Solomon, "CLC Autonomy Rule Challenged by U.S. Union," *Financial Post*, June 8, 1974.

workers will be fully converted to the nationalist viewpoint and will exert massive pressure on the leadership for autonomy, producing an acceleration of the breakaway movement and/or the establishment of completely independent Canadian unions. This scenario is certainly conceivable, and it is not unlikely that additional international unions will experience breakaways and that others will consider restructuring. There are, however, forces acting against any mass movement towards total independence. Many Canadian workers are convinced that they derive significant benefits from the international affiliation and others who might prefer purely Canadian unions are not willing to jeopardize accumulated benefits in pursuit of the autonomy objective. Moreover, few breakaways have occurred entirely on the basis of the national/international issue. Instead, poor service or other internal union issues have usually been the critical factors. Perhaps most importantly, there is the force of inertia. As one observer notes:

More than a million Canadian workers are members of international unions. Some of them don't know whether the union is national or international. Many of those who do know, don't care. They expect their union to do the job for them and as long as they are satisfied with the job, they accept the union at face value.⁵¹

Faced with a weak Congress and membership apathy, some nationalists have suggested that legislation may be necessary "to make it easier for union autonomists to put pressure on their internationals, to break away if they wish to do so, and to escape the imposition of trusteeship and the confiscation of all their assets."⁵² Both a federal government Task Force on Labour Relations which reported in the late sixties and a House of Commons Committee on Defence and External Affairs Respecting Canada-United States Relations recommended the development of more Canadian union autonomy.⁵³ Neither report suggested legislation as a remedy. More recently a Select Committee on Economic and Cultural Nationalism in Ontario took an even more moderate stand. It stated that international unions should be monitored but "co-operation between trade unions in Canada and other countries in which multinational corporations operate is desirable and should be encouraged."⁵⁴ Finally, any attempt to decide the issue through legislation would most likely be strongly opposed by organized labor which has a

⁵¹Bauer, *op. cit.*, p. 2.

⁵²Finn, "International Unionism," p. 21.

⁵³*Canadian Industrial Relations, The Report of the Task Force on Labour Relations* (Ottawa: Information Canada, 1969), pp. 107, 158, and "American-Based Unions—The Wahn Report," in Rotstein and Lax, *op. cit.*, pp. 40-48.

⁵⁴*Final Report on Economic Nationalism*, Select Committee on Economic and Cultural Nationalism (Toronto: Queen's Printer, 1975), p. 41.

long standing abhorrence of governmental interference in internal union affairs. Legislation is, therefore, improbable.

In 1967, John Crispo wrote, "it is hazardous to speculate about the future of international unions."⁵⁵ Such speculation is no less hazardous today. One prediction appears to be fairly safe: the status quo is not likely to be maintained. Although the specific scenario is uncertain, the future outlook is clearly for a more autonomous Canadian labor movement.

⁵⁵Crispo, *op. cit.*, p. 322.

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