

ALBERTA'S HOSTILITY TOWARD LABOUR

Alberta once played a crucial role in the evolution of Canada's labour movement. What happened?

BY DAVID BRIGHT

"Calgary is a labor union city.... The unions are strong and responsible, and in all cases the unions have been exceedingly reasonable.... The laboring man who is not a labor unionist is both unwise and ungrateful."

—MORNING ALBERTAN, 6 JUNE 1909

It's been a long time since any daily newspaper offered such praise for the labour movement in Alberta. Indeed, Alberta's hostility to trade unionism has become the stuff of legend. While the rest of Canada embraced an uneasy ceasefire between capital and labour after World War II—a truce that underpinned the new welfare state—successive Social Credit and Progressive Conservative governments in Alberta opted to legislate against the rights and freedoms of workers. Or as the Calgary and District Labour Council recently observed, "labour law has been used more as a method of controlling labour than protecting it. It is law over labour, not law for labour."

Alberta lags behind the rest of the country in terms of union membership. Compared to a national average of 35 per cent, just 25 per cent of Alberta's workforce is unionized—most of this concentrated in Calgary, Edmonton

and northern centres such as Fort McMurray. Many, if not most, Albertans share the government's hostility toward trade unions. After all, hasn't Alberta always stood for the rights of the individual—including the individual worker—over the claims of the collective? This was certainly the view of the Calgary-based Canadians Against Enforced Unionism, which in 1995 campaigned for so-called "right-to-work" legislation. Had it been successful, this move

would have ended automatic check-off dues for trade unions, thereby making union membership strictly voluntary. Although then-Minister of Labour Stockwell Day toyed with the idea, the Klein government eventually backed away from it, for now at least.

Within this climate of aggressive individualism, popular opposition to trade unions—seen as defenders of the weak and shiftless—is somewhat understandable. Understandable, but not

inevitable. In fact, such hostility is neither a natural product of Alberta's historical development nor a true reflection of its "pioneer" past. On the contrary, if we go back to the years before World War II, it's clear that Alberta played an active and crucial role in the evolution of Canada's labour movement.



Alberta Farmers' Union delivery strike, Olds, 1946.

Early Labour: Alberta's "Heritage Untold"

In 1906 a strike by Lethbridge coal miners ended with the personal intervention of then-Deputy Minister of Labour William Lyon Mackenzie King. As a result of his visit, King drafted the 1907 Industrial Disputes Investigation Act, which quickly became the cornerstone of federal labour legislation. In 1919 Calgary hosted the Western Labour Conference, the first gathering to provide trade unionists in the West with a regional platform. This conference also led to the creation of the One Big Union, an unprecedented attempt to organize workers across lines of individual occupation or industry. Calgary was the venue once more, in 1932, when farmers, workers and socialist intellectuals came together to form the Canadian Commonwealth Federation, the forerunner of the NDP. In short, the path of Canadian labour activism runs straight through Alberta.

What became of this tradition—called Alberta's "heritage untold" by historian Warren Caragata? How and why did Alberta become the heartland of anti-unionism? And what is the significance of the recent revival of labour militancy, as seen in strikes by Alberta's laundry workers, social workers, teachers, nurses, Safeway employees and newspaper workers? The answers to these questions lie in Alberta's history.

Agriculture dominated Alberta's early economic growth. As late as 1940, farming accounted for 60 per cent of production in the province. By comparison, oil, coal and other resource-extraction industries were responsible for just 11 per cent. Even manufacturing—much of it a by-product of agriculture, such as the meatpacking industry—generated just 15 per cent of Alberta's wealth in 1940.

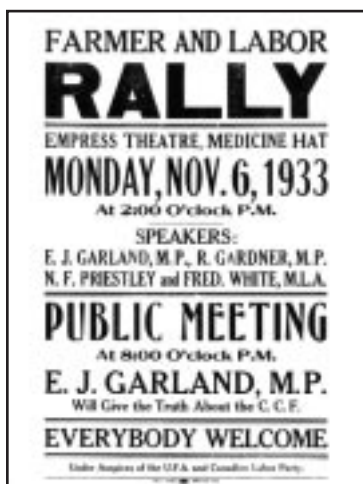
However, the peak of Alberta agriculture came in the late 1920s, after which it went into relative decline. More and more workers drifted into the cities in search of alternative employment, a mass movement of labour to benefit Alberta's urban industries. In Calgary, for example, manufacturing output rose by 20 per cent between 1921 and 1941. However, the greater pool of labour now available also exerted downward pressure on wages—especially during the "Dirty Thirties"—which on average fell by more than 7 per cent in this period.

Since the turn of the century, when Alberta's industries had first begun to blossom, workers had joined together to form trade unions to defend and strengthen their position.

These new organizations were prepared to back up their demands: Calgary alone saw more than 50 strikes between 1901 and 1914. Yet, for the most part, employers were prepared to accept the principle and practice of trade unionism. Unions, they found, brought a measure of stability to industrial relations—after all, neither side gained from a prolonged stoppage—and a degree of predictability to what was otherwise a volatile labour market. Unions helped to provide extra workers as and when they were needed; in return, they sought and secured basic concessions such as wage increases, shorter hours and improved working conditions.

Alberta's first economic boom came to an end in 1913, and never really returned until after World War II. The 1920s were a lean time, with unions unable to repeat their gains of the earlier period. Still, by turning to political action, Alberta workers did make some headway, first by lobbying the province for protective legislation and then by electing their own representatives to municipal, provincial and even federal governments. Calgary labour aldermen actually formed the majority on city council briefly in the 1920s.

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The Forty Years War on Labour

The election of William Aberhart and Social Credit in 1935 was a blow to the labour movement, to be sure, but little about the new government foreshadowed its later hostility toward trade unions. Ernest Manning succeeded as premier upon Aberhart's death in 1943. Much more than his predecessor, Manning was a genuine conservative with little time or sympathy for the concerns of labour. Moreover, his deep-rooted Christian

fundamentalism encouraged a tendency to see the world in stark terms of good and evil. In the climate of the Cold War after 1945, these characteristics fused into a deep suspicion of trade unions, which Manning regarded as either the willing agents or misguided dupes of a worldwide communist conspiracy. Premier until 1968, Manning stamped his view on government policy and legislation dealing with labour.

Compounding Manning's own disposition was the major oil discovery at Leduc in 1947. Alberta oil production jumped from eight million barrels in 1946 to more than 140 million by 1956 as dozens of new companies moved into the province. Alberta lacked the capital reserves to exploit this new source of wealth, so external investment was vital. Manning was keen to assure

American companies that Alberta was and would remain a safe place to invest, free of union interference. This meant allying his government with the interests of big business over those of the province's organized labour movement—a policy that has survived ever since.

Nowhere has this been more evident than in the field of labour legislation. For the first 40 years of Alberta's history, successive provincial governments had—even if grudgingly—passed legislation that recognized the basic contributions and rights of Alberta workers. Over the next 40 or 50 years, by contrast, Social Credit and Conservative governments would strive to curtail these rights and wherever possible remove them.

In 1947 the Manning government passed a new Alberta Labour Act, whose terms and provisions were largely in line with existing federal labour legislation. The right of workers to strike was restricted, but employers were prohibited from obstructing attempts to unionize their workforce. It was the classic trade-off typical of Canada's post-war welfare state.

This compromise soon came under strain. In the summer of 1947 a national strike by the United Packinghouse Workers of America closed Alberta's meatpacking plants for three months. Manning was convinced this was part of the global communist conspiracy and urged workers to cross the picket line. Then, in January 1948, 7,000 Alberta miners joined a strike that in some cases lasted until July and which

accounted for 99 per cent of all days lost to strikes in Alberta that year.

Manning's government responded to both strikes by re-writing the labour legislation it had passed the previous year. The 1948 Labour Act made strikes illegal while conciliation or arbitration was ongoing, held union leaders liable for their members' actions in the event of an illegal strike, and ruled that any attempt to unionize a workforce now required the explicit consent of the employer. Such measures were bound—as they were intended—to restrict both the effectiveness and the expansion of trade unionism in Alberta.

The 1948 Alberta Labour Act provided the framework for industrial relations over the next dozen years. Despite its harsh restrictions, Alberta union membership did grow, from less than 38,000 in 1948 to 61,000 by 1960.

However, days lost to strikes remained low: just 153,000 during the 1950s, compared to 123,000 the previous decade, itself the lowest total in Alberta's history.

With quiet prevailing on the labour front, the government surprised onlookers in 1960 when it further amended the Labour Act in favour of employers. Having already forbidden unions from entry into an employer's premises without the employer's permission, the government now made it unlawful to stage information pickets outside those same premises. At the same time, the list of occupations denied the right to join a union was extended to include the medical, dental, architectural, engineering and legal professions.

In the public sector, all employees were denied the right to strike in the years after World War II. They did have the Civil Service Association (CSA) to represent their views, but this voluntary organization generally supported the Social Credit government. In 1968 the government passed a new Public Service Act that made the CSA the sole bargaining agent for public employees but at the same time gave the Minister of Labour sole authority to decide which issues would be negotiable. To underline the new balance of power, if mediation failed to resolve any conflict the Cabinet was empowered to impose a settlement.

The long-lived Social Credit regime came to an end in 1971, replaced by Peter Lougheed's Progressive Conservatives. This switch did not signal a mellowing of government-labour relations, how-

ever. The Public Service Employee Relations Act of 1977, for instance, imposed a system of compulsory and binding arbitration on public employees and banned all civil service strikes. This legislation thwarted the desire of the CSA's successor, the Alberta Union of Public Employees (AUPE), to behave more like a "real" union. It also symbolized the degree to which anti-unionism had become a "natural" feature of government policy in Alberta, regardless of party. Labour legislation passed in the 1980s made this unequivocally clear.

In 1982 Alberta nurses went on strike for the third time since forming their union in 1977. After 23 days, the government ordered them back to work and subsequently passed legislation—Bill 44—that defined nurses as an "essential service" forbidden from striking in future. Bill 44 also decreed that any public sector collective agree-

Manning regarded trade unions as either the willing agents or misguided dupes of a worldwide communist conspiracy.



Ernest Manning in 1935

ment that went to arbitration must also be submitted to a government-appointed tribunal whose task was to ensure that wage settlements were in line with the government's overall fiscal policy. By this time, the Alberta government faced world oil prices that had plummeted from \$44 per barrel in 1981 to \$10 by 1986. Cuts in health care, education and social services were the order of the day, and so any pay settlement that had to take into account the government's policy was bound to disappoint. The era of the shrinking public sector had arrived.

“Too Damn Much Socialism”

Then, in 1986, came a dispute that reminded Albertans that anti-unionism was not restricted to the public sector. In an overt bid to smash the union at his Gainers meat-packing plant in Edmonton, owner Peter Pocklington declined to negotiate a new contract with the workforce but instead simply advertised for non-union replacement workers. “We have had too damn much socialism,” Pocklington declared. “I am not going to have another collective agreement with anyone. This is the market.” The next six months saw the bitterest, most violent labour dispute in Alberta's history. Despite this, the government refused to intervene—Minister of Labour Ian Reid simply called it “a rare occurrence that happens when the system does not work”—until December 1983, when Alberta's premier at the time, Don Getty, “persuaded” Pocklington to accept a mediated settlement.

The meatpackers' union survived the Gainers strike of 1986, but the government soon set about delivering Alberta's labour movement another body blow. With Gainers very much in mind, the new Labour Relations Code of 1988 regarded strikes as a fundamental breakdown in industrial relations rather than as a legitimate tool to be used by workers. As such (and by a curious logic), it equated an absence of strikes with industrial harmony, and to this end aimed to make it more difficult for unions to go on strike. For example, the code established a 14-day “cooling-off” period in the event of a labour dispute, during which time it was illegal for unions to declare a strike. Organizations that violated this buffer faced decertification. At the same time, the government placed strict limits on the right to picket.

The 1988 Labour Relations Code was the logical culmination of post-war Alberta labour law. Established in 1959, the Alberta Department of Labour (later known as Alberta Labour) declared that “cooperation between management, labour and government is essential to industrial harmony. To promote this harmony it has always been the government's policy that all changes in legislation . . . be discussed with labour and management . . . before any amendments be made.” Subsequent government-labour relations made a mockery of this stated intent, but as recently as 1992 Alberta Labour claimed to work “in partnership with organizations and individuals

to enhance the quality of working life and public safety for all Albertans.” A noble aim, perhaps, but by outlawing strike action in certain sectors, the government had severely curtailed the rights of workers.

By the early 1990s the Department of Labour's target of no strikes was close to reality. In 1994 the proportion of worker-days lost to industrial unrest was less than 1 per 10,000; two years later it was down to just 0.33—the lowest for any province and less than half the national average. At this time, the subordination of labour's interests to those of business was made explicit when the Department of Labour announced “performance measures are largely designed to assess the department's contribution to the ‘Alberta Advantage.’” In turn, this contribution was defined as “helping to make Alberta attractive to employers, workers and their families.” The list's order—employers first—was hardly an accident.

The scene was set for the so-called “Klein revolution.” Usually associated with an elimination of public debt and deficit and the reduction of government intervention, the changes wrought by Klein also amounted to an intensified assault on Alberta's trade unions, particularly those in the public sector. Shortly before the June 1993 election, Klein unveiled his plan to wipe out the deficit by cutting government spending by 20 per cent over the next four years. Once elected, he set about the task by “asking” all public sector workers to accept a 5 per cent wage cut. However, the targeted 20 per cent reduction in government expenditure was not made on a uniform basis, but instead varied from ministry to ministry. Faced with eliminating as much as 35 per cent from their budgets, individual ministers looked to additional wage cuts and job losses as a way of reaching their goals. Thus, while the public saw the attack on the deficit in abstract terms, for thousands of public sector workers it amounted to a loss of livelihood.

In Alberta's health care system, the cuts were devastating. Hospitals were closed or downgraded to “community health centres”; beds became fewer, waiting lists longer; and more than 8,000 registered nurses—40 per cent of the total number employed—lost their jobs between 1992 and 1995. By 1997, with the deficit gone and the economy booming once more, the United Nurses of Alberta (UNA) managed to secure a slight pay raise—7 per cent over three years—but only after threatening a strike, shrewdly timed to coincide with that summer's provincial election.

Last spring, negotiations between the UNA and the Provincial Health Authority (PHA) broke down once again. The union sought a pay increase of 13 per cent over two years and 2,000 new registered nursing positions; the PHA countered with an offer of 5.5 per cent and 1,000 additional nurses. After a long and bitter dispute, fought largely in the domain of public opinion, a compromise settlement was reached in mid-June.

Public support for the nurses in this dispute was a crucial factor, drawing on wider fears for the future of Alberta's health care system. As such, it should not be viewed as a measure of public sympathy for unions per se. Indeed, most unions carry the burden of the past with them, an image of blue-collar workers holding their bosses hostage. Because of this biggest of all obstacles faced by unions today, it is not surprising that labour disputes are increasingly being fought in the media, where unions have the best chance of swaying public opinion. If unions are to survive as a viable force in the new century, the spokesperson is likely to replace the shop steward as a key player.

Significantly, the nurses' settlement last year came only after the UNA declared its intention to hold a strike vote. Any such strike, of course, would be illegal, as nurses had previously been declared an "essential service." This was not enough for the PHA, however, which petitioned the Alberta Labour Relations Board to declare the mere threat of a strike to be unlawful. The ALRB concurred and successfully sought a "cease and desist" order from the courts. This decision surely missed the point. If nurses were prepared to break the law by going on strike, they were unlikely to heed any legal order aimed simply to prevent a strike vote.

Donald Macgregor, president of the Alberta Health Authorities during the 1988 nurses' dispute, had already identified this fatal flaw in banning the right to strike. "The problem with illegal strikes," he explained, "is there are no rules. When we had legal strikes the nurses had to give a certain amount of notice, and so on. The way it is now, they can leave us totally flat." Eleven years later, in June 1999, UNA president Heather Smith similarly remarked on the unsatisfactory manner in which the latest conflict had been resolved. Only 45 per cent of UNA members had bothered to vote: "It's an indication people weren't happy, but some have said, 'This is a contract to live with, and fight again another day.'"

"And fight again another day." Those words could be the motto of the Alberta labour movement over the past 50 years. Successive governments have repeatedly stacked the cards—or tilted the playing field—against labour's interests, in a series of anti-union and anti-strike legislation. While hostility to labour is originally rooted in Cold War paranoia and the need to attract capital investment, its continuance today is puzzling. The Cold War ended a decade ago, and Alberta now has one of the most heavily capitalized economies in Canada. Yet, as recently as May 1999, the government showed its open contempt for the distinct interests and concerns of Alberta workers when it terminated the 40-year-old Department of Labour. Then again, that department had never been much of a friend to labour anyway.

Twenty-first Century Labour: Critical Care

A new approach to the question of labour is required. The old Cold War view of trade unions as the "enemy within" is untenable, the communist menace being scarcely a credible threat these days. Similarly, the long-term Alberta preference for legislation over negotiation when it comes to settling labour disputes is really no policy at all. Instead, it's worth remembering that trade unions have been part of Alberta's history for over a hundred years, have endured numerous crises in that time, and are unlikely to disappear in the near future, whatever their more outspoken critics might wish.

Public opinion in Alberta, with a few exceptions, appears resolutely set against the interests and demands of organized labour. Unions are fiercely denounced in certain quarters—*Alberta Report* and the new-look *Calgary Herald* come readily to mind. The recent strike at the *Herald*,

ostensibly about job security, is really about the right to run an effective union at the newspaper. "We want to create conditions in the newsroom which would foster initiative and the pursuit of excellence," says *Herald* publisher Dan Gaynor. "The seniority package they're looking for runs counter to that philosophy." However, local media coverage of the strike has done a poor job of discussing the deeper causes of the dispute. Instead, we have been presented with sensational coverage of the occasional (and well-policed) mass rally at the *Herald* plant, sly references to the fact that striking journalists earn on average \$60,000 (as if this negates their legal right to strike), and Catherine Ford's rationalizations of why she crosses the picket line. All of this throws little light on the strike itself, but it does serve to reinforce pre-existing antipathy toward trade unions in general.

In its annual report for 1992-93, the Department of Labour reflected proudly on its record. "We find in our clients (my emphasis) a willingness to address the many challenges that partnership brings," it declared. "The major challenge is the shared sense of responsibility." Yet the past 50 years of labour legislation in Alberta belie any such sense of "partnership" or "shared sense of responsibility." If Alberta is to continue to prosper in the new century, a change in attitude toward its workforce is essential. No one expects a return to the open enthusiasm of the *Morning Albertan* in 1909, but it's time the government treated labour as the "reasonable" and "responsible" partner it has, for the most part, been throughout Alberta's history. ✕

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