

PRECARIOUS EMPLOYMENT IN CANADA: TAKING STOCK, TAKING ACTION

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Precarious employment is an increasingly common term used to highlight labour market insecurity. In Canada, precarious employment normally involves those forms of work involving atypical employment contracts, limited social benefits and statutory entitlements, job insecurity, low job tenure, low wages and high risks of ill health. Precarious employment is shaped by tendencies in late capitalism whereby employers use subcontracting and other strategies to minimise labour costs and thereby lower the bottom of the labour market.

This Forum on Precarious Employment considers the nature and shape of precarious employment in Canada based on preliminary findings of four research projects of the Community University Research Alliance on Contingent Employment (ACE).

ACE is a group of professors, postdoctoral fellows and graduate students from four Canadian post-secondary institutions (York University, McMaster University, University of Quebec at Montreal and George Brown College) and researchers and activists from community and labour

organisations. Toronto Organising For Fair Employment (TOFFE), the Ontario Federation of Labour, Parkdale Community Legal Services, the Canadian Labour Congress and the Occupational Health Clinics for Ontario Workers as well as analysts from the Institute for Work and Health and the Housing Family and Social Statistics Division of Statistics Canada participate. In its research program, ACE aims to foster new social, statistical, legal, political and economic understandings of precarious employment that are grounded in workers' experiences of their work and directed at improving their quality and conditions of work and health.

Since January 2001, ACE researchers have pursued research on the size, shape and location of precarious employment in Canada; labour laws, regulations and policies; work organisation and health; and organising amongst workers. Community and university partners are involved in defining research questions, shaping research methods and carrying out research in each of these areas.

This forum presents highlights from each of the four main areas of investigation in ACE. Collectively,

contributors advance an approach to understanding labour market insecurity that involves conceptualising precarious employment as an employment status and examining dimensions of precariousness through multiple research methods.

The first article by Cynthia Cranford, Leah F. Vosko and Nancy Zukewich, titled "Precarious Employment in the Canadian Labour Market: A Statistical Portrait," draws on data from Statistics Canada to explore the contours of precarious employment in Canada. Its main objectives are to show the limitations of conventional statistical approaches to measuring precarious employment and to explore how precarious employment is gendered and racialized. These authors reveal the limits of an approach that focuses narrowly on the rise of non-standard work.

Employers' resort to non-standard forms of employment, such as part-time and contract work, self-employment, and work arrangements such as shift work and home-based work, is tied to labour market deregulation. Since the 1980s, the proliferation of non-standard work has eroded the social wage attached to the standard employment relationship – that is, statutory entitlements such as Employment Insurance and minimum standards as well as employer-sponsored benefits including pensions and extended

medical and dental coverage. Yet looking solely at the spread of 'non-standard work' – a mixed or highly heterogeneous category – fails to provide a clear picture of the nature and depth of precarious employment in Canada.

Given the limitations of prevailing approaches to measuring labour market insecurity, these authors argue that the standard/non-standard employment dichotomy should be abandoned. A new and favoured approach to understanding precarious employment examines employment forms in relation to dimensions of precariousness – such as degree of regulatory protection, income level and control over the labour process. Through this portrait, they illustrate how gender, race/ethnicity and age intersect with dimensions of precariousness to produce a continuum of precarious employment in the Canadian labour market.

The article by Cranford, Vosko and Zukewich sketches precarious employment in Canada through an important vehicle – statistics – and calls for approaches to understanding precarious employment that are sensitive to social relations. The three remaining articles give texture and meaning to this portrait through the application of different methods – survey research, legal analysis and qualitative research.

One of ACE's central undertakings is a survey on the

health effects of precarious employment on home care workers employed by occupation-specific placement agencies, temporary agency workers in construction and social services, and manufacturing and office support workers on contract. Through this research, Wayne Lewchuk, Alice de Wolff and Andrew King are developing a new concept of “employment strain” to replace older notions of “job strain” that assumes a single job and a single workplace. In their article, “From Job Strain to Employment Strain: The Health Effects of Precarious Employment,” these contributors use this concept to communicate the unique task-control and workload issues facing workers in precarious employment. The notion of employment strain allows them to explore dimensions of uncertainty such as future job possibilities, earnings, work location, work schedule and type of work. Workload dimensions, the burden of job search, balancing multiple employers, and the pressures associated with constant evaluation by co-workers and management, are also included.

Survey results to date are very troubling. Respondents report poor health and high levels of stress-related tension and exhaustion. Lewchuk, de Wolff and King link these findings to the specific dimensions of uncertainty characteristic of precarious forms of employment building on the continuum developed in the

previous article. Chief among these uncertainties is the duration of employment – that is, whether a current employer will offer workers more hours, longer contracts or new contracts. Persistent performance evaluation is another important uncertainty identified by these authors. “From Job Strain to Employment Strain” illustrates vividly the significance of uncertainty in understanding the health implications of precarious employment.

For many self-employed workers, employment uncertainty, specifically, a constant search for new work and job security is a daily reality. Judy Fudge reveals this situation in her article, “Labour Protection for Self-Employed Workers.” Fudge explores the dynamics of self-employment in Canada through a multi-disciplinary approach drawing on statistical, sociological and legal analysis and four case studies where workers’ status as self-employed limits their access to collective bargaining rights. She argues that self-employment is traditionally equated with entrepreneurship and is considered to be a form of independent contracting. People who work for pay but are self-employed are treated for legal purposes as ‘independent entrepreneurs,’ who do not need labour protection. These workers are subject to the principles and rules of competition rather than labour law. From newspaper

carriers, freelance editors and rural route mail carriers to home care workers for people with disabilities, many self-employed workers face obstacles to organising and bargaining collectively.

Fudge reveals the outmoded legal apparatus surrounding self-employment by showing the absence of a principled basis for determining the scope of labour protection and the uneven application of the employee-independent contractor distinction from jurisdiction to jurisdiction. Her central conclusion is that the legal categories “employee” and “independent contractor” do not reflect the realities of the labour market. It is a mistake to assume that the legal status of self-employment corresponds to economic independence and autonomy. To respond to this problem, drawing on the evolving work of ACE, this author calls for dissolving this distinction and extending labour protection and social wage legislation to all workers who depend on the sale of their capacity to work.

Complementing the article by Fudge, particularly her illustration of the growing share of workers lacking access to legal rights and entitlements because they are perceived to be entrepreneurs, Cynthia Cranford and Deena Ladd explore resistance strategies adopted by workers lacking such rights. The focus of “Community Unionism: Organising for Fair Employment in

Canada” is the limited rights and access to traditional vehicles of representation such as unions, due partly to the prohibitive costs and obstacles associated with organising, confronted by workers in precarious employment. Cranford and Ladd trace the dynamics of community unionism in Canada through concrete examples of organising amongst workers such as home-based garment workers, temporary agency workers, domestic workers and farm workers.

To analyse these organising activities that deviate from the industrial trade union model, these authors conceptualise a continuum of organising marked by ‘community organising’ at one end and ‘union organising’ at the other end. They then identify and describe the two exemplars of these forms of organising – namely, community development and industrial unionism. According to Cranford and Ladd, the innovative organising activities of one ‘community union’ – Toronto Organising For Fair Employment – is a contemporary example of community unionism. TOFFE is at the forefront of developing a culture of organising based in worker-centred leadership and training drawing significantly from community development philosophies. Guided by this ‘self-organising model,’ this community union is developing campaigns targeting corporations and the state directed at improving the working

and living conditions of some of the most precarious workers in Toronto.

Precarious employment is growing in Canada. This Forum on Precarious Employment and the ongoing work of ACE demonstrate that it is spreading especially rapidly in urban areas and among women, youth and racialized groups who are over-represented in the most precarious employment forms and work arrangements. Yet the resistance strategies of TOFFE, as well as newspaper carriers, rural route mail carriers 'deemed to be entrepreneurs,' freelance editors and home care workers for people with disabilities labouring under conditions *not* of their own choosing, show that workers are resisting precarious employment. This set of developments calls for using more creative forms of organising and representing workers in precarious employment.

Contributors to this issue reveal the complex and contradictory nature of the social and economic processes tied to precarious employment in the Canadian labour market. In its multiple dimensions, precarious employment poses numerous challenges. At a policy level, it highlights the need for appropriate labour law and policy reform proposals. At the level of union and community organising strategies, it raises fundamental questions about how to make equity integral to organising and representing workers. In the current period, there are openings for social

transformation, for challenging employment practices that exacerbate labour market insecurity by fragmenting work and dividing workers. This forum aims to generate dialogue on the state of precarious employment in Canada as a means to raise these and other issues.

NOTE

1. Leah F. Vosko is Canada Research Chair in Feminist Political Economy at York University and the Academic Director of ACE.