THE WORK STOPPAGES DATA FROM HUMAN RESOURCES AND SKILLS DEVELOPMENT CANADA [HRSDC]": A RESEARCH NOTE[1]

Linda Briskin
Social Science Division/School of Women's Studies, York University,
Toronto, Canada

The most illuminating studies of worker militancy may be in-depth accounts of particular struggles. However, the current context of restructuring and globalization, in which Canadian workers face deteriorating conditions of work, competitive wage bargaining across national boundaries, dismantling of social programs, decreases in the social wage and a discursive shift to radical individualism, prompts questions about the overall patterns of worker militancy. Have economic and political changes shifted the understanding and practice of worker militancy? Have the gender-specific impacts of the 'new economy' politicized women workers in particular, especially those in the public sector, and brought them to the forefront of resistance? These are the two key research questions guiding this project.

The first step in this research has been to seek out the available Canadian statistical data which might make visible the profile of worker militancy.[2] This research note introduces the reader to the work stoppages data from Human Resources and Skills Development Canada [HRSDC] (previously Human Resources Development Canada [HRDC]). I have negotiated access to the HRSDC work stoppage data which include 26,193 records, one for each Canadian strike from 1946-2001[3]; my focus is on the 21,261 strikes from 1966-2001.

In order to make the data set more manageable, the decision was made to focus on the years 1966 to the present. In the mid-1960s strike activity began 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: .34% of working time compared to .17% of working time in 1965 (Peirce, 2003: 343-4). During this time frame, there has also been a 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; by 2001 this had risen to 46.2%. In 1964 women's labour force participation was 30.5%; by 2001 it had risen to 55.6% (in contrast to 67% for men) (Labour Canada, 1975; Statistics Canada, 2003).

DIMENSIONS OF WORK STOPPAGES IN THE HRSDC DATA

The HRSDC Technical Notes indicate that data on work stoppages cover strikes and lockouts which amount to 10 or more person-days lost. Person-days (previously 'man-days') is understood as the duration in working days multiplied by the number of workers involved. The data in person-days provide a common denominator to facilitate comparisons.[4]

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, Ponak and Taras, 2001: 316)". 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, 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 U.S. would undoubtedly make invisible many instances of worker militancy. The fact that such major exclusions do not exist in Canada means that the HRSDC data set offers many possibilities for illuminating patterns of militancy.

Work stoppages include both strikes and lockouts (although the variable for lockouts was included only in 1976). In the HRDSC Technical Notes, a strike is defined as a concerted work stoppage by a group of employees which is done in order to bring about a change in an employer's position, and it occurs during the negotiating process. A legal strike is one that respects all the conditions mandated by law, most notably that the strike takes place during negotiations. A lockout occurs when work is suspended by the employer or a group of employers in order to pressure employees to change their position, and the lockout must also occur during the negotiating process. I characterize a lockout as a form of 'employer aggression'. I use the term 'aggression' to refer to pro-active initiatives on the part of the employer to undermine and even prevent the functioning of the union-management relationship. It is useful to differentiate this set of tactics from employer resistance prior to the introduction of a union, what Ewing, Moore and Wood (2003) call 'union avoidance'. They distinguish types of union avoidance strategy in the British context including according negotiating rights to non-independent unions; utilizing coercive campaign tactics and communications; and engaging in litigation in order to exacerbate delays.

The Notes indicate that developments leading to work stoppages are so complex that it is not practicable to distinguish between strikes and lockouts. As a result, the coding for 'lockout' is used 'if the stoppage involved only a lockout or if both a strike and a lockout occurred.' Workers indirectly affected, such as those laid off as a result of a work stoppage, are not included in the data on those involved.

Using Labour Canada data (which is no longer collected), (Peirce, 2003:

342) reports that "For the period 1977 to 1985, about 10 percent of the workers involved in disputes were involved in a lockout rather than a strike; during this same period, lockouts accounted for about 16 percent of the total person-days lost." The HRSDC data on lockouts, collected since 1976, includes both lockouts and those that involve both a lockout and a strike, so are not directly comparable to the Labour Canada data. In the HRSDC data, the high points for such 'lockouts' were 1983 and 1984 with 121 and 139 lockouts respectively. If one includes the 104 lockouts in 1985 and the 109 lockouts in 1986, this group represents 27.8% of all lockouts in the period from 1976-2001. In these four years, these lockouts involved 23% of all person days lost. This period of 'lockouts' was coincident with a decline in strike frequency; further, "1982 [was] a recessionary year that marked the end of the last significant wave of inflation seen in this country - and the beginning of a second round of wage controls for most public sector workers" (Peirce: 2003: 352). This period, then, saw intensive employer aggression, sometimes supported by the state.

In order to look for trends, decisions were made about how to group the data, in particular, how to group strikes by size (number of workers) and by duration (length of strike). For the size of strikes, I first considered the breakdown for workplace size used by the Labour Force Survey (Statistics Canada): less than 20, 20-99, 100-500 and more than 500. However, the goal of making visible forms of worker militancy suggested disaggregating the 'more than 500' category.

Table 1:
Number of Workers involved in Work Stoppages 1966-2001

Number of Workers	Frequency	Percent (%)	Cumulative Percent (%)
1-19	3639	17.1	17.1
20-50	4680	22.0	39.1
51-99	3389	15.9	55.1
100-250	4620	21.7	76.8
251-500	2251	10.6	87.4
501-1000	1327	6.2	93.6
1001-2500	793	3.7	97.4
2501-9999	419	2.0	99.3
10000+	143	0.7	100.0
Total	21261	100.0	

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

As Table 1 shows, although the 'more than 500' category represents only 12.6% of strikes, the fact of 143 strikes involving more than 10,000 workers, many of them in the public sector, would otherwise remain buried. For example, recently, in 2001 the Public Service Alliance of Canada strike involving more than

200,000 workers, the 1998 strike by the Fédération des syndicats de l'enseignement involving more than 124,000 workers, the strike of the Ontario Public Service Employees union in 1996 involving more than 47,000 workers, the 1991 strike by more than 40,000 members of the Canadian Union of Postal Workers. At the same time, it is noteworthy that between 1966-2001, 39% of strikes involved less than 50 workers, and 55% of strikes involved less than 100 workers.

How to group strikes by duration was also an issue.[5] The data reveal that 34.5% of strikes between 1966-2001 lasted between 1-5 days; in fact, 20% lasted only 1-2 days. These include political walkouts such as the 1976 Day of Protest around wage and price controls and 1996-7 Days of Protest in Ontario. Equally interesting is the fact that 8.6% of strikes lasted 17-52 weeks and 1.4% more than one year. See Table 2.

Table 2:
Strike Duration (Workdays) by Weeks, 1966-2001

	Frequency	Percent (%)	Cumulative Percent (%)
1 week (1-5 days)	7342	34.5	
1-2 days	4386	20.6	20.6
3-5 days	2956	13.9	34.5
2 weeks (6-10 days)	2614	12.3	46.8
3-4 weeks (11-20 days)	3128	14.7	61.5
5-7 weeks (21-35 days)	2693	12.7	74.2
8-16 weeks (36-80 days)	3342	15.7	89.9
17-52 weeks (81-260 days)	1836	8.6	98.6
>52 weeks (261+ days)	306	1.4	100.0
Total	21261	100.0	

Source: Work Stoppage Data. Workplace Information Directorate, Human Resources and Skills Development Canada. Note: The HRDC data distinguishes between work days and calendar days. This table uses work days. So strike of two weeks would be between 6-10 work days.

The data on contract status include the following choices: negotiation of first agreement, renegotiation of agreement, during term of agreement, in other circumstances, and no signed agreement. This variable offers some interesting possibilities. Between 1966-2001, the contract status in 2,642 strikes (12.4% of the total) was coded as 'negotiation of first agreement'. A preliminary look at the data show a decline of such strikes in the 1990s. The high point was between 1978-1981, a period of high strike activity, when 442 such strikes (16.7% of all such strikes) occurred. Furthermore, almost 86% of all first contract strikes involved less than 100 workers, a graphic reminder of the difficulty of organizing small workplaces. Although 20% of these strikes last between 1-5 days, 33% lasted between 5-16 weeks, 15.9% lasted between 17-52 weeks and 3.7 lasted more that one year. The sector breakdowns are also interesting: one would

expect that most strikes for first agreements would be in the private sector and indeed this is the case: 86.8%. However, perhaps more surprisingly 13.2% of public sector strikes - 348 strikes - were first contract strikes.

These strikes would bear some additional scrutiny. What are the issues of these strikes? How many workers are involved? How long do they last? Is there a regional pattern? What are the results of such strikes? Gunderson, Ponak and Taras (2001: 323) point out that "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." However, switching focus from 'person days lost' to worker militancy, and in particular, women worker militancy, makes these strikes very relevant.

The contract status variable also makes visible the degree to which workers are striking during the term of agreement. This would involve not only what are traditionally understood as wildcats, but also one day political strikes such as the 1976 walkouts. For the period, 1966-2001, 3,744 strikes occurred during the term of the agreement; this represents 17.6% of all strikes. A future article will examine all those strikes which did not occur during the renegotiation of an agreement. In addition to the wildcats, there are strikes where there were no signed agreements, strikes by 'unorganized' workers, and one-day political strikes that involve the co-operation of many unions. Such an exploration will highlight the 'non-traditional' forms of worker militancy buried in aggregate data.

In 1976, the variable "result of stoppage" was added; it includes the following options: stoppage continuing, special legislation, court injunction, L.R. Board order, return of workers, agreement reached, strike abandoned, firm closed, issues to be settled and not reported. I have tried to clarify with HRSDC the differences among some of the result options. The first answer from HRSDC indicated that various provinces use different options to mean the same thing. However no pattern emerged from running the data on results by province. In fact, for all provinces, the two key choices on "Result of Stoppage" were 'return of workers' and 'agreement reached'. So, for example, for 1966-2001, in Alberta, the result of 30.9% of strikes was 'return of workers' and 45% 'agreement reached'. In BC the former was 29.5% and the latter 39.5%. For both provinces, 'strike abandoned' represented only a small percentage of strikes: in Alberta, 3% and in BC .7%. The data suggest that there is a significant differentiation between 'return of workers' and 'agreement reached'. I asked HRSDC again to explain how it defines these various options to avoid misinterpretation. An email reply (25 June 2004) offered the following: "We reviewed the issues 'return of workers' and 'agreement reached' and we realized that in 95% of the data treated were interpreted in the same way. This is why I will suggest to merge 'return of workers' and 'agreement reached'." This begs the question of why there were two variables in the first place.

Nonetheless, this variable offers interesting possibilities: in which sectors and industries are strikes abandoned? What strikes have led to firm closings, a

question of special interest in research about the new economy? Are agreements more readily reached in strikes of a certain size, important since the issue of small workplaces is relevant to gender and precarious employment?

In addition to duration, number of workers, lockout, person days, contract status and result, the HRSDC data also include the following dimensions: company name, year, union, sector, province, metro/city, issues, NAICS [North American Industrial Classification System] code, and whether the stoppage was rotating.

HOW THE HRSDC CODES STRIKE ISSUES

HRSDC coding practice permits only one issue code; as a result there are strikes with a code which specifies a single issue (for example, wages) and strikes with a code that specifies a series of issues such as "wages, hours, working conditions". HRSDC has indicated that the series lists are in no special order.

The four page HRSDC list of possible strike issues has little coherency. It has many overlapping or unclear categories. When asked how the issues list was developed, I was told that the 'strike issues were identified by Labour Canada' but that HRSDC adds issues and has been doing this for the last 57 years.

Despite the fact that the issues data are not entirely accurate, a frequency sort for 1966-2001 is revealing. For example, despite oft-reported media reports that workers strike only for money, in only 18.2% of the 21,261 strikes were 'wages' the only issue. This represents 3,875 strikes. Testing intuitive anticipations and anecdotal impressions about strikes against the data is interesting.

Although I have not yet had a chance to fully explore the issues data, a preliminary examination is suggestive. See Table 3: Frequency of Selected Strike Issues. Two points are worth noting. First, the aggregate percentages presented in this table do not reflect the significance of these events to workers and communities. Although only 2.8% strikes were caused by a delay in negotiations, this represents 598 strikes. We need to imagine the struggle, risk, organizing and hope involved in each of those events.

Second, it is interesting to group strikes caused by 'active employer aggression' (contract violation, disciplinary action, failure to negotiate, delay in negotiations, etc). See Table 4 for a selection of such tactics. Note that this table includes only those strikes where there was single employer aggression issue. In addition, there were other strikes that included but were not limited to these issues, for example, 'wages and union recognition' (9 strikes). Many other strikes might have been included in this list such as 'wages reduction' (96 strikes), and 'dismissal of workers' (259 strikes), as well as ones where the HRSDC coding language is not transparent enough to know exactly what the issue was, for example, various contract matters (80 strikes), and management issues (163 strikes).

Table 3:
Frequency of Selected Strike Issues, 1966-2001

	Frequency	Percent
Wages	3875	18.2
Wages, fringe benefits	2049	9.6
Delay in negotiations	598	2.8
First, signed, union agreement	422	2.0
Sympathy	371	1.7
Working conditions	354	1.7
Worker suspensions	326	1.5
Dismissal of workers	259	1.2
Job security	247	1.2
Collective bargaining procedure	135	0.6
Safety measures	132	0.6
Subcontracting	118	0.6
Wages reduction	96	0.5
Hours	88	0.4
Seniority	88	0.4
Contract Violation	86	0.4
Disciplinary Action	77	0.4
Redundancy	66	0.3
Union recognition	63	0.3
Wages, union solidarity	59	0.3
Failure to negotiate	54	0.3
Behaviour of supervision	47	0.2
Discrimination in firing/hiring	36	0.2
Total – Selected issues	9646	45.4
Not reported	5289	24.9
Total – All strikes	21261	100.0

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Skills Development Canada. Note: Since HRSDC uses only one code per strike, there will be other strikes where hours, for example, was also an issue in combination with one or more other issues. So, for example, 86 additional strikes were coded as "wages, hours, other issues".

Certain issues are of special interest, both in terms of gender and the new economy. So, for example, in the frequency list for 1966-2001, subcontracting was the single issue in 118 strikes. Interestingly, between 1946-1965, it was the single issue in only 7 strikes. What is the pattern to these increasingly frequent sub-contracting strikes? For example, when do they occur, in what sectors, in what industries, what was the result, how long did they last? Similarly from 1946-65, piece rates were the single issue in 57 strikes but between 1966-2001 in only 23.

Table 4:
Employer Aggression: Frequency of Selected Strike Issues, 1966-2001

	Frequency	Percent
Delay in negotiations	598	2.8
First, signed, union agreement	422	2.0
Worker suspensions	326	1.5
Contract Violation	86	0.4
Disciplinary Action	77	0.4
Union recognition	63	0.3
Failure to negotiate	54	0.3
Behaviour of supervision	47	0.2
Discrimination in firing/hiring	36	0.2
Delay in contract implementation	22	0.1
Delay in grievance handling	18	0.1
Total – Selected issues	1749	8.3
Total – All strikes	21261	100.0

Source: Work Stoppage Data, Workplace Information Directorate, Human Resources and Skills Development Canada. Note: Since HRSDC uses only one code per strike, there will be other strikes where these issues occur in conjunction with others.

This may reflect changes in the garment industry where piece rates have traditionally been used, in particular, the substantial decrease in unionization and the move to sub-contracted labour. Given the disproportionate presence of women in this industry, studying the profile of these strikes, especially doing a cross tab of the strikes with NAICS categories, might illuminate some patterns of women worker militancy.

HRSDC REPORTING OF THE WORK STOPPAGE DATA

Generally HRSDC reports on work stoppages in two HRSDC publications. The *Workplace Gazette* reports work stoppages by jurisdiction (mainly by province), by industry, and offers a chronological perspective on stoppages (the number, the number of workers involved, and lost work time) by year. The duration in person-days of all work stoppages in a year is also shown as a percentage of estimated working time based on estimates of the number of non-agricultural paid workers in Canada obtained from the Labour Force Survey [Statistics Canada]. *The Collective Bargaining Bulletin* lists major work stoppages (those with 500 or more employees) on a monthly basis giving the employer, union, issues, and number of employees.[6]

It is worth noting that between 1966-2001, only 12.6% of strikes involved more than 500 workers (see Table 1). Although it is true that such strikes account for a disproportionate percentage of person days lost given the number of workers involved - 69.3% -, the fact that 87.4% of strikes are not reported in any detail in HRSDC publications underscores the state's narrow interest in economic impacts of strikes, in particular, person days lost.

CONCLUSION

This article has presented a preliminary overview of the HRSDC data on work stoppages. Several themes emerge. The state's major interest in strikes relates to their economic impact, which is operationalized through 'person days lost'. A shift from 'person days lost' to worker militancy allows for revealing re-interpretations of the data which will help make visible the relevance of such stoppages to workers, unions and communities.[7] Such revisioning rests, in part, on unpacking aggregate data in order to allow particularities to emerge. So unlike the supposed irrelevance to the aggregate data of a first contract strike of fifteen women which lasts for many months, such a struggle would undoubtedly be very consequential to the women, their political consciousness and the communities in which they live and work. Considering the pattern of such first contract strikes, then, may help to profile women worker militancy. Examining the HRSDC data in this new light also underscores the political nature of data collection (what is seen to be germane and not) and data presentation (what is made visible and what is concealed).

AKNOWLEDGEMENTS

I would like to thank Leah Vosko for reading an earlier draft of this paper, and Kristine Klement whose work on the HRSDC data has been invaluable.

REFERENCES

Akyeampong, Ernest. (2001) "Time Lost to Industrial Disputes." *Perspectives.* Statistics Canada, 13, 3: 14-16.

Briskin, Linda with Kristine Klement. (2004) "Excavating the Labour Dispute Data from Statistics Canada: A Research Note." *Just Labour* www.justlabour.yorku.ca 4: 83-95.

Ewing, K.D., Sian Moore and Stephen Wood. (2003) *Unfair Labour Practices: Trade Union Recognition and Employer Resistance.* London: Institute of Employment Rights.

Gunderson, Morley, Allen Ponak, Daphne Taras. (2001) "Strikes and Dispute Resolution" (Chapter 11). eds. Morley Gunderson, Allen Ponak, Daphne Taras. *Union Management Relations in Canada* (4th ed). Toronto: Addison Wesley Longman, pp. 314-358.

Labour Canada: Women's Bureau. (1975) *Women in the Labour Force: Facts and Figures.* [Cat No. L38-30/1975] Ottawa: Information Canada.

Peirce, Jon. (2003) "Strikes" (Chapter 11). *Canadian Industrial Relations* (2nd ed). Toronto: Prentice Hall, pp. 337-371.

Statistics Canada. (2003) *Women in Canada: Work Chapter Updates* [Cat.No. 89F0133XIE] Ottawa: Ministry of Labour.

NOTES

1. This project is part of the Social Sciences and Humanities Research Council of Canada [SSHRC] Research Alliance on "Restructuring Work and Labour in the New Economy", Initiative on the New Economy (INE), housed in the Centre for Research on Work and Study, York University. I am grateful for the financial support from the Alliance. This research is also being funded by the Small Grants Programme from SSHRC (adjudicated by York University), and the Faculty of Arts at York University.
2. In "Excavating the Labour Dispute Data from Statistics Canada: A Research Note", with Kristine Klement, we outlined 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. See Just Labour www.justlabour.yorku.ca, Summer 2004.
3. I am grateful to the Workplace Information Directorate of HRSDC for sharing this data with me. All HRSDC data quoted in this paper is from the work stoppage data unless otherwise noted.
4. The expression 'Time lost' is occasionally used instead of 'duration in person-days'.
5. "The duration of each stoppage is calculated in terms of working days, including the starting date and all subsequent normal working days up to termination date. The days counted as working day are those on which the establishment involved would normally be in operation (five days per week)." From The Technical Report on the Work Stoppage data from HRSDC.
6. A list of current work stoppages, and an interactive data base which allows some sorts of HRSDC data can be found at: www.hrsdc.gc.ca/eb/gateway/topics/wxa-gxr.shtml.
   The weekly report about major work stoppages in Canada (500 employees or more) is available on the HRDC website at:
   http://labour-travail.hrdc-drhc.gc.ca/millieudetravail_workplace/at_ws/index.cfm/doc/english
   A number of the provinces regularly report their own work stoppage data on a regular basis on their websites. For example, see Ontario, see: http://www.gov.on.ca/LAB/english
   and Alberta at: http://www3.gov.ab.ca/hre/mediationservices/work_stoppage.asp.
7. This Research Note is a selection from "From 'Person Days Lost' to Worker Militancy: An Alternative Approach to The Work Stoppage Data from Human Resources and Skills Development Canada [HRSDC]", a forthcoming working paper for the Initiative on the New Economy Research Alliance (INE) housed in the Centre for Research on Work and Study, York University. In this more extended discussion, these themes are developed in some detail.