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# From Person-Days Lost to Labour Militancy A New Look at the Canadian Work Stoppage Data Des jours-personnes perdus et le militantisme des syndiqués Relecture des statistiques sur les arrêts de travail au Canada De la noción días-persona perdidos a la militancia laboral Una nueva visión de los datos sobre las paralizaciones laborales en Canadá

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Article abstract

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# *From Person-Days Lost to Labour Militancy*

## *A New Look at the Canadian Work Stoppage Data*

LINDA BRISKIN

*Using the micro-data from Human Resources and Social Development Canada (HRSDC) on the 23,944 stoppages in Canada between 1960 and 2004, this article introduces a labour militancy perspective on work stoppages, that is, from the point of view of workers. It explores patterns of militancy with a focus on strike duration, strike size and strikes for first contracts, and supports re-interpretations which help make visible the significance of such stoppages for workers, unions and communities. A labour militancy frame presents an alternative to the employer perspective on time lost, the government concern to measure the economic impact of stoppages, and the scholarly emphasis on strike determinants. As part of re-examining the HRSDC work stoppage data from a labour militancy perspective, the paper considers the source of these data. It juxtaposes the statistical data with interviews with the provincial correspondents who collect the information for HRSDC. Examining the data in this light underscores the political*

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*nature of data collection (what is seen to be germane and not), data presentation (what is made visible and what is not), and data sources (whose voices are heard).*

This paper starts from a broad distinction among labour, union and worker militancies (Briskin, 2006). *Union militancy* focuses on the politics of unions themselves. *Worker militancy* speaks to the collective organization and resistance among non-unionized and often marginalized workers, many of whom are women and workers of colour. Worker militancies may be of increasing importance given the transformations wrought by restructured labour markets. *Labour militancy* speaks to the organized and collective activism of unionized workers involved in workplace struggles. Although this article focuses on strikes, it does not assume that strikes are the only form of labour militancy. Hebdon (2005) maps other forms of labour militancy. In his discussion of workplace conflict, he distinguishes among covert collective actions (such as sick-outs, slow-downs and work-to-rule), other collective actions such as claims of unfair labour practices, and individual forms of militancy around grievances.<sup>1</sup>

The particular goal of a labour militancy perspective on strikes is to highlight the experience from the point of view of workers on strike. This approach begins with similar assumptions to Godard (2005: 340–1, also 1992). He argues for a “strikes as collective voice” rather than what he calls the “strikes as mistakes” approach:

[S]trikes may indeed appear to be irrational from an economist’s point of view. But from the viewpoint of the parties themselves (especially workers and their representatives), the decision to strike often involves a much broader rationality, one which involves competing values, principles, and fairness beliefs, and often reflects underlying sources of discontent in the workplace...

[E]qually important is the nature of the employment relation... [W]orkers are in a position of subordination to management, a position which is not altered substantially by the right to engage in collective bargaining.... This, coupled with the conflicts which underlie labour-management relations, means that distrust and resentment almost always pervade the workplace, albeit in varying degrees. Though manifest in a number of ways, striking serves as primary mechanism by which workers can voice this distrust and resentment collectively... [T]o view strikes only as mistakes in negotiations is too narrow. Rather strikes should be viewed, first and foremost, as mechanisms of “collective voice,” serving as a means by which workers can collectively express discontent and distrust.

In emphasizing the “broader rationality” that inspires strike action by workers, this approach underscores the reality that experiences of strikes

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1. Silver (2003: 15) unpacks the varied acts of resistance to the proletarian condition which target the employer directly and the state.

differ significantly for management and for workers.<sup>2</sup> The most illuminating studies of workers' experiences are likely in-depth qualitative accounts of particular struggles. However, the question asked in this paper is what can be learned about the overall patterns of Canadian labour militancy by mining the work stoppage statistics. This article is not attempting to address the complex and widely-researched issue of strike determinants. Rather it has a more modest empirical goal: to map the strike experience from the point of view of workers using the work stoppages data from Human Resources and Social Development Canada (HRSDC).<sup>3</sup> This approach reveals the potential of this data set to highlight multiple forms of labour militancy and enriches the picture that emerges from commonly-used aggregate and average data.

This paper is organized in three parts: the first presents an overview of the HRSDC data on work stoppages and explores how the data set has traditionally been used; the second part discusses how the data are collected based on interviews with the provincial correspondents; and the final section considers three specific examples: on strike duration, strike size and strikes for first contracts.

### ***THE WORK STOPPAGES DATA FROM HRSDC***

Data on every work stoppage in Canada is currently collected by the Workplace Information Directorate of Human Resources and Social Development Canada (HRSDC).<sup>4</sup> Work stoppages include both strikes and lockouts (although the variable for lockouts was only added in 1976) which are a minimum of half a day in length and involve ten or more person-days lost (PDL). Person-days lost (previously man-days<sup>5</sup> and sometimes referred

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2. In elaborating his "collective voice" perspective, Godard relied on surveys completed by senior management officials for industrial relations and the senior industrial relations officials in the unionized Canadian companies he studied but not also by union officials (1992: 164–165).
  3. Part of this research project involves exploring the deeply-buried Statistics Canada data on labour disputes. Briskin with Klement (2004) outlines the ways that the Labour Force Survey [LFS], Survey of Labour and Income Dynamics [SLID] and the Workplace and Employee Survey [WES] handle the issue of labour disputes.
  4. HRSDC was previously Human Resources and Skills Development Canada, and before that, Human Resources Development Canada (HRDC), and prior to that, Labour Canada.
  5. The HRSDC shift from the terminology of mandays was likely a recognition of the fact that women work and are involved in stoppages.

to as time lost) are the duration in working days<sup>6</sup> multiplied by the number of workers involved. Workers indirectly affected, such as those laid off as a result of a work stoppage, are not included in the data.

In the current Work Stoppages manual, a strike is defined as “a concerted work stoppage, by one or more groups of workers, aimed at forcing an employer to acquiesce to the group’s demands. Strikes are most commonly the result of a labour dispute between a group of employees and their employer” (Renaud et al., 2005: 3). A lockout “is a work stoppage declared by an employer or group of employers where negotiations concerning wages or working conditions have not been able to bring about an agreement” (3). Although strikes and lockouts are coded differently in the HRSDC data and can be disaggregated, as a result of the permeability between strike and lockout and the difficulty distinguishing between them, the HRSDC coding for lockout is used “if the stoppage involved only a lockout or if both a strike and a lockout occurred.” This means that strike and lockout are not mutually exclusive categories in the data. Given this cross over, tables in this paper include data on both strikes and lockouts.<sup>7</sup>

Short periodic reports on work stoppages are published in the *Workplace Bulletin*; they include a weekly report of major stoppages (500 or more workers) and a year-to-date summary of such major stoppages. Information includes the employer, location, union, number of workers and issues.<sup>8</sup> Although not available on-line, the detailed record for each

6. The microdata distinguish between “calendar days lost” and “working days lost.” Calendar days lost include weekends and holidays while working days are limited to those in which the establishment would normally be in operation (five days a week). Duration figures in this paper use working days lost, given that it is the variable used by HRSDC to calculate “person-days lost” (Renaud et al., 2005).

7. It would be technically correct to use “work stoppages” in reference to HRSDC data since it is the terminology chosen to highlight the inclusion of both strikes and lockouts; however, given that it is not a widely used in other contexts, this paper will refer to strikes except when specifically discussing lockouts.

8. Reports on work stoppages were previously published in two HRSDC publications: the *Workplace Gazette* and the *Collective Bargaining Bulletin*. In 2005, these publications were merged to form the *Workplace Bulletin* published on the HRSDC website. It is also possible to search *Chronological Perspective on Work Stoppages* (1976 to the present) and receive detailed information by industry and province which includes the number of workers, person-days not worked, and percentage of estimated working time. Available from the main page of the Workplace Information Directorate <<http://www.hrsdc.gc.ca/en/lp/wid/info.shtml>>.

A number of the provinces regularly report their own work stoppage data on their websites. For example, see Ontario, see <[http://www.labour.gov.on.ca/english/lr/highlights/cbh2006-03\\_tc.html](http://www.labour.gov.on.ca/english/lr/highlights/cbh2006-03_tc.html)> and Alberta at <<http://www.hre.gov.ab.ca/cps/rde/xchg/hre/hs.xsl/3239.html>>.

stoppage of ten or more PDL contains a wealth of additional information<sup>9</sup>: contract status, result, sector, province, metro/city, NAICS [North American Industrial Classification System] code,<sup>10</sup> jurisdiction, affiliation, union status (various, single, unorganized), and information on lockouts and rotating strikes.<sup>11</sup>

Franzosi (1989) notes the problems with the reliance on official strike statistics: “scholars’ almost exclusive reliance on official strike statistics, which convey only limited information, has prevented them from investigating some important basic questions about strikes” (348). This article also suggests that certain aspects of strikes have been neglected, although unlike Franzosi who is interested in strike determinants, it focuses on highlighting a quantitative mapping of strike experience from the point of view of workers. Further, unlike the official data available in many countries, HRSDC work stoppage data offer rich possibilities for examining strikes from a labour militancy perspective. The data set permits a form of micro-level rather than aggregate examination, the importance of which Franzosi as well as others (Gramm, 1986, for example) have stressed.

It is worth noting that “prior to 1982 the United States classified work stoppages involving six or more workers as a strike. After 1982, only stoppages involving 1000 or more workers are included” (Gunderson et al., 2005: 347–348).<sup>12</sup> Akyeampong (2001: 15) points out: “Some countries also exclude disputes in certain industrial sectors. For example, Portugal excludes public sector strikes. Several others exclude certain types of disputes: Portugal excludes general strikes from work-stoppage statistics,

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9. The author has negotiated full access to the records of each Canadian stoppage from 1946 to 2004 and wishes to thank the Workplace Information Directorate of Human Resources and Social Development Canada, especially Manon Henry and Suzanne Payette for providing the microdata. All HRSDC data quoted in this paper are from the work stoppage data unless otherwise specified.
  10. As used in Canada, NAICS breaks out sixteen industry groupings: Agriculture; Forestry, Fishing, Mining, Oil and Gas; Utilities; Construction; Manufacturing; Trade; Transportation and Warehousing; Finance, Insurance, Real Estate and Leasing; Professional Scientific and Technical Services; Management of Companies and Administration and other support services; Educational Services; Health Care and Social Assistance; Information, Culture and Recreation; Accommodation and Food Services; Other Services; and Public Administration. For more information on NAICS, see <<http://www.statcan.ca/english/concepts/industry.htm>>.
  11. For an introduction to the HRSDC data, see Briskin (2005) which unpacks the definitions embedded in “work stoppage,” considers how to group strikes by number of workers and duration, comments on the contract status and result variables, and discusses how strike issues are coded.
  12. For data on work stoppages in the United States, go to <<http://www.bls.gov/cba/home.htm>>.

Japan excludes days lost in unofficial disputes, and the United Kingdom excludes so-called political work stoppages.” The decision about what data to collect is clearly political. The approach in the US, fostered by the “hostile policies toward labor [which] extended all the way down to government spending on research” (Rosenfeld, 2006: 239) undoubtedly makes invisible many instances of labour militancy and distorts the profile of strike incidence, a point made by many American researchers (see, for example, Rosenfeld, 2006; Ondrich and Schnell, 1993; and Skeels, McGrath and Arshanapalli, 1988).<sup>13</sup> The fact that major exclusions do not exist in Canada means that the HRSDC data set offers many possibilities for illuminating patterns of militancy.

### *Strikes in Canada*

Workers have gone on strike to improve the conditions of and remuneration for their work, and to defend their rights to union protection. They have used the strike weapon to resist not only employer aggression but also government policy. Undoubtedly Canadian workers have been militant. HRSDC records 23,944 work stoppages between 1960 and 2004.<sup>14</sup>

Generally, industrial relations specialists identify the following trends in Canadian strike activity: moderate until the mid-1960s, extremely high levels from 1970 to 1981, moderate and declining levels throughout the 1980s, and a sharp drop in the 1990s and into the 2000s (Gunderson et al., 2005: 348). In the mid-1960s strike activity begins to rise; in fact, although 1966 is not the year of the most strikes, it is the year which marks the beginning of a dramatic increase in person-days lost to the economy as a percentage of working time: .34% of working time compared to .17% of working time in 1965 (Peirce and Bentham, 2007: 304).<sup>15</sup>

13. To avoid these problems, Rosenfeld (2006) uses data (1984–2002) from the Federal Mediation Conciliation Service which include nearly every authorized labour dispute in the US.

14. For information on Canadian strikes prior to this time, see Huberman and Young (2002) and the government publication titled *Strikes and Lockouts in Canada*. Posted on the Statistics Canada website are also data on strikes and lockouts from 1901–1975 <<http://80-www.statcan.ca.ezproxy.library.yorku.ca/english/freepub/11-516-XIE/sectione/sectione.htm>>. Scroll down to “Statistics Canada: Historical Statistics of Canada.” Click on “Number of Strikes and Lockouts, Employers and Workers Involved and Time Loss, Canada, 1901-1975.”

15. During this time frame, there has also been gradual and significant rise in women’s labour force participation, and women as a percentage of the total employed. In 1964, women made up 28.4% of the labour force; and by 2004, almost half (47%). In 1964, women’s labour force participation was 30.5%; and by 2004, this figure had risen to 58%, including a sharp increase in labour force participation of women with young



To a great extent, industrial relations scholars and state agencies have been concerned with “the relative degree of overall strike activity in the economy” (Gunderson et al., 2005: 348).

Time lost to strikes and lockouts has always attracted widespread attention because of the economic and social upheavals that often accompany industrial disputes. Given increasing economic globalization and trade liberalization, the interest appears to be gaining strength since international differences can influence corporate decisions on plant or office location (Akyeampong, 2006: 5).

In order to measure “time lost,” averages and aggregates have been highlighted, such as the average number of workers involved per strike, the average days lost per worker on strike, and aggregate data such as the person-days lost, particularly as a percentage of working time. For example, the HRSDC data presented in key Canadian industrial relations textbooks includes tables on various measures of strike activity presented in averages and aggregates (Gunderson et al., 2005; Peirce and Bentham, 2007). Data on person-days can be used to provide a common denominator to facilitate comparisons across jurisdiction, industry, sector, and even across countries. However, Peirce and Bentham (2007: 306) note some difficulties with aggregate data, especially comparing strike rates over time. Since some of the shifts are a result of increase in the size of the labour force, in union density, and the extension of the right to strike to public sector workers, it is difficult, even using person-days lost and the percentage of estimated working time, to accurately assess the data in aggregate terms.

It is also the case that removing a key strike from the aggregate data can significantly change the overall patterns. Table 1: *Impact of Key Strikes on Statistical Profiles* examines the impact on statistical profiles of removing a key strike which involved many workers or person-days lost. For example, in 1976, a National Day of Protest against the introduction of wage and price controls lasted only one day but involved 830,000 workers, 56.3% of all workers involved in stoppages in that year. In Quebec in 1972, the Common Front strike of all public sector workers from many different unions involved 210,000 workers and significantly changed collective bargaining in that province. This strike lasted eleven days and involved 30.3% of all workers involved in stoppages that year.

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children. Men’s labour force participation declined from 72.7% in 1976 to 68% in 2004 (Labour Canada, 1975; and Statistics Canada, 2006). The trajectory suggests a feminization of the workforce. As part of this research project, the author is interested in both the feminization and gendering of militancies (Briskin, 2006).



TABLE 1  
Impact of Key Strikes on Statistical Profiles

	<i>Workers</i>	<i>Workdays</i>	<i>Person-Days</i>
<b>Most Workers</b>			
1972 – Total	692,853	15,906	8,149,650
Quebec Public Sector Strike, April 11-22, 1972	210,000	11	1,636,850
Total 1972 without Quebec Strike	482,853	15,895	6,512,800
Percentage represented by Quebec Strike	<b>30.3%</b>	0.1%	20.1%
1976 – Total	1,475,270	27,255	10,682,940
National Day of Protest, October 14, 1976	830,000	1	830,000
Total 1976 without Day of Protest	645,270	27,254	9,852,940
Percentage represented by Day of Protest	<b>56.3%</b>	0.0%	7.8%
1996 – Total	274,765	17,590	3,604,000
Ontario Days of Action, October 25, 1996	75,000	1	75,000
Total 1996 without Days of Action	199,765	17,589	3,529,000
Percentage represented by Days of Action	<b>27.3%</b>	0.0%	2.1%
<b>Most Person-days</b>			
1975 – Total	86,512	5,239	1,621,450
Pulp & Paper Workers Strike, July 16 – October 9, 1975	2,580	60	772,770
Total 1975 without Pulp & Paper Strike	73,932	5,179	0,848,680
Percentage represented by Pulp & Paper Strike	2.6%	0.2%	<b>6.6%</b>
1980 – Total	21,707	32,211	9,893,010
Quebec Teachers Strike, Jan 25 – Feb 25, 1980	75,500	20	1,064,500
Total 1976 without Quebec Teachers Strike	346,207	32,191	8,828,510
Percentage represented by Quebec Teachers Strike	17.9%	0.1%	<b>10.8%</b>

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Social Development Canada

Similarly, removing a single strike involving the most person-days lost from the aggregate data impacts the stoppages profile for that year. For example, in 1975, 11.6 million person-days were lost in Canada. In that year, 12,580 pulp and paper workers went on strike for sixty working days. The number of person-days lost in this single strike, only one of 1103

strikes in that year was 772,770, 6.6% of the total PDL that year. In 1980, almost 10 million person-days were lost in Canada. Quebec teachers went on strike for twenty working days. In this single strike of 75,500 teachers, only one of the 952 strikes that year, 1,064,500 person-days were lost, 10.8% of total PDL in that year.

It is also the case that some of the longest strikes which impact the profile of workdays involved a small number of workers, sometimes on strike for years. For example, in 1985, ten workers struck the Pineland Co-op Association in Saskatchewan for 2144 workdays. They did finally reach an agreement. And in 1994, thirty-three workers from the Communications, Energy and Paperworkers union struck at Welland Chemical for 1514 workdays. These workers were unsuccessful and the firm closed.

Aggregate data, then, can be problematic. Further, as Gunderson et al. (2005: 353) acknowledge: “the macroeconomic measurement of strikes as lost work time necessitates a view of strikes from an employer perspective.” This paper suggests that moving away from these average and aggregate figures can increase the visibility of workers’ strike experience. For example, it is interesting to compare the measure of person-days lost as a percentage of working time, which is widely offered in overview discussions on measuring strike activity, with the percentage of employed workers on strike in any given year, as offered in Table 2: *Strikes, Workdays and Workers in Canada, 1960–2004*.

Table 2 demonstrates the decline in strike activity: in the number of strikes, strikers, and working days lost. The detailed data (not available on the Table) show the high point for strike frequency between 1974 and 1981. The 1990s witnessed a relative decline in the number of working days lost, but the number of strikers varies more widely over the whole time period. The highest percentage of worker involvement in strikes was in 1976 when strikes involved 18% of all employees. Since 1999, only about 1% of employees have been on strike, although as Akyeampong (2006) notes, 2004 sees a moderate increase to 1.8%. This somewhat insignificant percentage, however, equals more than 250,000 workers.<sup>16</sup>

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16. Akyeampong (2006a: 20) also notes the increase in person-days lost from 1.7 million in 2003 to 4.1 million in 2005.

TABLE 2  
**Strikes, Workdays and Workers in Canada, 1960–2004<sup>1</sup>**

<i>Start Year<sup>4</sup></i>	<i>Number of Strikes</i>	<i>Percent of all Strikes</i>	<i>Number of Strikers<sup>3</sup></i>	<i>Percent of Non- Agricultural Paid Workers<sup>2</sup></i>	<i>Number of Working Days Lost<sup>5</sup></i>	<i>Percent of All Working Days Lost</i>
1960–1964	1,474	6.2%	372,311	7.8%	32,799	4.2%
1965–1969	2,685	11.2%	1,305,427	22.2%	59,326	7.6%
1970–1974	3,457	14.4%	2,072,328	29.4%	87,362	11.1%
1975–1979	4,755	19.9%	2,944,937	31.0%	139,688	17.8%
1980–1984	3,735	15.6%	1,690,340	17.2%	135,454	17.3%
1985–1989	3,049	12.7%	1,823,849	17.0%	121,163	15.4%
1990–1994	1,906	8.0%	799,642	6.9%	84,548	10.8%
1995–1999	1,507	6.3%	1,044,438	8.8%	68,264	8.7%
2000–2004	1,376	5.7%	816,067	6.1%	56,504	7.2%
Total	23,944	100.0%	12,869,338	—	785,108	100.0%

Notes:

1. The data on work stoppages include strikes and lockouts which last ten or more person-days. Person-days are calculated by multiplying the number of workers by the number of work days lost.

2. Non-agricultural paid employment and labour force data are from Statistics Canada's Labour Force Survey (LFS). No survey was conducted in 1979. Statistics Canada only began including union status in LFS data in 1997 so the number of workers in this table includes all part time and full time employees whether or not they are unionized. Although many of these workers could not go on 'legal' strike, the HRSDC data do include some 'strikes' by unorganized workers.

3. Number of strikers includes all workers involved in work stoppages, including lockouts.

4. Stoppages which continue from one year to the next are counted only once, in the year they started.

5. Number of working days lost includes days lost to both strikes and lockouts.

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Social Development Canada

### ***Lockouts in Canada***

HRSDC began collecting lockout data in 1976. From 1976 to 2004, 1839 lockouts—12% of all stoppages—involved 7.4% of all workers who engaged in stoppages, and represented almost 20% of workdays lost. The high point for lockouts was the period from 1983 to 1986; the 473 lockouts during these years represent almost 26% of all lockouts in the entire period (for an overview see Table 3: *Lockouts, Workdays and Workers in Canada, 1960–2004*). Lockouts tend to be longer than other strikes. Between 1976

and 2004, 33.6% of all strikes lasted less than one week compared to only 15.8% of lockouts. And despite the relatively small number of lockouts overall, 30.4% of all stoppages lasting longer than one year (84/276) were lockouts. Overall, lockouts involve fewer workers; however, seven lockouts involved 10,000 workers or more.

TABLE 3  
**Lockouts by Year, Workdays and Workers in Canada, 1976–2004<sup>1</sup>**

	<i>Stoppages</i>		<i>Workdays</i>		<i>Number of Workers</i>	
	<i>Number of Lockouts</i>	<i>Percent of Total Stoppages</i>	<i>Workdays Lost to Lockouts</i>	<i>Percent of total Workdays</i>	<i>Workers Involved in Lockouts</i>	<i>Percent of Total Workers</i>
1976–1979	253	6.9%	11,837	11.3%	85,919	3.5%
1980–1984	521	13.9%	29,674	21.9%	226,545	13.4%
1985–1989	393	12.9%	23,435	19.3%	179,506	9.8%
1990–1994	251	13.2%	20,018	23.7%	28,591	3.6%
1995–1999	196	13.0%	16,562	24.3%	77,618	7.4%
2000–2004	225	16.4%	11,694	20.7%	38,400	4.7%
Total	1,839	12.1%	113,220	19.8%	636,579	7.4%

Notes:

1. HRSDC began collecting data on lockouts in 1976. A lockout is coded by HRSDC “if the stoppage involved only a lockout or if both a strike and lockout occurred” (from the *Training Manual: Work Stoppages*).

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Social Development Canada

Although one might expect that lockouts would occur during the re-negotiation of agreements, thirty-six lockouts occurred during the term of the agreement, eight of which were in the public sector. The data on lockouts by industry and sector are also revealing. Although 88% of lockouts occur in the private sector, from 1976 to 2004, there were 220 lockouts in the public sector, 162 of them clustered in three key industries: Educational Services (fifty lockouts); Health Care and Social Assistance (forty-four lockouts); and Public Administration (sixty-eight lockouts). In 1980 alone, twenty-two public sector lockouts involved 50% of all workers locked out between 1976 and 2004.

To fully understand labour militancies, they need to be set against patterns of employer aggression, that is, pro-active initiatives on the

part of employers to undermine and often prevent the functioning of the union-management relationship.<sup>17</sup> Lockouts are often one form of employer aggression, especially when employers continue to operate with replacement workers. Forms of employer aggression also include pursuing profits regardless of the effects on workers, families, communities, and countries; sabotaging the functioning of the union-management relationship; limiting worker input into and control over the labour process; and increasing employment instability by undermining standard and secure jobs in favour of more precariousness (Briskin, 2006). Briskin (2005) differentiates employer resistance to the introduction of a union, what Ewing, Moore and Wood (2003) call “union avoidance” from employer aggression. She examines the HRSDC data on strike issues related to employer aggression (contract violation, disciplinary action, failure to negotiate, delay in negotiations, etc).

Working with the microdata from 1960 to 2004 supports a labour militancy perspective, one which can enrich understandings of Canadian work stoppages. In particular, it makes visible the detail buried in aggregates and averages, and helps to illuminate workers’ experiences of strikes. Before turning to three examples—on strike duration, strike size and strikes for first contracts, the next section examines how the HRSDC data is collected.

### ***HOW THE HRSDC DATA ARE COLLECTED***

As the HRSDC work stoppage data are re-examined from a labour militancy perspective, it is relevant to explore how these data are collected, that is, whose voices are reflected in the data. All statistical data are necessarily limited in their accuracy and what they can represent. Knowing these limits allows for more transparent use and more accurate interpretation of the trends they illuminate. As part of this research project, interviews

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17. Labour militancies also need to be situated in the context of the growing intervention of the state into the management of labour relations, especially in the public sector. Panitch and Swartz (2003) argue that such state interventions challenge the very basis of free collective bargaining. The trend toward the adoption of various statutory incomes policies began with the implementation of compulsory wage and price controls in 1975 which led to a massive worker protest in 1976. Statutory incomes policies have been complemented by back-to-work legislation and the increased designation of public sector workers as essential, thereby removing their right to strike (5). The National Union of Public and General Employees (NUPGE) and United Food and Commercial Workers (UFCW) have recently launched a major campaign to defend free collective bargaining. They point out that since 1982 the federal and provincial governments have passed 170 pieces of legislation that have restricted, suspended or denied collective bargaining rights (see Fudge and Brewin, 2005). For more information about the campaign, go to <<http://www.labourrights.ca>>.

were conducted with many of the provincial correspondents who collect the information for HRSDC in order to assess the validity and viability of the HRSDC data.<sup>18</sup> These interviews highlight the importance of crossing methodological borders to juxtapose statistical data with qualitative sources. They also underscore the political nature of data collection (what is seen to be germane and not), data presentation (what is made visible and what is not), and data sources (whose voices are heard).

In Canada, neither employers nor unions is required to record information about work stoppages. Instead, HRSDC works with “a correspondent” in each provincial labour ministry whose task it is to collect information about work stoppages. HRSDC also indicated that many of the choices around coding of the work stoppage data were made by these correspondents. However, conversations with correspondents in seven provinces revealed that none was involved in coding. In all cases but one, they had never seen the coding lists. One correspondent who collected the data for years said in reaction to interview questions about coding choices: “I was kind of taken aback to see the emphasis on coding because this is stuff we never did.” Nevertheless, conversations with these correspondents did provide some interesting background to, and insight into the HRSDC data.

Correspondents were asked how the work stoppage data are collected. Questions included: “How do you find out about the occurrence of a work stoppage? The number of workers involved? The issues involved?” Accessing information about the occurrence of a work stoppage depends on a variety of factors, not the least of which are the regulatory processes embedded in provincial labour relations acts. For those provinces like Ontario where conciliation is mandatory and prior to a strike, the Minister of Labour must issue a notice that no settlement could be effected and no Conciliation Board will be appointed (colloquially known as a “no board” report), or Alberta where notice of strike or lockout must be given to their mediation services, or Prince Edward Island where parties must participate in conciliation prior to a strike/lockout, the correspondents work closely with the conciliation and mediation services (although the actual conciliator reports are confidential). For some provinces like British Columbia, such

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18. The author had contact with correspondents from seven provinces: British Columbia, Alberta, Manitoba, Saskatchewan, Ontario, New Brunswick and Prince Edward Island and appreciates the time they spent on this project. Many of them were very reluctant to speak to the author; some were stopped by their supervisors. The most informative respondent had recently retired. Correspondents filled out a survey questionnaire; in some cases they participated in a telephone interview. In all cases, the correspondents requested anonymity. All quotations are from these interviews. HRSDC would not provide the list of correspondents. To locate the correspondents, each provincial ministry was called by a research assistant.

a process is not mandatory. “The trouble is the Labour Relations Board didn’t really know officially about any strike unless somebody went to them. And you didn’t have to go to them. So that meant that there was a lot of strikes that they never dealt with because they got resolved in another way” [Work Stoppages Correspondent]. In such cases, the correspondent relies on provincially gathered media summaries and on employer, union and financial web sites.

Some correspondents have regular contact with employers, and some with unions, or use union websites. For example, in Ontario, “The employer, and very rarely, the union, are contacted directly to obtain detailed information regarding the following: a) type of work stoppage, b) number of employees involved, c) start date and start time, d) termination date and termination time, e) number of days out, f) number of work days per week.” Another correspondent reported: “Most of the time I would start talking with the union. It would depend what kind of a strike it was. But I found if it was a small company, they really didn’t want to waste any time talking to me. They were quite annoyed whereas the union was pretty happy to talk... If I could phone both, I would. I’d write down all the information I could get.” In general, the correspondents did not suggest that they received divergent information from union, employer and media. The Saskatchewan correspondent indicated that “we rely on our conciliators to provide us with an unbiased version of events.” The Manitoba correspondent indicated: “For the most part, there is consistency between the sources as to the issues at hand.”

Most provinces rely, to some extent, on the media to alert the correspondent to the fact of a stoppage, especially in those where a conciliation/mediation process is not required. For example, in British Columbia, “We had a communications department for every Ministry and each communications department would go through the news sources and put together a little email that had clippings related to our Ministry. The media summary was pretty extensive ... [although] some strikes are so small that the news media don’t pick them up.” This correspondent did acknowledge that “the media reports could sometimes be misleading.”<sup>19</sup>

19. Another part of HRSDC which deals with employment insurance has a different view on the media. The following statement from the HRSDC *Digest of Benefit Entitlement Principles* which guides the assessment of entitlements to employment insurance in the context of work stoppages is worth quoting in its entirety. It is intriguing that provincial governments often depend on the media to provide information about stoppages, while at the same time, another part of the state apparatus is emphasizing the difficulties of relying on the media.

“Strictly speaking, newspaper articles are no more than a written form of hearsay. Such published information may in principle be considered but as with any other forms of information, its credibility must be assessed at the time the decision is actually made. This



Interviews with the correspondents suggest that the data collection across Canada is less standardized than one might expect. Significant variations emerged among the provinces. In addition to the above examples which demonstrate differences in the sources of data, not all provinces collect the same information about work stoppages. For example, unlike Ontario, Alberta does not collect data on what they consider illegal work stoppages.

Alberta excludes any strike that does not conform to the definition of legal work stoppage as stated in the Labour Relations Code. A work stoppage can only legally occur when a collective agreement is expired, after a mediator has been appointed and after notice to strike or lockout has occurred... A wildcat strike would likely be handled by the parties themselves without us even being aware. If not handled by themselves, the Labour Relations Board would legislate them back to work. [Alberta Correspondent]<sup>20</sup>

HRSDC also indicated that there was something unique in the way that Ontario reports the data and what data they include. Numerous conversations with the provincial correspondent generated the following clarification: “If a work stoppage is on-going (that is, it hasn’t been settled) within the month we report to HRSDC, it is considered as confidential. In this office, we

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assessment is especially important in the case of labour disputes; by their very nature, such disputes involve contradictory claims by the parties involved. As for newspaper reports, it must be borne in mind that journalists are vulnerable to distorted information originating from both sides of the dispute; they should not be accorded any importance unless their foundation and accuracy can be verified with both parties involved, employer and union. Newspaper articles and press releases should be considered as useful indications of the nature of a dispute in that they focus on such features as the position of the parties concerned, sensational incidents of violence, termination of a stoppage of work, and so on. Once these indications are available, the next step—one in keeping with a fundamental principle of natural justice—is to provide each party with an opportunity to clarify and comment on the situation” [Section 8.1.10 of the *Digest*].

This section of the *Digest* concludes with this contradictory statement: “One should not lose sight of the fact that the claimant bears the onus of proof to entitlement to benefits. For example, with respect to exempting conditions, claimants or their representatives are required to refute all unfavourable facts that appear in a news item or release” [Section 8.1.10 of the *Digest*]. A discursive analysis of “unfavourable facts” from a “hearsay” source is warranted. The *Digest* is available at <[http://www.hrsdc.gc.ca/en/ei/digest/table\\_of\\_contents.shtml](http://www.hrsdc.gc.ca/en/ei/digest/table_of_contents.shtml)>.

20. Given this definitive guideline, it is curious that during the period 1960 to 2004, data are recorded for eighty wildcat strikes in Alberta. The author has not been able to ascertain from HRSDC the source of this data. In correspondence with HRSDC (email 25 June 2004), HRSDC insisted that this information comes from the province. To check that this anomaly was not due to a change in reporting practices, the distribution of strikes during the term of agreement over the years 1960 to 2004 was examined. No particular logic emerged: the years with the most such strikes were 1966, 1974 and 1976. In recent years such strikes have been reported in 1997, 1998 and 2000.

don't release information about a work stoppage until it has been resolved" (email correspondence 11 June 2004). Continuing stoppages from other provinces are reported on an on-going basis, that is, unsettled strikes from other provinces, but not Ontario, would be included in the data set.

Interviews with many of the provincial correspondents who collect work stoppages information for HRSDC shed light on both the limits and possibilities of the data set. Certainly, understanding more about the source of the data and the collection process is a reminder of the hidden qualitative and subjective aspects of statistics. In the next section in the discussions of strike size and duration, some other aspects of the data collection process come into focus.

### ***SIZE, DURATION AND FIRST CONTRACT STRIKES***

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Although considerations of strike duration (how long a strike lasts) and strike size (how many workers are involved) have attracted extensive scholarly attention, there has been little quantitative research on the issue of strikes for first contracts. On all three issues, this article suggests that a labour militancy lens can enrich the empirical mapping of strikes.

#### ***Strike Size: Number of Workers***

One of the real problems was trying to figure out how many people were involved. And the hours. That could be an absolute nightmare. [M]ost of the time the union was more helpful.... but they couldn't always tell me, especially if you had an operation like a donut shop or something, where nobody's full-time, and nobody's even sort of, regularly half-time or quarter-time. And there you're really just doing guestimates. And there's just no way around it. Because no one's going to sit down and say "well, Bob works three hours a week and Janet works 24 and...

And there were some strikes, for example, a community services one where it was impossible. You had a gazillion employers that had these small operations, where they had, say, group homes for people and there were two employees and you had hundreds of these things. And they were not going to sit down and work out the hours. ... So there were strikes where I ended up putting down: "information is not available" .... You know, because partial information was useless... and misleading. [A Provincial Work Stoppages Correspondent]

Although the HRSDC data report the number of workers involved in any given strike, these comments make clear that collecting such information is no easy task. They suggest that, at least in some provinces, it might be more accurate to talk about full-time worker equivalents rather than number of workers. Although it may be that a relatively small percentage of

part-time workers are unionized and also involved in work stoppages, the fact that four part-time workers on strike might be counted as one worker erases the involvement of such workers, a group already marginalized in the workplace. This erasure may reinforce common sense views that part-time workers are not involved in militancy. Undoubtedly, from a labour militancy perspective four part-time workers on strike means something quite different than one full-time worker. This example highlights the focus on time lost rather than on worker experience.<sup>21</sup>

Furthermore, HRSDC's public reporting emphasizes major work stoppages, that is, those which involve 500 or more employees. A number of researchers have highlighted problems with limiting consideration to large strikes (Campolietti, Hebden and Hyatt, 2005). For example, in their study of US strikes, Skeels, McGrath and Arshanapalli (1988: 589) conclude:

Our evidence strongly suggests that conclusions about strikes in general cannot safely be made on the basis of research investigating only strikes above some given size cut-off. Strike samples thus selected do not appear to meet the basic requirement of randomness, probably because bargaining unit size has a systematic relationship to dispute issues, contract status, geographic distribution, and industry. More simply put, our results indicate that small strikes differ significantly from large strikes.

Like Skeels, McGrath and Arshanapalli (1988), Harrison and Stewart (1993) stress, in their study of the relation between strike size and duration, the importance of considering all strikes and not only large ones. In Canada, although it is not surprising that strikes of over 500 between 1960 and 2004 account for a disproportionate percentage of person-days lost (69.3%), the fact that 87.6% of strikes are not reported in any detail in HRSDC publications underscores the interest in the economic impacts of strikes.

It is also the case that industrial relations literature often focuses on aggregate and average figures which offer a useful frame but may reflect little of the experience of strikers. For example, in the aggregate reporting of various measures of strike activity presented by Gunderson et al. (2005: 351), strike size refers to the "average number of workers involved per strike

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21. From a research point of view, the work stoppages data set would be significantly enriched by information on employment relationships (job status and work status), and the gender of striking workers. Statistics Canada data (Akyeampong, 2006a: 21–22) shows that, in 2006, on the issue of work status, 33.6% of full-time workers were covered by a union compared to 25.2% of part-time workers; and on the issue of job status, 32.4% of permanent workers and 29.4% on non-permanent workers. Gender patterns of union density have shifted dramatically so in 2005 for the first time, and again in 2006, union coverage is slightly higher for women (32.1%) than for men (31.9%). These patterns undoubtedly impact on patterns of labour militancy (Briskin, 2006).

calculated as the number of workers involved divided by the number of strikes.” Although this may be one helpful way of measuring size, it does not highlight the actual experience of strike size from the point of view of the workers, for whom size is relevant to strike efficacy.

An alternative reading of the stoppages data from a labour militancy perspective suggests a different profile of Canadian strikes. The breakdown for workplace size used by the Labour Force Survey of Statistics Canada: less than 20, 20–99, 100–500 and more than 500, a commonly used standardization was first considered as a frame to examine the number of workers involved in strikes. However, in order to make visible both very small strikes and very large strikes, the following breakdown was used: 1–19, 20–50, 51–99, 100–250, 251–500, 501–1000, 1001–2500, 2501–9999, 10,000 +.

As Table 4: *Strike Size, Canada, 1960–2004* demonstrates, although the *more than 500* category represents only 12.5% of strikes, 6.4% involve more than 1000 workers: 890 strikes involved 1000–2500 workers, 469 involved 2501–9999 workers, and 156 strikes involved more than 10,000 workers, many of them in the public sector. In the aggregated data of *more than 500*, these very large strikes would remain buried, for example, the Public Service Alliance of Canada strike in 2001 which involved more than 200,000 workers; the 1998 strike by the Fédération des syndicats de l’enseignement which involved more than 124,000 workers; the strike of more than 47,000 members of the Ontario Public Service Employees union in 1996; and the 1991 strike by more than 40,000 members of the Canadian Union of Postal Workers.<sup>22</sup>

At the same time, it is noteworthy that between 1960 and 2004, 17.6% of strikes involved 19 or fewer workers, 22.2% of strikes between 20–50 workers, and 15.9% involved 51–99 workers. This means that over the period from 1960 to 2004, 55.7% of strikes involved less than 100 workers. Although it may be that large workplaces are more likely to have strikes (see Godard, 1992 and Gramm, 1986),<sup>23</sup> in Canada, the vast majority of strikes actually occur in small workplaces. In fact, in Canada, there is a proliferation of small and seemingly difficult-to-organize work-

22. Harrison and Stewart (1993) use the following breakdown: 1–24, 25–49, 50–74, 75–99, 100–149, 150–199, 200–299, 300–499, 500–999, and 1000 +. Although it makes more visible the small strikes, it does not reveal much about the range of very large strikes.

23. In their sample of 1363 Ontario strikes from 1984–1992, Campolietti, Hebdon and Hyatt (2005: 620) found that “the odds of a strike for small bargaining units were statistically significantly smaller than for bargaining units with more than 500 members. In general, there appears to be a declining pattern in the odds ratios for the bargaining unit size dummies, with the smaller bargaining units having smaller odds of going on strike than the larger units.”

TABLE 4  
Strike Size, Canada, 1960–2004

<i>Number of workers</i>	<i>Number of Stoppages</i>	<i>Percent</i>	<i>Cumulative Percent</i>
1–19	4220	17.6	17.6
20–50	5318	22.2	39.8
51–99	3799	15.9	55.7
100–250	5139	21.5	77.2
251–500	2495	10.4	87.6
501–1000	1458	6.1	93.7
1001–2500	890	3.7	97.4
2501–9999	469	2.0	99.3
10000 +	156	0.7	100.0
Total	23944	100.0	

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Social Development Canada

places; in 2005, 33% of all workers were employed in workplaces with fewer than 20 employees (Akyeampong, 2006a: 26). Commonsense views which suggest that women are clustered in such workplaces and that strikes happen in large workplaces make expressions of militancy in such firms/workplaces all the more relevant.<sup>24</sup> These data might be of strategic importance to unions in the context of new organizing campaigns to bolster dwindling membership.<sup>25</sup>

24. Cranford, Vosko and Zukewich (2003: 463) note that a “firm size of less than 20 is a good indicator of the degree of regulatory protection among employees since labour law often does not apply in these firms and the pieces of legislation that do apply are ill-enforced or difficult to use.” In fact, they identify firms of less than 20 as one of three factors implicated in precariousness, the other two being union coverage and hourly wage. They examine the gendered breakdown of full time permanent, full time temporary, part time permanent and part time temporary employees in relation to these three variables and confirm the continuing concentration of women in the most precarious forms of employment. Statistics Canada data show that, in 2005, 30.6% of men and 34.6% of women were employed in workplaces with fewer than 20 workers (Akyeampong, 2006a: 27–28). Only in these small workplaces was union density higher for men than for women: 16.4% compared to 13%. For all other workplace sizes, union density was higher for women.

25. James and Mackenzie (2003: 8) point out that in Ontario most newly organized units tend to be comparatively small workplaces. In 2000–2001, 63.9% of the total certification applications involved units of less than forty employees and 26.1% applied to units of less than ten employees.

Sector and industry breakdowns by size are also revealing. In general, large strikes tend to be in the public sector: 12.2% of public sector strikes involved more than 1000 workers compared to only 4.9% of private sector strikes during the period from 1960 to 2004. Some industries are more likely to have strikes of few workers: Trade (81% of strikes involved less than 100 workers); Finance, Insurance, Real Estate and Leasing (85% of strikes); Management of Companies and Administration and other support services (80%); and Other Services (91%). Educational Services has the lowest percentage of strikes under 100 workers: only 33.7%.

### *Duration of Strikes*

Industrial relations experts often emphasize the average length of strikes. Gunderson et al. (2005: 352) report that over the full period 1901 to 1998, the average strike lasted 18.8 days, though it dropped to 16.6 days in the 1980s, and 13.8 days in the 1990s. In fact, they point out that, with the exceptions of both world wars, Canada has almost always had strikes of fairly long duration compared to many countries. For Gunderson et al., the length of an average strike is calculated, perhaps somewhat counter-intuitively, not by dividing the number of strikes by the days lost but rather by calculating the average days lost per worker on strike. As pointed out earlier, they acknowledge that “the macroeconomic measurement of strikes as lost work time necessitates a view of strikes from an employer perspective” (353).

However, they also point out that calculating the average length of strikes by dividing the number of strikes by the days lost highlights the point of view of individual workers, and reveals that, in fact, strikes have been getting longer, not shorter (Gunderson et al., 2005: 353). Between 1960 and 2004, the average strike duration was about thirty-three working days. However, from 1990, the average number of days began to raise over forty (see Table 5: *Average Strike Duration, Canada, 1960–2004*).<sup>26</sup>

The scholarly literature on duration has focussed on explaining or predicting strike duration, in relation to many possible variables. Some research has considered the relation between duration and the business cycle (for example, Harrison and Stewart, 1989), public policy relating to strikes (Gunderson and Melino, 1990), or number of unsettled issues at the start of the strike (Ondrich and Schnell, 1993). Others have developed multi-variable analysis which include attention to strike duration or

26. Although the discussion of Gunderson et al. (2005) of average strike duration used calendar rather than work days, a similar profile of increasing duration is demonstrated here using work days. However, as Hebdon pointed out (email correspondence), calendar days are likely a measure closer to the experience of those on strikes. Although workers may not picket on a weekend, they still experience themselves on strike.

TABLE 5  
Average Strike Duration, Canada, 1960–2004

<i>Years</i>	<i>Workdays<sup>1</sup></i>
1960–1964	22.3
1965–1969	22.1
1970–1974	25.3
1975–1979	29.4
1980–1984	36.3
1985–1989	39.7
1990–1994	44.4
1995–1999	45.3
2000–2004	41.1
Total	32.8

Notes:

1. The HRSDC data distinguish between workdays and calendar days. “The days counted as working days are those on which the establishment would normally be in operation (five days per week)” (from *The Training Manual: Work Stoppages*, 2005).

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Social Development Canada

severity (for example, Gramm, 1986; Godard, 1992). This discussion tries to map what can be learned about workers’ experience of strike duration by disaggregating the strike data. It starts from the simple proposition that how long a strike lasts is critical to the workers involved.

HRSDC specifies that all strikes of ten or more person-days are recorded in the data. However, provinces vary in their attention to both very short and very long strikes. One Provincial Work Stoppages Correspondent commented on data collection of very long strikes.

When a strike had gone on for two years, we just ended our recording of it because we figured that there was just no point in going on. You know after two years if a union was still picketing they weren’t going to get anywhere. Nothing was ever going to happen. And so, we stopped keeping records for things... Quite often what happens in a situation like that is that the company closes down. The company may not really be out of existence, they may open under another name, but you got some union people picketing a site that doesn’t really exist anymore and so we decided it was pointless. And so, we didn’t bother going on phoning them. I mean, if we had phoned the union, they probably would have said: “Well, we’re still out.” But so often these strikes involve twenty people, it really didn’t matter.



It is not so much that very long strikes “don’t matter”; rather, they may be very difficult to settle. Gunderson et al. (2005: 342) describe the hazard rate, that is, “the strike settlement probabilities as the strike progresses”:

Generally, as the strike progresses, the probability of settling the next day (the conditional strike probability) declines, implying that the remaining life expectancy of the strike actually increases as the strike progresses. Much of this simply reflects the fact that the composition of the remaining strikes increasingly consists of strikes that are hard to settle, the easy ones having been settled earlier and dropped out of the sample.

Undoubtedly much can be learned about unions, stoppages and militancy by considering the very long strikes in Canada. Although it is beyond the scope of this article to consider such strikes in any detail, the HRSDC data from 1960 to 2004 record sixty-nine strikes that lasted longer than two years, all remarkable instances of persistent militancy. Of these, 95.7% were in the private sector and 75.3% involved less than fifty workers. The fact that 30% were during the negotiation of a first agreement (although only 13% of all stoppages took place during first contract negotiations) is also significant to understanding these long strikes from the point of view of workers. Of the 307 private sector strikes lasting more than one year, 19% involved less than twenty workers; in fact 14% involved ten workers or less (see Table 6: *Snapshot of Very Long Strikes* for information about some of these very long strikes).

On the issue of very short strikes, one Provincial Work Stoppages Correspondent noted: “We had a policy of ignoring a strike if it was less than half a day.” It may be that from the point of aggregate statistical data, strikes of few workers, short strikes or even very long strikes really don’t matter. At the same time, as this correspondent also recognizes, the numbers on strike or the length of the strike do not always reflect the significance of a strike to the workers, to the union and to the community.

There were times when I thought, these numbers are useless. For example we had a nurses’ strike and the number of days lost was so small that I thought, well, this doesn’t make any sense. It was all over the media, everyone was up in arms, and practically no time was lost because there’s so many essential services.... [If] you’re just looking at the numbers, this doesn’t tell you what a huge impact this strike had. [A Provincial Work Stoppages Correspondent]

A shift from various average measures further highlights patterns of labour militancy not revealed by the traditional aggregate figures. The HRSDC data show that 35.6% of strikes between 1960 and 2004 lasted between one and five days; in fact, 21.3% lasted only one to two days.<sup>27</sup>

27. The high incidence of very short strikes may have been missed in some other research. For example although Ondrich and Schnell (1993) focus on strike duration, their shortest

TABLE 6  
**Snapshot of Very Long Strikes**

<i>The four strikes in the public sector lasting more than two years, 1960–2004</i>	
1.	From September 98 to June 2001, 47 workers (Ontario Nurses' Association) at the Victorian Order of Nurses (Eastern Counties Branch) were on strike. An agreement was reached.
2.	From October 5 1989 to October 31, 1991, 9 workers (United Food and Commercial Workers) at the Comox Medical Clinic in British Columbia were on strike. First contract strike. An agreement was reached.
3.	From September 1979 to March 1983, 22 workers at the Digby Municipal School Board in Nova Scotia from the Canadian Union of Public Employees were on strike. An agreement was reached.
4.	From March 1972 to June 1975, 24 workers at the Pavilion Saint-Dominique in Quebec from the Fédération des affaires sociales were on strike. First contract strike. Results unavailable.
<i>The three most recent strikes involving more than 100 workers lasting more than two years</i>	
1.	From June 1996 to April 2000, 182 workers (United Steelworkers of America) at the Red Lake Mine Division of Goldcorp Inc in Ontario were on strike. An agreement was reached.
2.	From May 1994 to August 1996, 214 workers (Communication, Energy and Paper Workers) at Irving Oil in New Brunswick were on strike. Special legislation was enacted to end the strike.
3.	From July 1992 to September 1994, 138 workers (United Food and Commercial Workers) at Western Canadian Meat Packers in Saskatchewan were on strike. An agreement was reached.
<i>The three largest private sector strikes lasting more than one year</i>	
1.	From January 7, 1974 to August 28, 1975, 1769 workers (United Auto Workers) at Pratt and Whitney in Quebec were on strike. Result unavailable.
2.	From July 1, 1980 to July 24, 1981, 1624 workers (Fédération des travailleurs du papier and de la forêt-CSN) at the Canadian International Paper Company in Quebec were on strike. Result unavailable.
3.	From February 15, 1980 to March 16, 1981, 825 workers (Fédération de la métallurgie-CSN) at Reynolds Aluminum in Quebec were on strike. An agreement was reached.

These include political walkouts such as the 1976 Day of Protest around wage and price controls and the 1996 and 1997 Days of Protest in Ontario.

duration category is one to thirty days. Even in their relatively small sample of 320 US strikes from 1975–80, about 30% of strikes fell in this short category; however, without disaggregation, it is not possible to know how many lasted five days or less.

Equally interesting is the fact that 8.6% of strikes lasted seventeen to fifty-two weeks and 1.4% more than one year (see Table 7: *Strike Duration, Canada, 1960–2004*). Not surprisingly, there are significant industry and sector differences. For example, in construction, 55% of strikes settled in five days or less; however, in trade the figure is only 22%, and in finance, only 20.7%. In the private sector, 34% of strikes settle within a work week but 43% of public sector strikes settle in this short time frame.

TABLE 7  
**Strike Duration, Canada, 1960–2004<sup>1</sup>**

<i>Strike duration<sup>2</sup></i>	<i>Total Number</i>	<i>Percent</i>	<i>Cumulative Percent</i>
≤ 1 week	8527	35.6	
1–2 days	5103	21.3	21.3
3–5 days	3424	14.3	35.6
> 1 to ≤ 2 weeks (6–10 days)	2968	12.4	48.0
> 2 to ≤ 4 weeks (11–20 days)	3475	14.5	62.5
> 4 to ≤ 7 weeks (21–35 days)	2965	12.4	74.9
> 7 to ≤ 16 weeks (36–80 days)	3651	15.2	90.2
> 16 to ≤ 52 weeks (81–260 days)	2020	8.4	98.6
> 52 weeks (261+ days)	338	1.4	100.0
Total	23944	100.0	

Notes:

1. HRSDC data indicate both calendar days and working days. Calendar days refers to the number of calendar days in the month, while “The days counted as working day are those on which the establishment involved would normally be in operation (five days per week)” (from the *Training Manual: Work Stoppages*, 2005). The data presented here are based on “working days.”

2. “≤ 1 week” includes stoppages which lasted less than or equal to one week, or 5 working days. “> 1 to ≤ 2 weeks” includes stoppages which lasted longer than one week, but not longer than two weeks, or 6 to 10 working days.

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Social Development Canada

Like the average duration figures, the disaggregated figures show that strike duration is increasing. Between 1960 and 2004, 35.6% of strikes lasted less than one week; however, in the period 2000 to 2004, only 25.8% of strikes were solved within five working days. And whereas over the whole

period, only 15.2% of strikes lasted between seven and sixteen weeks, between 2000 and 2004, the percentage had increased to 19%.

What patterns are visible when the data on duration and size are combined? In their study of 1363 strikes in Ontario between 1984 and 1992, Campolietti, Hebdon and Hyatt (2005: 621) found a relation between duration and bargaining unit size: "Smaller bargaining units were slower to settle strikes than were bargaining units with 500 or more members." This finding holds true for the 23,944 work stoppages between 1960 and 2004<sup>28</sup> (see Table 8: *Strike Duration by Size, Canada, 1960–2004*).

TABLE 8  
**Strike Duration by Size, Canada, 1960–2004**

Workdays		Number of Workers							
		1–50		51–250		251 +		Total	
		#	%	#	%	#	%	#	%
1 week	#	2956	31.0	3181	35.6	2390	43.7	8527	35.6
(1–5 days)	%	34.7		37.3		28.0		100.0	
2–4 weeks	#	2640	27.7	2396	26.8	1407	25.7	6443	26.9
(6–20 days)	%	41.0		37.2		21.8		100.0	
5–16 weeks	#	2713	28.4	2572	28.8	1331	24.3	6616	27.6
(21–80 days)	%	41.0		38.9		20.1		100.0	
17–52 weeks	#	988	10.4	704	7.9	328	6.0	2020	8.4
(81–260 days)	%	48.9		34.9		16.2		100.0	
> 52 weeks	#	241	2.5	85	1.0	12	0.2	338	1.4
(261 + days)	%	71.3		25.1		3.6		100.0	
Total	#	9538	100.0	8938	100.0	5468	100.0	23944	100.0
	%	39.8		37.3		22.8		100.0	

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Skills Development Canada

Of all strikes, 35.6% settle within five days. The more workers involved, the greater the likelihood of such a quick settlement: for example, 43% of strikes of 251 or more workers settle within five days. Of strikes which last more than one year, 71.3% involve under fifty workers. It is also the case that almost 49% of strikes which last between seventeen and fifty-two weeks

28. These findings also underscore the importance of not limiting analyses to large strikes. Harrison and Stewart (1993: 848) stress this point: "Studies of strike duration based only on large strikes can yield results that are not representative of the influences for all strikes."

involve less than fifty workers. These numbers suggest that some leverage comes with large collectivities of workers, although a full analysis would need to take into account many other factors. For example, Campolietti, Hebbon and Hyatt (2005: 626) offer the following hypotheses:

Our finding of longer strikes in smaller bargaining units is consistent with the notion of greater moral commitment to work by employees in small plants or units (Ingham 1970). We also interpret this finding as supporting the industrial relations view (for example, Rose 1972) that workers in smaller units exhibit greater solidarity or cohesion which would make them more likely to experience longer strikes than workers in larger bargaining units. Similarly, smaller firms may be found in more competitive industries and may have less pricing power than larger firms. Consequently, they might be less likely to settle than larger firms once there is a strike, since settling might adversely affect their financial position. These considerations about firm behavior and the smaller bargaining units' greater solidarity might explain why we see longer strikes in smaller firms.

***Contract Status: First Agreements***

HRSDC data record the contract status for each strike. The following options are available: negotiation of first agreement, renegotiation of agreement, during term of agreement, in other circumstances, and no signed agreement (for an overview of the period 1960 to 2004, see Table 9: *Strike Profile by Contract Status, Canada, 1960–2004*).

TABLE 9  
**Strike Profile by Contract Status, Canada, 1960–2004**

<i>Contract Status</i>	<i>Frequency</i>	<i>Percent</i>
During negotiation of first agreement	3193	13.3
During renegotiation of agreement	15845	66.2
During term of agreement	4299	18.0
In other circumstances	374	1.6
No signed agreement	10	0.0
No answer	223	0.9
Total	23944	100.0

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Social Development Canada

Strikes during the negotiation of first agreements represent 13.3% of the total, a relatively small and perhaps insignificant percentage. As Gunderson et al. (2005: 358) point out: “Recognition or first-agreement strikes occur

quite often; however, they do not involve many workers and hence do not contribute much to the total person-days lost because of strikes.” Although these strikes only involved 1.9% of all workers on strike (more than 238,000 workers), 21.1% of total workdays lost to strikes involved struggles over first contracts (see Table 10: *First Contract Strikes, Workers and Workdays in Canada, 1960–2004*).

TABLE 10  
**First Contract Strikes as Percent of Total by 5 Year Groups, Strikers and Workdays, 1960–2004**

	<i>Strikes</i>		<i>Strikers</i>		<i>Workdays</i>	
	#	%	#	%	#	%
1960–1964	396	26.9%	41,842	11.2%	12,348	37.6%
1965–1969	380	14.2%	31,187	2.4%	16,264	27.4%
1970–1974	388	11.2%	28,947	1.4%	18,000	20.6%
1975–1979	456	9.6%	32,186	1.1%	25,554	18.3%
1980–1984	530	14.2%	22,847	1.4%	32,486	24.0%
1985–1989	441	14.5%	22,685	1.2%	25,494	21.0%
1990–1994	293	15.4%	13,601	1.7%	16,239	19.2%
1995–1999	171	11.3%	15,350	1.5%	11,536	16.9%
2000–2004	138	10.0%	29,615	3.6%	7,918	14.0%
Total	3193	13.3%	238,261	1.9%	165,839	21.1%

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Social Development Canada

A labour militancy perspective on first contract strikes recognizes that such strikes represent key moments of workers struggling for union representation. And unlike the supposed irrelevance to the aggregate data of, for example, a first contract strike of fifteen women which lasts for many months, such a struggle would be very consequential to the women, their political consciousness and the communities in which they live and work. A labour militancy lens also highlights continuing employer resistance to union recognition. Bentham (2002) investigated the prevalence of employer resistance to union certification applications in eight Canadian jurisdictions and found that employer resistance was “the norm with 80 percent of employers overtly and actively opposing union certification applications” (159). She concluded that such opposition impacts on the probability of the parties establishing and sustaining a collective bargaining relationship. Bentham does not touch on first contract strikes but these offer additional evidence of employer resistance.

The time series data on first contract strikes suggests continuing employer resistance. In the early period of 1960 to 1964, 27% of all strikes were for first contracts. The high point for first contract strikes was the period between 1980 and 1984 during which time 16.6% of all such strikes occurred. Numbers of first contract strikes have declined over recent decades likely in part because of the availability of first contract arbitration.<sup>29</sup> However, in the decade between 1995 and 2004, 309 such strikes occurred in Canada, each of which would offer up a story of persistence and militancy in the face of considerable employer resistance.

Little interest has been paid to the phenomenon of first contract strikes in the quantitative mapping and measuring of strikes in the literature. Walker (1987) is one exception. Yet much can be learned about labour militancy and employer resistance from these often heroic struggles for union recognition. A brief profile shows that 71.4% of first contract strikes involved less than fifty workers (compared to 35% of all other strikes). Workers were locked out in 13.4% of first contract strikes. Perhaps surprisingly, 12.2% of first contract strikes were in the public sector although these tended to settle more quickly than in the private sector: 32.7% in five days or less. For all first contract strikes, only 23.2% settled within one week, and 18.2% lasted more than sixteen weeks. For other strikes, 37.5% settled within one week and only 8.6% lasted more than sixteen weeks. First contract strikes, then, often involve small groups of workers struggling over long periods of time. In fact, 32% of all strikes which lasted longer than one year were struggles for first contracts. For a snapshot of some of the thirty-five first contract strikes since 1984 which lasted over one year, see Table 11: *Snapshot of a Few First Contract Strikes Lasting Over One Year, 1984–2004*.

## ***CONCLUSION***

The micro-data from Human Resources and Social Development Canada (HRSDC) on the 23,944 stoppages in Canada between 1960 and 2004 supports the development of a labour militancy perspective on work stoppages. This approach enriches understandings of Canadian work stoppages and helps to illuminate workers' experiences of strikes.

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29. "In 1974 British Columbia became the first jurisdiction to adopt first contract arbitration. Currently seven jurisdictions covering 80 percent of the Canadian workforce provide coverage" (Rose, 2006: 200). Rose points out that one of the purposes of such arbitration is to bring an end to a first contract work stoppage. He reports that from 1974 to 2000, of 28,000 certifications granted in jurisdictions with first contract arbitration, only 5.9% drew on such arbitration (201). But likely the very existence of such legislation increases certification success by acting as a deterrent to employers (Patterson, 1990; Macdonald, 1987).



TABLE 11  
**Snapshot of a Few First Contract Strikes  
 Lasting over One Year, 1984–2004**

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1.	From June 21, 1999 to March 31, 2002 (714 workdays), 46 workers (Fédération du commerce) at Alimentation Picard in Quebec were on strike. An agreement was reached.
2.	From October 14, 1988 to June 30, 1994 (1439 workdays), 32 workers (United Steel Workers) at the Wittke Iron Works in Alberta were on strike. The strike was abandoned.
3.	From March 23, 1987 to June 30, 1990 (824 workdays), 7 workers (Service Employees International Union) at the Royal Canadian Legion Branch #56 in Saskatchewan were on strike. An agreement was reached.
4.	From April 15, 1987 to April 27, 1988 (263 workdays), 276 workers (United Food and Commercial Workers) at Zellers in Quebec were on strike. An agreement was reached.

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Source: Work Stoppage Data, Workplace Information Directorate, HRSDC

A detailed examination of strike duration, strike size and strikes for first contracts within a labour militancy frame enhances the picture that emerges from aggregates and averages. The shift from person-days lost as a percentage of working time to the numbers of employed workers on strike helps to embody the strike experience. A shift from strike size averages to the detailed data shows that 55.7% of all strikes between 1960 and 2004 involve less than 100 workers and 6.4% involve more than 1000 workers. Furthermore, although on average measures, Canada has always had long strikes in comparison to other countries, in fact, the disaggregated data show that 35.6% of strikes between 1960 and 2004 lasted only between one and five days. And although first contract strikes do not involve a significant proportion of person-days lost, it is revealing that 21.1% of total workdays lost to strikes involved such struggles. Data on first contract strikes support other research on employer resistance to union certification (Bentham, 2002). Through a consideration of lockouts, labour militancies are also set against patterns of employer aggression.

A labour militancy frame presents an alternative to the employer perspective on time lost, the government concern to measure the economic impact of stoppages, and the scholarly emphasis on strike determinants. It makes visible the local and the particular, and supports new ways of looking at overall patterns of labour militancy, highlighting very long and very short strikes, strikes of a few workers or those involving many thousands of workers, and strikes for first contracts. Although none of these may be of particular significance to aggregate data, they are of great consequence to workers, unions and communities.

Interviews with the provincial correspondents who collect work stoppages information for HRSDC reveal that data collection is not entirely standardized across the country. Examining the data in light of these interviews underscores the political nature of data collection (what is seen to be germane and not), data presentation (what is made visible and what is not), and data sources (whose voices are heard). Understanding more about the source of the data and the collection process is a reminder of the often-hidden qualitative and subjective aspects of statistics. Regardless, the data set has great potential to enable researchers to analyze work stoppages from a labour militancy perspective.

A labour militancy perspective using the work stoppages data stands between detailed historical studies of particular strikes which bring to life the voices of striking workers, on the one hand, and the presentation of averages and aggregates, on the other. Although such a perspective deepens understandings of Canadian strikes, undoubtedly numbers can never adequately represent the anger, risk, struggle and solidarity involved in the strike experience.

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## **RÉSUMÉ**

### **Des jours-personnes perdus et le militantisme des syndiqués : relecture des statistiques sur les arrêts de travail au Canada**

En utilisant les micro-données sur les arrêts de travail colligées par le Ministère des ressources humaines et du développement social du Canada, cet essai introduit la perspective du militantisme syndical dans l'étude des arrêts de travail. C'est une approche qui vient enrichir notre compréhension des arrêts de travail au Canada et qui aide à éclairer les expériences de grève chez les travailleurs. Les travailleurs ont eu recours aux grèves pour bonifier leur rémunération et leurs conditions de travail, et pour défendre leur droit à une protection syndicale. Ils se sont servis de l'arme de la grève pour résister non seulement aux attaques des employeurs, mais aussi à celles des politiques gouvernementales. Sans l'ombre d'un doute, les travailleurs canadiens ont fait preuve de militantisme. Le ministère fait état de 23 944 arrêts de travail au cours des années 1960–2004.

L'article est divisé en trois parties : la première offre une vue rapide des données du ministère sur les arrêts de travail et examine comment ces données ont été habituellement utilisées; la deuxième analyse la façon dont les données ont été recueillies en se basant sur des entrevues avec les correspondants des provinces; enfin, la dernière section s'intéresse à trois exemples particuliers : la durée des grèves, leur envergure et les grèves lors des premières conventions collectives.

Nous distinguons d'abord entre le militantisme syndical, le militantisme des travailleurs et le militantisme des syndiqués (Briskin, 2006). Le militantisme syndical s'intéresse avant tout aux politiques des syndicats eux-mêmes; le militantisme des travailleurs est plutôt centré sur l'action collective et la résistance des travailleurs non syndiqués et souvent marginalisés. Le militantisme des syndiqués s'adresse à l'activisme collectif et organisé des travailleurs syndiqués impliqués dans des conflits sur les lieux de travail. Quoique cet essai soit avant tout centré sur les arrêts de travail, il ne tient pas pour acquis que les grèves soient la seule forme de militantisme des syndiqués. Hebdon (2005) reconnaît d'autres types de militantisme. Ainsi, il établit une distinction entre les actions collectives informelles (les ralentissements de production, la grève du zèle), d'autres actions collectives telles que des plaintes de pratiques déloyales ou des formes individuelles de militantisme, par exemple, le dépôt de griefs.

En général, les spécialistes des relations industrielles reconnaissent les tendances suivantes concernant les activités de grève : modérée jusqu'au milieu des années 1960, à des niveaux extrêmement élevés au cours de la période 1970-1981, modérée et en diminuant au cours des dix années suivantes, une chute drastique au cours des années 1990 jusqu'au début des premières années de la présente décennie (Gunderson et al., 2005 : 348.). Pour évaluer le temps perdu en raison des grèves, des moyennes et des totaux ont été retenus, tels que le nombre moyen de travailleurs impliqués dans une grève, la moyenne des jours perdus par travailleur en arrêt de travail, des données d'ensemble tels que les jours-personnes perdus en pourcentage du temps travaillé.

Un cadre d'analyse du militantisme des syndiqués offre une alternative à la vision de l'employeur du temps perdu, à la préoccupation des gouvernements qui veulent mesurer l'impact économique des arrêts de travail et à l'emphase que les universitaires mettent sur les déterminants de l'activité de grève. Ce cadre donne une visibilité à ce qui se déroule en particulier à un niveau local et apporte également un appui à des nouvelles manières d'aborder les modèles généraux de militantisme des syndiqués, en mettant en évidence les grèves de très longue ou de très courte durée, les grèves où quelques travailleurs sont impliqués ou bien celles menées par des milliers de travailleurs. À ceci viennent s'ajouter les grèves lors de la

négociation d'une première convention collective. Cette analyse permet de mieux percevoir l'importance des grèves pour les travailleurs, les syndicats et les communautés.

Nous avons examiné les statistiques en relation avec les données des entrevues avec les correspondants provinciaux qui recueillent l'information pour le ministère. L'analyse des données à la lumière de ces entrevues sous-estime la nature politique de la collecte des données (ce qui est perçu comme approprié ou pas), la présentation des données (ce qui rendu visible et ce qui ne l'est pas), enfin, les sources des données (les voix qui ont été entendues). Une meilleure compréhension de la source des données et du processus de collecte fournit un rappel de l'aspect qualitatif ou subjectif des statistiques. Malgré cela, l'ensemble de données présente beaucoup de potentiel pour une analyse sur les arrêts de travail dans une perspective de militantisme des syndiqués car, contrairement à bien d'autres pays, des exclusions importantes n'apparaissent pas dans la collecte des données au Canada.

Une analyse détaillée de la durée des grèves, de leur envergure et des grèves associées à une première convention collective dans une perspective de militantisme des syndiqués enrichit la configuration qui émerge des moyennes et des totaux et démontre tout le potentiel de cette perspective pour mettre en évidence l'importance des arrêts de travail pour les travailleurs, les syndicats et les communautés. Le passage du calcul des jours-personnes perdus en termes d'un pourcentage du temps travaillé à celui du nombre de travailleurs à l'emploi en grève contribue à donner de la substance à l'expérience de grève. Le passage des moyennes de la taille des grèves aux données détaillées montre que 55,7 % de tous les arrêts de travail entre 1960 et 2004 implique moins de 100 travailleurs et 6,4 % plus de 1000 travailleurs. De plus, quoiqu'en retenant des mesures de moyenne, le Canada a toujours eu des grèves plus longues que celles observées dans d'autres pays. En fait, des données ventilées montrent qu'entre 1960 et 2004, 35,6 % des grèves ont duré entre un et cinq jours. Et même si les grèves associées à des premières conventions collectives comportent une proportion importante de jours-personnes perdus, il est révélateur que 21,1 % du total des jours de travail perdus à cause des grèves impliquent de tels conflits. Les données sur les grèves lors d'une première convention vont dans le même sens que d'autres études sur la résistance de l'employeur à l'accréditation syndicale (Bentham, 2002). Par le biais d'une attention particulière aux lockouts, on observe que le militantisme des syndiqués sert de rempart aux modes d'agression de la part des employeurs.

Une vision du militantisme des syndiqués qui retient les données sur les arrêts de travail se situe, d'un côté, entre des études historiques détaillées de grèves particulières qui donnent une voix aux travailleurs en grève et la

présentation de moyennes et de totaux, d'un autre côté. Quoiqu'une telle perspective nous permette une compréhension plus profonde des grèves au Canada, il n'en demeure pas moins que des nombres ne peuvent traduire correctement la colère, le risque, la lutte et la solidarité qu'on retrouve dans une expérience de grève.