



**Coordinated Bargaining:  
Stemming the Tide, Opening the Floodgates**

**A Discussion Paper**

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## Summary

This paper reviews different types and forms of coordinated bargaining and examines their strengths, challenges and impacts. The main points are as follows:

1) Coordinated bargaining often begins as an effort to share information and ideas among separate bargaining units but as those units develop relationships of common understandings and trust, coordination tends to move to higher levels including coordinated bargaining targets and job actions.

2) Coordinated bargaining is ultimately aimed at reducing competitive pressures on wages and working conditions. Centralized bargaining involving the government, multiple employers and bargaining units across a given provincial sector, such as the Hospitals or the Schools, offers the greatest potential to take wages and other employment conditions out of competition.

3) Coordinated bargaining as a strategic direction was a response to neo-liberal policies with particular reference to privatization and contracting out. Coordinated bargaining strategies are a direct challenge and threat to neo-liberalism because the main goal of privatization and other aspects of neo-liberalism are to increase competitive pressures by decentralizing bargaining, reducing union membership, and undermining union bargaining power.

4) Given the provincial government's neo-liberal orientation, and given the significance, interests and powers of the government, CUPE and other public sector unions need to strengthen their bargaining power as much as possible. This speaks to the value of coordinated job actions as core strategic objectives.

5) To achieve these objectives, special attention must be placed on developing union solidarity around coordinated bargaining processes, objectives and job actions. It is argued that solidarity needs to be understood as being dependent on two distinct levels of coordination. Horizontal coordination is the problem of ensuring that all the different

bargaining units agree on and consistently support the bargaining goals, strategies and tactics, and eventual outcomes. Vertical coordination refers to the problem of ensuring that the members within these bargaining units also offer full support and agreement throughout the process. A number of principles for addressing these two problems are discussed.

6) Although most Canadian governments have retained their overall commitment to privatization and neoliberalism, there is evidence that this commitment has softened in recent years. In this context, the current financial crisis represents both the threat of a renewed push for more cuts and privatization once the crisis resides *and* an opportunity to push the argument that neoliberalism is a failure. By graphically demonstrating the serious flaws in the neoliberalism model, the crisis offers unions the potential to push their cases for greater levels of coordination and centralization, and a foundation for making a broader case against neoliberalism to the members, public sector employers and the public.

## **Coordinated Bargaining: Stemming the Tide, Opening the Floodgates**

Over the last ten years, CUPE has been actively encouraging its members, locals and sectors to adopt more coordinated bargaining approaches. Those efforts have been understood within the Union as a necessary response to a continuing widespread assault on the employment and working conditions of public service workers across the country. Neo-liberal policies with particular reference to privatization, funding and staffing cuts and rationalizations to social, health and education services, along with the adoption of lean and mean flexible management schemes are all seen as cutting a huge trail of destruction through membership wages, job security and other employment conditions – all conditions that CUPE and other unions have spent much of the previous thirty years building.

This paper is principally an effort to elaborate the conditions which are fuelling this shift and the advantages and challenges which are associated with coordinated bargaining, with the aim of provoking further discussion and debate regarding the steps that can and need to be taken to both capture those advantages and meet the challenges. To add some further fuel to this discussion, we conclude by suggesting that there are *both* opportunities and dangers within the current economic crisis that need to be recognized and considered as CUPE moves forward with this mandate.

To help frame this discussion, let's begin with an effort to clarify the meaning of coordinated bargaining

### *What is Coordinated Bargaining?*

One of the problems that any union faces when it begins to consider coordinated bargaining as a strategic direction is the quick realization that there is no one magic formula but rather a number of quite distinct levels and forms of coordination possible, many of which involve different conditions, processes and challenges (Sisson and Marginson, 2000; Traxler, 2003b). In CUPE's case, this complexity is magnified by the diversity of employment situations and sectors, occupational and employer groups, state

regimes, and bargaining unit histories and sizes. Within this context, it is important to get a better handle on this variety and complexity by considering some of the different levels and types of coordinated bargaining.

However, before doing that let's first be clear on what we mean by coordinated bargaining. Viewed in the broadest terms, coordinated bargaining is *any collaborative attempt by distinct bargaining units to achieve common or similar bargaining outcomes through linked negotiations*. As this definition implies, there are a range of bargaining outcomes and processes with different levels of linkages or coordination, but all forms of coordinated bargaining share this common interest among multiple bargaining units in working together in some way within a collective bargaining process to achieve mutually beneficial outcomes, which in practice often means seeking equivalent if not identical employment conditions.

#### *From Information Sharing to Coordinated Job Actions*

A move towards coordinated bargaining begins as soon as two or more distinct locals or bargaining units begin to work together in some way to improve their mutual bargaining outcomes. This can start at a very basic first level such as **sharing information** and ideas regarding potential proposals, bargaining strategies and progress in negotiations.

Bargaining is still being done by each unit separately and ultimately each unit settles its own agreement and stands more or less alone in terms of any job actions. While this is a limited level of coordination, in the sense that there are no *formalized* or explicit processes, mechanisms or rules for developing and achieving common proposals, information sharing can encourage movement to the next level where bargaining units begin to set common **benchmarks** for negotiation outcomes which are then taken as guides for separate negotiating teams (Sisson and Marginson, 2000). Although the term 'benchmarking' may carry some negative connotations for many unionists especially in the public sector, in the context of coordinated bargaining this can be a crucial step towards a higher level of coordination given that the object is to set common outcomes or standards of employment but in a relatively non threatening way since there is no compulsion to meet those standards. In practice, negotiations at this level of coordination

tend to be done separately by individual locals or bargaining units in isolation from the others involved in the benchmarking, but there may be a formalized process for developing the benchmarks themselves.

However, as many CUPE bargaining units have done, and without necessarily going through a benchmarking stage, coordination is usually taken one step further by formulating agreed upon specific **targets** for particular negotiations. Agreements are often still being negotiated in separate negotiations with distinct employers, usually because the employers are unwilling to *collaborate* and negotiate jointly, but this represents a much more explicit effort at union collaboration as different bargaining units strategize around *how* they can achieve these targets *together*. While coordination may still be limited to the development and promotion of common proposals, negotiation strategies and media campaigns selling those proposals, coordination can be advanced even further by trying to synchronize contract expiry dates, and if needed, engaging in coordinated job actions across bargaining units unless targets are met in each negotiation. A successful illustration of this strategy in CUPE was evident during university negotiations in BC in 2000, where CUPE Locals 116, 2278, 2950, 917, 951, 3338 and 3996 from four different universities established common action days which ultimately ended with a short but effective coordinated strike at all four institutions. The Ontario University sector is clearly working towards this strategy as well (OUWCC, 2008).

This approach takes coordination to a much higher level in terms of planning and organization, and accordingly, takes a significant level of commitment at both the leadership *and* rank and file levels. The most evident advantage behind this effort to coordinate the strike weapon across multiple employers is the bargaining power gained from the more substantial threat of a sectoral wide strike.

Another level of coordinated bargaining is *pattern bargaining* (Traxler, Brandl and Glassner, 2008). Here the targets are established in a particular employer/union negotiation process and the first agreement reached between the union and employer is then used as a model or pattern in other negotiations involving other employers and other

bargaining units. Although contract expiry dates may be coordinated, negotiations are not simultaneous and rather the plan is to proceed in sequence from one unit to the next. To work effectively in achieving common bargaining outcomes, a high level of agreement and commitment is again needed across all the units on the bargaining goals and priorities and considerable information exchange and discussion is necessary between the lead bargaining and other bargaining units in order to sustain continued trust and commitment to the end pattern (Sisson and Marginson, 2000; Traxler, Brandl and Glassner, 2008).

### *Collaborative Coordination and Centralized Bargaining*

A key question that comes up in any discussion of coordinated target bargaining is whether the coordination is only happening on one side of the table, that is *unilateral coordination*, or whether there is *collaborative* coordination where two or more sides of the table mutually agree to coordinate negotiations in some way (Sisson and Marginson, 2000). Although pattern and other levels of coordinated bargaining can be approached in collaboration with employers (Traxler, Brandl and Glassner, 2008), the move to collaboration is most evident when both sides representing multiple collective agreements meet together to negotiate common or central agreements covering all or some portion of the employment conditions for all the employees in those units. This is usually referred to as *centralized bargaining* – where formally centralized bargaining committees or agencies are empowered voluntarily or by government edict to negotiate entire or specified aspects of collective agreements covering a large number of bargaining units. The Ontario Council of Hospital Unions (OCHU) is a good illustration of a voluntary central bargaining model, negotiating a central collective agreement for 21,000 workers representing 120 bargaining units.

As in coordinated bargaining more generally, there are different types and levels of centralized bargaining. Although rarely employed in Canada, some countries have national level bargaining systems which set wages and conditions for much of the country across multiple public and private sectors. More common in Canada is provincial level bargaining for particular sectors or industries such as the schools or the



health care workers. The OCHU process is a good example of centralized bargaining within a given union, but centralized bargaining sometimes involves multiple unions and employers which are represented by union federations and employer associations. CUPE has established a number of different coordinated bargaining structures that are aimed at facilitating centralized bargaining including the provincial union structure, the provincial councils, the councils of unions, the provincial occupational groups and inter-local bargaining structures such as the CUPE Ontario Health Care Workers' Coordinating Committee or the Ontario School Board Coordinating Committee.

Centralized bargaining is often conducted as a *tripartite* system where unions and employers negotiate centrally with government representatives involved as co-negotiators or facilitators. A recent and successful example of this model was an agreement reached under the auspices of the Ontario School Board Coordinating Committee which involved all the Ontario School Boards and 105 CUPE Locals along with government facilitators. As is often the case in centralized bargaining, this central agreement covered a number of key issues such as wages and benefits while other issues were then negotiated locally.

### **Why Coordinated Bargaining? Why Centralized Bargaining?**

All collective bargaining is ultimately an effort to take wages and other employment conditions out of competition. Coordinated bargaining is an extension of this same logic. By presenting a wider common front on wages and other demands – that is, by negotiating common wages and employment conditions at the broadest level possible, unions hope to reduce the competitive economic pressures that tend to push wages and other conditions down as labour supply increases and/or demand decreases (Calmfors and Driffil, 1988; Grimshaw et al., 2007; Rose, 1986; Zweimuller and Barth, 1992).

To be successful in the face of employer opposition, bargaining power is the other key element that unions seek to strengthen through coordinated bargaining, with particular reference to the threat of coordinated job actions (Rose, 1986; Traxler, 2003b). Provincial or sectoral centralization (e.g. hospital workers or public schools) are often seen as the long-term goal of coordination strategies because centralization offers

potentially the greatest impact in terms of reduced wage competition and enhanced bargaining power (Calmfors and Triffil, 1988; Baccaro and Simoni, 2007). The basic argument is that the more workers and workplaces included in any given agreement (and in any potential job action), the less space there is in the labour market for employers to use competitive pressures to reduce wages and other conditions. And indeed, most studies show that centralized forms of bargaining tend to be more effective in taking wages out of competition as reflected by a higher level of wage equality among workers (Calmfors, 1993; Kahn, 2000; Martin and Thelen, 2007; Zweimuller and Barth, 1992).

### *Why Now?*

CUPE's strategic decision in 1999 to move towards more coordinated models can be understood as a response to the adoption of neo-liberal policies by Canadian governments which greatly increased those competitive pressures, especially during the 1990s in Ontario when the Mike Harris government was in power. For the public sector, the most significant change was the government's emphasis on privatization and contracting out (Camfield, 2007; Hebdon and Jalette., 2008). This began with the sale of crown corporations and then was increasingly expanded to include significant amounts of contracting out of public jobs to private operators, often 'for profit'.

This was particularly significant for CUPE since much of the privatization and contracting out was carried out at the local community levels. In the health area, for example, almost all rehabilitation and home care services were privatized over the short period of time (Gildiner, 2006; 2007). As well as undermining existing bargaining units, the redistribution of these jobs to another level of private employers also had the effect of further fragmenting the entire public sector bargaining system. Most of the research evidence suggests that contracting out was particularly significant in reducing wages and led to more significant losses in unions members (Thompson, 1995). Reducing the size of the state through funding cuts also greatly increased competitive labour market pressures as did the increasing use of temporary and part time positions (Camfield, 2007; McPhail and Bowles, 2008; Rose, 2007; Vosko, 2000).

These and other changes introduced in the name of neo-liberalism explain the significant declines over the course of the 1990s in the public sector share of employment relative to the population size and the total of all jobs in the economy, both in Ontario and across the country (Stats Canada, 2009; BC Stats, 2009). It was also in this context that public sector wage settlements dropped quite dramatically (Rose and Chiasson, 1996).

Viewed in this way, coordinated bargaining is not just an effort to protect or recover lost wages, it is part of larger process of union resistance to neo-liberalism, one which is ultimately aimed at building solidarity and capacity to act in a more concerted manner, both on the bargaining front *and* in other critical areas such as organizing and political action (Camfield, 2007; Eaton and Kriesky, 1998; Kochan and Piore, 1983; Rose and Chaison, 2001; Rose, 1986; Stinson and Ballantyne, 2006). The notion that coordinated bargaining can contribute to solidarity and renewal is supported by empirical evidence that unions are more likely to achieve and sustain higher levels of membership and union density in more coordinated and centralized systems of bargaining (Rose, 1988; 2007; Traxler, 2003a; Eaton and Kriesky, 1998). This includes research showing that union membership has declined as bargaining systems become less coordinated, as has happened quite markedly in some countries (Traxler, 2003a). Although these declines often reflect more than just a single cause, what the research shows quite consistently is that coordinated and centralized bargaining systems can contribute to worker and union solidarity by reducing inequalities in wages and other employment conditions (Blackett and Sheppard, 2003; Kahn, 2000; Martin and Thelen, 2007)

### **The Challenges of Coordinated Bargaining**

As the previous sections imply, the development of coordinated bargaining within unions among multiple unions can be seen as a step by step process that begins at a relatively basic level of information sharing and then works forward over time to unilateral target setting, and then ultimately, if possible, collaborative coordinated or centralized bargaining. Although there is no fixed requirement that each step is a necessary prerequisite for any other, or that the process must move from information sharing to centralized bargaining as the ultimate objective, thinking of coordinated bargaining in

this way acknowledges that it usually takes time to build the common goals, relationships, and trust that are essential to making coordination work within the union and certainly across the union movement. If employers are resisting coordination, as in the current situation for the Ontario University Workers Coordinating Committee (OUWCC), then considerable time is also needed to generate the conditions required to push them towards a more collaborative arrangement. Of course, it is more than just a question of time. As outlined above, coordination bargaining offers definite strengths but there are also some significant challenges.

When scholars and practitioners talk about the challenges of coordinated bargaining, there are two different coordination problems that tend to be emphasized as unions move to higher levels of coordination. Horizontal coordination is the problem of ensuring that all the different bargaining units agree on and consistently support the bargaining goals, strategies and tactics, and eventual outcomes. Vertical coordination refers to the problem of ensuring that the members within these bargaining units also offer full support and agreement throughout the process.

Some researchers suggest that unions often run into trouble because they fail to adequately address both aspects of coordination (Boxall and Haynes, 1997; Ebbinghaus, 2004; Sisson and Marginson, 2000; Traxler, Brandl, and Glassner, 2008). Others have suggested further that underlying this failure is an often unrecognized tension between these two demands (Traxler, 2003). That is, to address the vertical problem, union negotiators usually try to align their bargaining demands to the rank and file, but this can often conflict with the need to address inter-bargaining unit or group interests in order to achieve horizontal coordination.

### *The Case of the HEU*

These kinds of problems are well illustrated by the events surrounding the Liberal BC government's introduction of Bill 29 in 2002. Bill 29 unilaterally altered the collective agreements of the Hospital Employees Union (HEU) allowing massive privatization of health and social service jobs. As some of you may recall, while the union mounted

enough resistance to bring the Hospital Employer Association of BC (HEABC) to province wide negotiations, the resulting tentative agreement, which won some limitations on contracting out in exchange for wage concessions, was rejected by the membership. As a number of analysts have suggested, significant sectors of the membership saw no reason why they should have to take wage concessions because they were not being threatened by contracting out (Camfield, 2006; Cohen, 2006; Isitt and Moroz, 2007). This is a classic example of a vertical coordination problem.

Given the collapse of negotiations, hospital administrations moved in a massive way to contract out support services and within a year and half, 8500 workers had lost their jobs. When the HEU was in a legal strike position in 2004, the Union went on strike, but after only four days the government introduced Bill 37 ordering them back to work, imposing a collective agreement with a 15% wage cut along with the same concessions on contracting out that had been rejected earlier. HEU continued to strike 'illegally' with considerable support from other unions including many CUPE locals but as Isitt and Moroz (2007: 105) point out there was considerable disagreement and confusion about the strike strategy between the labour leadership and the rank and file leadership. Although the BC Federation of Labour 'brokered' a deal which limited the number of positions that would be contracted out during the term of the agreement, this did nothing about the 15% wage rollback and again a significant proportion of the rank and file were less than satisfied with the outcome (Cohen, 2006: 637; Isitt and Moroz, 2007).

While there was considerable solidarity evident in the actions of the HEU and other unions in bravely fighting against the back to work legislation, just as clearly there were some significant vertical conflicts around interests, bargaining priorities and strategic actions that undermined that solidarity and made all the difference in terms of the outcome. How then can unions address these two problems more directly and simultaneously?

Unfortunately, the literature on coordinated bargaining offers relatively little guidance here in that there are few documented comparative or case studies focusing specifically on

effective models or procedures for achieving and balancing vertical and horizontal coordination. However, by cobbling together the information that we have been able to extract from the bargaining literature, in combination with our review of CUPE documents on coordinated bargaining efforts, and a consideration of the much more significant body of research on organizing drives, strikes and political campaigns, there are certain basic coordination principles that seem to stand out as significant.

### *Coordinating Bargaining Units*

First of all, to achieve horizontal coordination among the bargaining units, it is important to establish clear rules, procedures and structures for decision-making around both bargaining priorities and job actions (Caverley and Cunningham, 2006; Traxler, 2003). Although it is crucial that those rules and structures are democratically and voluntarily established in discussion, it is also vital to establish strong agreements and norms around compliance once decisions are made. Although looking mainly at the European case, Traxler (2003) and other researchers emphasize that one of the biggest factors affecting bargaining impact is the lack of follow through at the local levels (Freeman and Gibbons, 1993; Sisson and Marginson, 2000). As in bargaining more generally, it is also wise to make certain that these understandings and agreements address as much as possible the anticipated sequence of management negotiating positions and actions as well as the counter positions. At the same time, when dealing with different employers, it is also important that coordinating committees acknowledge and recognize differences in employer positions, resistance and style, and consider the implications for coordination outcomes. Finally, it is important to have a frank discussion about divisions within the rank and file in each bargaining unit regarding interests that relate to the bargaining priorities and to develop agreed upon strategies to address these divisions (Bronfenbrenner and Juravich, 1998; Rapaport, 1998; Vielaber and Waltman, 2008).

Constant communication between the bargaining units as negotiations proceed is also critical, especially when the negotiations are taking place with particular employers in different locations (Clark, 2000; Kozolanka, 2006; Meyer, 2001). This can sometimes be achieved by having representatives from different locals attend at any given set of

negotiations, but more realistically this can be done through conference calls, which is reportedly the method used by the Ontario University Workers' Coordinating Committee (OUWCC). Various electronic forms of communication can also be extremely useful (Ward and Lusoli, 2003 )

At the same time, it is also important to develop relations of trust and understanding between the representatives of the different bargaining units and separate bargaining team and ultimately this can only happen through face to face interaction. This raises again the issue of taking the time to develop these relationships but clearly it also requires the organization of regular bargaining conferences and committee meetings.

The process used within those meetings may also be crucial. Here it is interesting to point to the OUWCC's use of a fairly open-ended participative facilitation process known as the 'Art of Hosting' at its last annual meeting to set bargaining priorities. This clearly speaks to the union's awareness of the need to allow the representatives from different universities to construct their priorities through discussion and debate rather than having them imposed from above (White and Gray, 2008).

#### *Coordinating the Rank and File*

Although the same principles of communication and democratic decision-making apply to vertical coordination, the key point here is that there has to be attention and a distinct set of actions directed towards building understanding, commitment and involvement by the rank and file in the coordination outcomes. Although each bargaining unit may have particular methods and styles for approaching these tasks, there is once again something to be said for making the rank and file an issue of discussion and planning at the coordinating committee level, in part so that ideas can be shared, but also so there can be some certainty that these issues are being addressed with consistency across the bargaining groups. Front-end membership involvement in discussing and formulating potential bargaining priorities for the coordinating committee and action strategies is crucial. This is also the point where rank and file solidarity and commitment need to be assessed, and if found wanting, strategies developed to try to build that solidarity.

Depending on the membership and the stage of coordination, there may be a need to actively promote the value of coordinated bargaining as well as educate members about the process and challenges. Constant communications on the discussions and actions of the coordinating committee and the individual bargaining negotiations, if they are taking place separately, are also important. Bargaining bulletins are helpful for this but local meetings, BBQs and other outreach efforts can also ensure that members are in sync with the coordinating committee and the other units as negotiations proceed.

As well, any activities or actions that reinforce the common interests of the different bargaining units and their interdependency in terms of bargaining power are likely to help in building solidarity at the rank and file level. For example, in her address to the CUPE National University Workers Meeting in November 2006, Janice Folk-Dawson, the chair of the Ontario University Workers Coordinating Committee (OUWCC) talks about the creation of campus coalitions of CUPE locals and other unions or groups and specific campus based actions that involved the membership and leadership of different locals as a key step in developing initial solidarity of interests across employee groups (Folk-Dawson, 2006). This effort to build local and campus solidarity is also clearly contained in the OUWCC 08 Implementation Plan which calls for various kinds of meetings and actions within and between different locals and groups on campus (OUWCC, 2008: 2).

The final point to emphasize, as demonstrated graphically in the case of the BC hospital workers, is the need to make certain that the membership retains the final say in approving any common or central agreements reached through coordinated or central bargaining processes (Camfield, 2007). It may be a challenge to coordinate a Union such as CUPE with a culture and history which values Local autonomy, but this can also be a strength in as much as it pushes the Union to encourage voluntary active involvement and democratic decision-making involving all participating locals. Messy perhaps, but over the long-run, this should form the foundation of much stronger coordination efforts.



### **Signs of Progress, Signs of Weakness**

It would be nice to end this paper by demonstrating that coordinated bargaining efforts are reversing privatization and neo-liberal policies more generally. However, once again there isn't much in the way of systematic research evidence on the impact of coordinated or centralized bargaining in Canada on wages, privatization or contracting out. Anecdotally, there are certainly examples where coordinated and/or centralized negotiations by CUPE and other unions have successfully modified and/or turned back specific management proposals on privatization. The recent success of the Ontario School Board Coordinating Committee in negotiating a strong settlement for CUPE members in 2008 is just such an example, but we have no way of knowing from these kinds of examples whether the form and level of bargaining was essential or even instrumental to those outcomes.

Still, there is some evidence that the pace of privatization has softened in Ontario and elsewhere (Rose, 2007). Some of this change may be more a matter of appearances in that there has been a notable decline in government rhetoric and policy statements surrounding new major initiatives in privatization under the provincial liberal regime. There have also been some interesting cases of reversed privatization, as in the Ontario government's 2006 decision to move privatized prisons back into the public sector. More substantively perhaps, since 2000 we've seen a gradual reversal of the steep 1990s decline in Ontario public sector employment (Statistics Canada, 2009; BC Stats, 2009), while the increase in temporary and part time positions has also slowed since 2004.

### *Opening the Floodgates*

While it seems likely that CUPE's coordination and political action campaigns against privatization have played a positive role in these developments, the broader point we'd like to make is that these changes, as limited as they are, represent very real signs of weakness in neo-liberalism, weaknesses that can be further targeted and exploited within a coordinated bargaining approach. Perhaps the strongest signs of weakness in the neo-liberal project have occurred in the last twelve months with the present economic and financial crises. We now have government leaders from Obama to Harper talking about

the failure of our current economic model and the need for major changes, statements that have been accompanied by huge amounts of government intervention in the 'free market', a neo-liberal market we've been told for years is best left on its own. In our view, these acknowledgements of failure, even if insincere, are openings for unions and other elements of civil society to aggressively push for a more permanent shift away from neo-liberal policies and towards more public service oriented economic and social policies. At the same time, this context offers more opportunities to promote coordinated bargaining among members, the public, employers and the government as solutions to these economic and social problems (Blackett and Sheppard, 2003).

Of course, it would be naïve to think that the federal Conservative Party under Stephen Harper will not seek to move us back to a full blown neo-liberal model as soon as the crisis subsides, and indeed it is likely as CUPE's Toby Sanger has argued, that the government will seek to use the resulting federal deficits as an excuse to make further cuts and inroads into privatization (Theilheimer, 2008). While it is less clear what the provincial or federal Liberals will do, left to their own devices it is doubtful that their overall direction will be all that different except that they may move more slowly. As such, the crisis also represents a very real threat to unions and workers with the prospect of a renewed more aggressive push to privatize and cut public services

But it is important to remember that the welfare state and some of its more admirable qualities in terms of labour law and economic and social policy were born in the context of economic and political crises, that is, the 1930s depression and World War 2, just as the shift to neo-liberalism occurred in the global economic and oil crisis of the 1970s. It is also critical to keep in mind that these shifts in policy and law did not just happen, they involved strategic actions by *collective actors*. Corporations have gained enormous power under neo-liberalism, and arguably governments as vehicles for change have been weakened, as have Labour movements, but Unions cannot ignore the potential in this context to shift the pendulum back to Labour's side. Coordinated bargaining is not the only strategic means of achieving this, but it may well be a crucial one.

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