
Maxwell Flood

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and the structure of the interviews and the knowledge of the persons interviewed were such as to bring into the discussion a broad range of the current issues as they saw them. Also, the method has to be weighed against possible alternatives. As one whose work for many years involved a seeking after tests of the efficacy of legislation, I know how difficult it is to collect reliable data on which to base an assessment. Such records as there are of the various tribunals in which unfair practice cases have been adjudicated are difficult to come by and, if collected, might provide little more than a quantitative measure. The informality surrounding settlements achieved through accommodative methods leaves the researcher without objective data. Field studies are slow and expensive.

Once the limitations of the method are understood and accepted, the reader can proceed to derive considerable insight from the study. The survey was worth while and has been well organized and reported. An additional contribution is made by the personal work of the two authors.

The comparative study of the relevant United States federal labour law is a useful chapter in the report. The author has wisely confined it to a brief description of the method of handling unfair labour practice cases in the United States and the role of the trial examiner, the National Labor Relations Board, the courts and the arbitrator. It does not purport to do more than point out the main differences from the Canadian system, and suggest areas where further examination of the United States experience would be fruitful.

The project of interviews with management and union representatives who had been directly involved in unfair practices proceedings before the Ontario Board obviously had to be curtailed for lack of time. Among the questions there were some designed to inquire into the effect of the complaint on the work life of the individual involved in the dispute, but no results are reported of this inquiry. Perhaps that would have to be a subject for a case study extending over a longer period of time. The interviews did reveal some sobering facts about the relationships between the parties after the complaint proceedings. In most cases the union succeeded in getting certified, but only in about half of the cases did the parties eventually make a collective agreement.

In their personal assessment, the authors see the law as reasonably satisfactory, except in the area of picketing where they recommend a codification which would clearly identify what is legal and that is illegal, but they would make changes in administration. Jurisdiction over the whole range of unfair practices, including illegal strikes and picketing and failure to bargain in good faith, should, in their view, be assigned to a specialized tribunal such as a labour relations board. An important advantage would be the opportunity that would be afforded, if the tribunal was required to give reasons for decision, to build up a consistent labour relations jurisprudence that would, in time, clarify such matters as the duty to bargain in good faith. Unfair practices which are also breaches of a collective agreement they would, in general, leave to arbitration. They would retain the accommodative approach in the settlement of unfair practices issues through the use of field officers.

The study makes a useful addition to the scanty Canadian literature on unfair labour practices provisions.

Edith LORENTSEN


This study, like many others in the highly commendable series commissioned by the federal Task Force on Labour Relations, investigates an important area of Canadian labour relations that has been neglected in the past. While the impact of industrial change is a matter of importance to industry, government, labour unions, and the general public in any modern, industrial society, the dynamic nature of our economy and the need to fully utilize and positively motivate our labour force confers an added
importance upon this area of concern in Canada.

The authors state that «the main purpose of this study is to examine the impact of industrial change on workers and their attitudes»; They explicitly identify a number of important premises that underly their approach to the problem:

(a) that industrial change is a permanent state of industry;
(b) that attitudes to change are not governed solely, or even mainly, by utilitarian considerations; and
(c) that attitudes to industrial change are often deeply rooted in factors seemingly remote from the direct impact of the change.

Such considerations lead the investigators to adopt a comprehensive approach to the problem in terms of their general frame of reference which, in the main, utilizes a sociological perspective but does not veer away from the consideration of psychological and social psychological factors where these are felt to contribute to meaningful analysis. This comprehensive approach makes sense in terms of the very complex nature of the phenomenon under study. What the study went after originally was an understanding of the relationship between an industrial change-event and workers' attitudes. What they should have gone after, as they discovered as a result of the research, was a pre-post analysis of workers' attitudes within the context of an industrial change-event. Apparently, the authors realised that their initial failure to conceptualize in terms of a pre-post model, plus sampling and other methodological problems, reduced their study to the level of a «pilot». It appears that the original intention was to conduct something more than a pilot study but since this is the status that is eventually claimed for it then it is in these terms that it must be assessed.

While the study sampled some categories of employees of sixteen firms from six industries — automobile, chemical, electrical products, oil, printing, and steel — it is pointed out that industries, as such, were not sampled, nor were firms within industries sampled. The consequence of this, recogniz-