

INTRODUCTION

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There is an important debate unfolding in the U.S. that will have an historic impact on the future of unions and collective bargaining there – and important spillover consequences for Canada. President Obama’s proposed *Employee Free Choice Act* would implement certain measures (including majority sign-up certification and first-contract arbitration) that could potentially help to halt and reverse the long decline in unionization that has been experienced in the U.S. labour market in recent decades, by leveling the playing field between workers who want to organize and employers who have been very successful in stopping them. It is obvious that the historic erosion of U.S. collective bargaining structures has had very negative consequences for economic and social conditions there.

As America’s neighbours, we have a clear interest in the outcome of this debate. The uniquely skewed nature of U.S. labour market institutions, which have created the most unequal and precarious labour market and social structure in the industrialized world, exerts a powerful influence on economic and social trends in other countries – all the more so for Canadians, given our extensive economic, political, and cultural ties with America. Advocates of a more inclusive and egalitarian labour market model are all watching the U.S. debate with interest and concern.

But there is another Canadian dimension to the *Free Choice* debate that Canadian labour scholars need to consider, as well. Some U.S. opponents of the *Act* have seized on the Canadian experience (given our higher union density, and the use of majority sign-up and first-contract arbitration procedures in several Canadian jurisdictions) to argue that these provisions would undermine future U.S. labour market performance. One widely-cited study by a contract researcher has used Canadian data to argue that the *Act* would increase U.S. unemployment by as much as 5.4 million people. (This entire study, authored by Anne Layne-Farrar of LECG Consulting, is available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1353305).

As scholarly observers of the Canadian labour market and labour relations system, we find this attempt to “demonize” Canada’s labour market experience (much as opponents of U.S. health care reform have tried to demonize our public health care system) misleading and poorly supported. At the Centre for Research on Work and Society, we decided that it is important to provide an alternative Canadian perspective on this debate. The Centre undertook two initiatives in this regard. The first was the circulation of an *Open Statement by Canadian Scholars on Unionization and the Economic and Social Well-Being of Canadians*. This statement has been signed by over 100 Canadian university-based academics working in economics, labour studies, labour or industrial relations, and other labour-related disciplines. It states our shared view that Canada’s more extensive collective bargaining system has not undermined our aggregate labour market performance, and in fact has had generally positive impacts on economic and social well-being here. (The *Open Statement* and the list of signatories are reprinted in full in this special issue of *Just Labour*.)

Our second initiative has been to organize this special issue of *Just Labour*, in which several of Canada’s leading labour market scholars examine in more detail the implications of the U.S. *Free Choice* debate for Canada, evaluate (from a Canadian perspective) the impact of the *Act’s* provisions, and critically review arguments such as Layne-Farrar’s that unionization in Canada has undermined labour market performance here. The articles in this special issue are organized into three sections. Section 1 contains three articles which review the Layne-Farrar hypothesis and findings in detail, raising important questions about her methodology and the legitimacy of her findings. Appropriately analyzed empirical evidence does not support the claim that Canada’s labour market performance has been damaged by our more extensive system of collective bargaining. Section 2 includes two articles which focus on Quebec’s experience with majority sign-up and first-contract arbitration procedures; Quebec is the province with the strongest unions in Canada, and it is worthwhile to examine the workings of Quebec’s innovative industrial relations system in practice. Finally, Section 3 contains five contributions (including one annotated bibliography of other recent research in this field) which further consider the links between unionization, and economic and social well-being, in the Canadian context.

We hope that the commentaries and articles included in this collection will contribute to a more complete and informed debate in the U.S. In particular, we refute efforts by business lobbyists opposing the *Act* to manipulate Canadian data and experience for purposes of defeating any strengthening of collective bargaining systems in the U.S. The vested interest of these business lobbyists in the continued erosion of collective bargaining in America has led them to misrepresent the Canadian experience (in some cases with active support from Canadian business lobbyists – no doubt hopeful that the failure of the U.S. *Act*

would put further downward pressure on the Canadian labour relations regime). The empirical evidence presented here indicates that Canadian labour relations practices (including, in many jurisdictions, provisions similar to those envisioned in the *Act*) generally operate in an effective manner. And far from lagging the performance of the more deregulated U.S. labour market, Canadian employment indicators in recent years have clearly surpassed those south of the border.

It is not our intention to interfere in this important U.S. debate, which will and must be decided by American political representatives, and ultimately by American voters. As Canadian labour market scholars, however, we have an obligation to provide a more balanced and factual representation of Canada's labour market experience (including the role and effectiveness of collective bargaining structures here) than has been forthcoming so far in the highly politicized U.S. debate.

We welcome any feedback to this special issue (comments can be sent to crws@yorku.ca), and we thank you in advance for your interest.