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Volume 68, numéro 1, hiver 2013

URI : https://id.erudit.org/iderudit/1014747ar
DOI : https://doi.org/10.7202/1014747ar

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d’organisation sociale (y compris les classes sociales et les groupements fondés sur le « statut » social, au sens wébérien du terme) constitutives de la société québécoise. Il s’agit pourtant d’éléments essentiels pour comprendre/expliquer la dynamique des rapports sociaux, laquelle conditionne, en partie du moins, l’intervention judiciaire dans le contentieux du travail.

• Les antinomies du droit du travail. Le professeur Morin défend une conception du droit du travail fondée sur la recherche de la stabilité, de l’ordre et de la prévisibilité. D’un point de vue sociologique, il s’agit là de caractéristiques se rattachant à une vision formellement rationnelle du droit (voir notre ouvrage Max Weber et les rationalités du droit, PUL et L.G.D.J., 1995). Mais le droit du travail s’est généralement construit sur d’autres bases, celles d’une rationalité matérielle du droit invoquant la justice sociale, l’équité, l’égalité, de même que le compromis d’intérêts. La mise en évidence de cette antinomie fondamentale (il s’agit bien sûr ici de types idéaux) constitue l’une des clés permettant de décrypter l’évolution tourmentée du droit du travail.

Mais revenons plus directement à l’ouvrage du professeur Morin. L’élaboration du droit de l’emploi au Québec est écrit dans un style vivant et accessible, évitant les développements trop techniques qui pourraient rebuter le profane. En ce sens, tout en étant susceptible d’intéresser grandement le spécialiste vu l’acuité des analyses et la pertinence des interrogations, l’ouvrage représente une excellente introduction aux sources du droit contemporain du travail au Québec, vivement recommandée à tout lecteur intéressé par ce domaine, ô combien fondamental, du droit.

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Disintegrating Democracy at Work: Labor Unions and the Future of Good Jobs in the Service Economy

This book, which grew out of the author’s PhD dissertation, addresses a recurrent theme in industrial relations: the role labour unions can and should play in modern service workplaces in an era of declining job quality. The book recounts a comparative study of US and German call centres in an attempt to understand if there is a convergence of management strategies to a “best practice” paradigm, or whether context plays a role in shaping management strategy, according to the varieties of capitalism approach. The author contrasts the presence of German works councils, which preserve the dignity of the workforce, with hostile US labour relations played out in a zero-sum game that results in low-wage, high-turnover workforce. The book concludes that, in nations faced with similar pressures to cut costs, the institutional supports for workplace democracy significantly affect the choice of high involvement strategies in firms across the two nations studied. Doellgast examines the impact of institutional supports in distinct approaches: the effect of works councils and unions on management strategies within the firm, and the impact of such strategies on social institutions. The book is an ambitious undertaking that contributes to the discussion of high involvement management practices and comparative research into business strategy. The author’s approach uses multi-level analysis and addresses market level changes, intraorganizational change, as well as the dynamics of the networked firm. Doellgast weaves a delicate multi-strand picture for the reader, concluding that firms competing in the same markets, which should lead to convergence of management strategies, actually exhibit divergent tendencies. This she attributes to the differentiation of institutional forms that support
collective bargaining and worker participation in the countries studied. A seemingly straightforward proposition, this ambitious project bogs down somewhat in the tripartite analysis (work reorganization within the firm, reorganization of the firm/outsourcing, and deregulation of markets which fragmented collective bargaining) that is extended across two countries and multiple firms. The methodology of matched pairs comparison of US and German call centres in the telecommunications sector goes a considerable way to organizing the material for the reader.

In the first chapter, Doellgast reviews the market monopolies in the US and Germany, and describes the various strategies telecommunication firms embraced in response to regulatory changes, the emerging internet and wireless markets, and an economic recession. The author develops two matched pairs to illustrate different outcomes of negotiation over workplace control on the one hand, and different strategies of outsourcing on the other. The author’s thesis is that outsourcing as a low cost, work intensification strategy will result in less workplace democracy, while greater democracy will be found where strong institutions favour labour negotiation, particularly negotiation over restructuring in the industry sector. Doellgast’s presentation of her model is clear, a critical feature of the book because the description of firms and deregulation in the first few chapters is quite complex and this reader was left wondering if the author’s thesis would survive the groundwork she lays challenging the divergence in management strategies / convergence on low-road practices debate. Though necessary to frame the balance of what follows, the first two chapters are quite dense and the detail invites different conclusions than those drawn by the author. For example, the existing skills base of the German workforce is one of the reasons she gives for German avoidance of a low-skill, high-turnover workforce strategy, and yet skill level comparisons with the US present less than compelling differences. The presence of a highly skilled, experienced workforce seems to influence the bargaining power and work design decisions in both countries. The degree of protectionism and the speed of change once protective barriers fell could reasonably be seen as equally important factors in determining corporate restructuring, factors treated rather lightly in the book.

The second chapter focuses on market liberalization and the emergence of the mobile sector in telecommunications, with an emphasis on the history of specific firms in the sector. The market forces that swept telecom in the late 1990s and 2000s were similar in the two countries, resulting in similar strategies among employers and prepare the reader to explore whether any differences are truly due to institutional differences. There is an undercurrent in the chapter that hints at, but does not directly address, the social culture of the two nations, their history of business development, and what role this plays in determining strategies of work design and, in turn, employee reaction to these strategies. Similarly, consumer demand is treated as a uniform homogeneity without regard for cultural and historical differences between the two countries. Doellgast notes one key difference between the US and German experience: the speed at which the changes were introduced and the length of time the sector took to develop strategies and to adapt. The author mentions this fact in passing, but spends much more energy describing the structural characteristics of the workforce and existing management strategies in coordinated versus liberal market economies. The author does finally conclude that works councils are effective, but it is the speed of regulatory change in the industry that appears to account for the difference between the countries’ response to new market dynamics. It is almost as though the author cannot quite
decide which of the foregoing is the more important factor.

Chapter three is a more tightly written chapter, dealing with the institutional differences in the two countries and the variations in collective bargaining. The author paints a compelling picture of minimal differences in employee profiles, with significant institutional differences in bargaining structures. Some attention to the broader national culture would complement the discussion. The discussion of external quality ratings cannot be attributed to employee systems alone, for example. To what extent do national differences in customer expectations and rating experience play a role? This chapter reviews in detail the emergence of telecom subsidiaries and outsourcing decisions in the sector in both countries, with good detail about specific firms and excellent use of excerpts from interviews to satisfy this reader’s need for clarity.

The author jumps between theoretical arguments and case data in the first half of the book before settling down to a stronger discussion in chapter 4 on the effects of restructuring and workers’ abilities to influence management strategies in the face of cost reduction pressures. Doellgast relates a carefully crafted argument, but one is left to wonder whether the comparison of coordinated economy and, in particular, the presence of works councils, is not the force it is touted to be in the telecommunications sector. After all, as Doellgast points out early in the book, there was no industry-wide works council in the German telecommunications sector, as the market was dominated by a single state employer: Deutsche Telekom, with an employer-specific works council. Thus the role and operation of a strong industry works council does not result in different management strategies in Germany compared with the US, but much more subtle differences in how strategies are implemented. Chapter 5 bears this out.

In chapter 5 the matched pairs case studies are complemented with data from the Global Call Centre Project (GCC), drawing on data from 152 matched establishment surveys. The author concludes that institutional structures which support incorporation of new workplaces and work forms under collective bargaining are more important than existing works councils or industry practices in securing high involvement models of management. The GCC data offer support for the notion that institutions provide different resources for unions to draw upon in exercising influence over work design and work organization. At the same time, however, a marked difference remains in union and collective agreement coverage between in-house and subcontractor call centres. The penultimate chapter draws on a case study of the French telecommunications sector to compare strong institutional wage control mechanisms with low worker voice to illustrate the need for both elements in stemming the erosion of quality jobs and equity in the sector. The real value of the book emerges in this chapter through the discussion of networks of firms and related decision making, particularly concerning outsourcing.

The book picks up speed as it moves through its second half and is a generally satisfying analysis of workplace and employee level influence in a comparative study. An ambitious undertaking, Doellgast struggles a bit with the complexity and detail necessary to conduct a multi-level, cross-nation study, complemented with various data from the GCC project. Her tidy summation in the final chapters acknowledges some of the loose conclusions from the strict comparisons and returns us to a general commentary on institutional support and worker participation, and how the two are necessarily coupled. The format of the book simply does not allow for broader social context that would enrich these comparisons.
Doellgast presents a compelling response to those who argue for reconciliation between HR and IR strategies of the “why can’t we all just get along” type as she illustrates the necessity of strong institutions to protect workers’ rights and rekindles discussion of the political dimension of management practice. The author argues that the strength of social institutions determines the adoption of high-road practices and the latter on their own are not a replacement for strong unions and institutions for workplace participation. Rather, strong institutions are necessary for high performance systems to exist and to produce high trust workplace regimes.

The book concludes that German and American call centres experienced much the same outcomes over the past two decades. Pressure to reduce costs in increasingly competitive markets lead managers and organizations to adopt strategies that closely monitored and disciplined employees while wage gaps grew between in-house and outsourced centres. The specific strategies and outcomes varied by nation and by sector sub-structure and depended on the presence of works councils and unions. Pay is influenced by encompassing institutions that extend collective agreements, while bargaining institutions at the workplace level have greater success in limiting workplace monitoring. The author successfully claims a contribution in presenting a study of networked firms and the impact of decisions in one organization on its collaborating partners, concluding that regulation at the inter-organizational level is a necessary support to formal participation models. I was left a little disappointed with the data in the book, seeking strong evidence for some of the author’s assertions when the comparisons were subtle in many instances. Finally, the book offers hope for union renewal in its final pages, arguing that unions are the institutions best placed to provide workplace voice and worker input in managerial decision making. Renewal is not addressed elsewhere in the book at all, running a risk that the conclusion could sound a bit artificial; the careful analysis of Doellgast’s extended study, however, supports the author’s optimism that unions have an important contribution to make to lower skilled, secondary jobs in the service economy.

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La vie professionnelle : âge, expérience et santé à l’épreuve des conditions de travail

Cet ouvrage réunit les travaux d’ergonomes, démographes et statisticiens appartenant au Centre de recherches et d’études sur l’âge et les populations au travail (Créapt). Les thèmes sont donc liés aux problématiques développées dans ce centre de recherche, qui s’articulent autour du vieillissement au travail et par le travail. Rares sont les ouvrages collectifs traitant de la problématique âge, travail et vieillissement selon trois aspects fondamentaux. Le premier concerne le caractère « conditionnel » des relations entre âge, travail et santé. Ces dernières dépendent des caractéristiques du travail et des stratégies de contournement des travailleurs en vue d’adapter leur situation de travail à leurs capacités physiques. Le deuxième aspect renvoie à ces stratégies et à leur solidité au fil de temps. Enfin, le troisième aspect concerne la prise en compte des dimensions temporelles dans les parcours professionnels qui relatent des transformations au fil de l’âge des travailleuses et travailleurs, mais aussi du secteur qui les emploie et de la société dans son ensemble.

L’ouvrage est composé de six parties consacrée chacune à un thème. Chaque partie (sauf la première) comporte trois