

Centralized Collective Bargaining : U.S.-Canada Experience Les négociations collectives canado-américaines

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Volume 26, numéro 1, 1971

URI : <https://id.erudit.org/iderudit/028186ar>

DOI : <https://doi.org/10.7202/028186ar>

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Éditeur(s)

Département des relations industrielles de l'Université Laval

ISSN

0034-379X (imprimé)

1703-8138 (numérique)

[Découvrir la revue](#)

Citer cet article

Downie, B. M. (1971). Centralized Collective Bargaining : U.S.-Canada Experience. *Relations industrielles / Industrial Relations*, 26(1), 38–63. <https://doi.org/10.7202/028186ar>

Résumé de l'article

Le but de cet article est d'examiner la négociation bi-nationale impliquant une délégation de prise de décision vers les États-Unis, soit en suivant les normes américaines, soit en déléguant effectivement la prise de décision à des cadres américains. C'est au moyen d'études de cas que nous avons précédemment complétées que nous tenterons de découvrir les sources, les tactiques, les stratégies et les implications des conventions bi-nationales.

RÉSUMÉ DES CONCLUSIONS DÉJÀ PRÉSENTÉES

L'allure générale des influences

Il semble qu'on ne puisse faire aucune généralisation quant à la nature des influences sur les négociations bi-nationales. Bien au contraire, on s'aperçoit qu'en pratique il en existe plusieurs sortes. Nous pouvons cependant dire que les relations canado-américaines en négociation collective semblent fortes dans les industries du papier et de l'automobile (après 1956), relativement fortes dans les industries de l'acier et du fer et extrêmement faibles dans l'industrie des viandes.

Le rôle des différentes parties à la négociation

Il semble que les employeurs aient contribué autant que les syndicats à implanter l'usage des « patterns » en négociation collective. L'exemple bien connu des industries du papier et de l'automobile illustrent clairement ce point de vue. L'échange d'information et l'acceptation de politiques bi-nationales de relations industrielles surtout par les grandes compagnies organisées par des syndicats internationaux sont une cause certaine de cette acceptation par plusieurs de « patterns » bi-nationaux en négociation collective.

Les syndicats internationaux de leur côté, diffèrent quelque peu principalement par la façon dont leurs demandes sont formulées et par les pratiques utilisées en négociation collective : soit que les demandes sont formulées à l'intérieur de chacun des syndicats à l'occasion de conférences individuelles tenues au Canada, soit que des négociateurs américains participent aux négociations canadiennes surtout dans le cas de firmes exportant substantiellement aux États-Unis, soit que les syndicats canadiens préfèrent négocier avec la direction américaine lorsque les politiques de relations industrielles sont définies aux États-Unis. Une autre caractéristique de la politique syndicale vis-à-vis les « patterns » bi-nationaux serait une certaine flexibilité capacité de compromis vis-à-vis les standards américains pré-établis. Souvent les officiers syndicaux ont ici une influence modératrice.

Enfin, on peut noter l'influence gouvernementale sur les « patterns » internationaux de deux façons différentes : soit par le contrôle des salaires pendant la dernière guerre, soit par la conciliation obligatoire, surtout dans les industries de l'acier, de l'automobile et des viandes (jusqu'à 1956). Ces deux éléments de politique du travail ont rendu plus difficile la coordination parfaite avec les négociations américaines.

LE CONTENU ET LA NATURE DES NÉGOCIATIONS

Une des conséquences de la négociation bi-nationale semble être l'inscription aux négociations de plusieurs points qui seraient autrement sous-estimés ou complètement ignorés (v.g. certains avantages sociaux). Ces nouveaux sujets de négociation et le simple fait qu'on traite en des termes bi-nationaux ont grandement affecté la coordination (timing) des négociations et les dates d'expiration des conventions. La participation de négociateurs américains des deux côtés de la table de négociation ajoutent une caractéristique à ce genre de négociation.

Quant à la longueur des négociations et aux activités de grève, il semble que l'on puisse noter deux caractéristiques : de longues négociations en l'absence de « pattern » américain à suivre et un plus grand nombre de grèves sur des points qui ne sont pas sujets aux « patterns ».

UNE ÉVALUATION

Il semble que l'explication fournie par Ross sur les raisons d'être des relations bi-nationales en négociation collective ne soit pas complète. C'est donc dire qu'il y a plus que la communauté de propriété, que l'existence d'une politique syndicale centralisée et que la rivalité syndicale dans l'explication d'un tel phénomène. La variation des prix sur le marché du produit, le choix pour le syndicat de négocier avec la compagnie la plus importante pour établir le « pattern », l'importance des facteurs historiques et des facteurs de personnalité et le genre de membership syndical semblent être des facteurs importants à considérer dans l'explication des relations bi-nationales.

Cependant l'on doit noter les dangers possibles des stratégies et des pressions bi-nationales : la menace à la souveraineté canadienne, et l'éventualité d'une grève nord-américaine dans une industrie donnée constituent de sérieux problèmes sur le plan théorique, mais leur probabilité de concrétisation demeure très mince. Notons en plus que l'existence d'une politique de salaires dans un pays ou dans l'autre peut être sérieusement mise en danger par de telles conventions bi-nationales.

Dans l'ensemble, les conventions résultant de la négociation bi-nationale semblent être un facteur important de stabilité et de plus grande paix industrielle dans une industrie donnée. On peut prévoir la croissance d'un tel genre de négociation au Canada. Cependant, une foule de questions restent encore sans réponse.

Centralized Collective Bargaining: U.S.-Canada Experience

Bryan M. Downie

The author is concerned with bi-national bargaining which entails the delegation of decision-making power from Canada to the United States either through adherence to a U.S. pattern or standard and/or through the actual delegation of decision-making power in collective bargaining to U.S. officials. This paper attempts to take an initial step in the direction of increasing our understanding of what generates bi-national arrangements, what tactics and strategies are involved, and the implications.

Introduction

With the maturation of collective bargaining attention has often been directed to the need for appropriate and efficient bargaining structures. That is, the emphasis is or should be on structures which can accommodate the goals of specific employee and employer constituent groups, provide for the inclusion of effective decision-making levels in the bargaining process, and preserve essential power relationships. As a viable framework within which money wages are determined structure merits that attention.

International pattern bargaining is an extreme form of centralized decision-making and, therefore, directly related to the above structural issues. In this paper, the concern is with bi-national bargaining which entails the delegation of decision-making power from Canada to the United States either (1) through adherence to a U.S. pattern or stan-

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ard, and/or (2) through the actual delegation of decision-making power in collective bargaining to U.S. officials. As is true in a domestic setting, international pattern phenomena can vary by agenda item. In any case, it is not merely administrative centralization which is of concern. Implicit in bi-national bargaining arrangements, even on non-wage issues, is a greater degree of control by U.S. officials on the practice and process of collective bargaining in Canada.

It should be stressed that in discussing U.S.-Canada relationships there is no intended implication concerning the effect of various forces and phenomena on the level of wages. The emphasis, in this paper, is on interrelationships in terms of processes and practices only. A further caveat is in order, as well. The paper draws entirely on a small sample of cases — pulp and paper, autos, meat packing, steel, and iron ore — examined earlier by the author for a period extending the mid-1960's. The limited number of cases examined and the qualitative nature of the data introduced limit the analytical power of this presentation. Just as basic is the question of whether the relationships and processes will remain the same over time and the applicability of the findings to other industries. In light of this any generalizations should be construed as tentative. The paper simply attempts to take an initial step in the direction of increasing our understanding of what generates bi-national arrangements, what tactics and strategies are involved, and the implications.

The paper is divided along the following lines : (1) a synopsis of the major findings ; (2) the content and character of negotiations ; and (3) an assessment of bi-national bargaining. In order to set the appropriate background the first section brings together the results of the five separate case studies¹. The predominant pattern relationships are consolidated in table and conclusions with regard to the role of constituent groups (labor, management and the government) are specified and discussed. Attention is then directed in section 2 to the substantive and procedural consequences of bi-national bargaining and some speculations with regard to contract length and strike activity. Within the final section the reasons for and mechanics of bi-national bargaining are set forth. This has a direct bearing on the intraorganization and other implications of such centralized arrangements. The paper concludes with some observations regarding the assumed dangers of bi-national bargaining,

¹ For more detail on each of the industries see DOWNIE, Bryan M., *Relationships Between Canadian-American Wage Settlements : An Empirical Study of Five Industries*, Kingston, Ontario, Queen's University, Industrial Relations Centre, 1970.

FIGURE I
 Configuration and Content of Bi-National Influence in Industries Analyzed

PATTERN CONFIGURATION TYPE OF BI-NATIONAL INFLUENCE	-U.S. BARGAINING- UNIT		CANADIAN BARGAINING UNIT	
	A	B	C	D
WAGE AND FRINGE CHANGES I	MARMORATON UNION DRAWN	GENERAL MOTORS FORD CHRYSLER AMERICAN MOTORS	STUDEBAKER	
WAGE CHANGES II		CANADIAN INT. PAPER ONTARIO PAPER COS. QUEBEC PAPER COS.	B.C. PAPER COMPANIES	
TIMING ONLY III			ALGOMA STELCO IOCO QUEBEC CARTIER LOWPHOS	
FRINGE CHANGES IV			SWIFT CANADIAN	

CANADA PACKERS,
 BURNS, ET AL.;
 DOSCO; VOLVO;
 SEGMENTS OF IRON ORE;
 SEGMENTS OF PAPER.

along with a few random remarks about international unions and the wage parity issue.

A Synopsis of the Major Findings

PATTERN CONFIGURATION

The variety of experiences between and within the industries is apparent in Figure 1. There were mixtures and degrees of binational bargaining, each industry having its own unique characteristics and ensuing bargaining contours. The configuration of U.S. pattern influences varied considerably. The most complete form — expansion of the U.S. bargaining unit to encompass Canadian employees — occurred at Marmoraton in iron ore and at Union Drawn in steel. They are owned by Bethlehem and Republic Steel, respectively. At the opposite extreme, the pattern in meat packing was divorced from developments in the U.S. Within this context, however, Swift Canadian patterned some of their fringes after those at the parent firm. In between, there were international relationships in the auto and paper industries through pattern bargaining, and in the central segment of the steel industry. Both U.S. wage and fringe changes were extended into the Canadian auto industry primarily after 1956, while in paper the bi-national relationship was predominantly in terms of wage changes. The manifestation in steel was confined for the most part to the timing of wage increases. On two occasions outside of the central analysis period (1952 and 1966), the U.S.-Canada differential defined the size of the Canadian increase, however. In addition to the Marmoraton experience in iron ore, the mines in northern Quebec achieved approximate parity with U.S. mines on the Mesabi Range and agreement at several mines was delayed in 1959 because of the U.S. steel strike.

It would seem, then, that a stereotyped conception of what constitutes bi-national influences escapes rigid generalization. Instead, various structures and permutations were present. The U.S.-Canada relationships can be characterized as strong in paper and in autos (after 1956), fairly strong in segments of steel and iron ore, and extremely weak in meat packing.

THE ROLE OF CONSTITUENT GROUPS

The next three sub-sections consider the findings concerning the role and policy of management, labor, and the government. The focus is on the bargaining process.

The Companies

Collective bargaining theory places an important responsibility on unions in the spreading of patterns and in the case analyses this held true. It seems clear, however, that in cases where pattern relationships existed, employer policies as well contributed to the transmission process. At least some company coordination with U.S. negotiations was a feature common to each of the cases that entailed concurrent wage changes. The auto companies, notably GM and Chrysler, helped precipitate the transmission process by the active participation of U.S. officials in Canadian negotiations. This practice dates back to the 1940's. In 1967, the Canadian package by joint agreement was negotiated by U. S. Chrysler officials in Detroit. In the paper industry, there are a mix of company policies. Some U.S. subsidiaries were given broad discretion, others are quite centralized. Additionally, however, as a clearinghouse of wage and collective bargaining information for practically all mills on the continent, the Canadian Pulp and Paper Association (in cooperation with the American Pulp and Paper Association) fulfilled the coordination function on the employer side. There is an active exchange of information. As far back as 1929, Swift had coordinated U. S. and Canadian industrial relations policy. It has unilaterally extended some U. S. fringes to the Swift Canadian labor force. During negotiations Canadian officials often had to clear wage offers with the parent firm. In steel, there was a change in effective dates for wage increases in order to conform with the U. S. date. It is interesting to note that this came at the request of Algoma steel. There was little local autonomy allowed for company negotiators at Union Drawn and Marmoraton. Lastly, there were a number of occasions when local management negotiators in iron ore had to clear wage offers with their U. S. offices.

In no case when U. S. patterns were followed did management seem to seriously resist. Common bi-national policies seemed to be acceptable to both sides. A large international corporation may prefer to direct the industrial relations policy and probably increasingly so when faced with an international union. It is difficult to say whether corporate centralization preceded union pressures for uniformity in all cases. Centralization on the corporate side, however, seemed to come first. As noted, corporate paternalism at Swift goes back well before the entrance of the union. It was at their insistence that some fringes were tailored after their counterparts at the parent firm. There was apparently little corporate concern or resistance to the transmission of the Bethlehem pattern to the Canadian subsidiary. While the actions taken by the Steelworkers' execut-

ive fostered and facilitated the arrangement, the corporation was an accomplice; perhaps an unwilling one, although the evidence suggests just the opposite. The collective bargaining policy of the company was decidedly centralized prior to the pass-on and they agreed, without subjection to pressure, to use the U. S. agreement as a standard when negotiating the initial Marmoraton agreement. They agreed early in negotiations and as soon as it was suggested by the union. Although wages at several other iron mines have approached or equalled those in the U.S., the same type of system has not been agreed to, even though, U. S. interests predominate in the iron ore industry. Significantly, centralized corporate policy was absent at those operations. They are operated by managing companies or owned by a multiplicity of interests.

There did not appear to be resistance in the pulp and paper industry. Indeed, during some periods prior to World War II, the Canadian industry had provided for automatic wage adjustments when a change had been made at a U.S. mill². A discussion and consideration of U.S. conditions, wage changes, and levels by the employers often constituted a major segment of Canadian negotiations.

It was also notable that the first UAW breakthrough as far as international pattern bargaining is concerned came at GM — a company which follows a fairly centralized labor relations course in dealing with its Canadian operations. Until 1964, the Canadian cost of individual items originally established in the U. S. were below those of the U. S. pattern because of lower base rates. Oral testimony by auto officials in Canada prior to the 1967 parity agreements indicated a preference for the international pattern following system. It is equally significant that the parity principle was initially established at a company following a centralized policy, i. e., Chrysler.

On the other hand, while Swift Canadian accepted some bi-national uniformity in fringes they resisted any extension of the practice to other areas. When the union approached Swift officials in the U.S. and requested the inclusion of Swift Canadian workers in the master agreement they were turned down. In any case, there are grounds for believing that employer actions and policies had a decided impact in shaping bargaining relationships between the two countries.

² See, for example, *Labour Gazette*, Canada, Department of Labour, July, 1934, p. 701.

The Unions

The international unions differed somewhat in the internal processes whereby demands were formulated and in their bargaining practices. The pulp and paper unions were highly centralized in their bargaining activity. The UPWA³ and the Steelworkers were more decentralized in the U.S. — Canada context. The UAW resided somewhere in between — demands were formulated in Canada and U. S. officials generally participated in but did not lead Canadian negotiations. Certain features cut across union lines, however.

First, demands were formulated in each union at individual conferences in Canada. There was just one occasion where there appeared to be a direct carry-over of U. S. demands before negotiations began. This occurred within the International Brotherhood of Paper Makers (IBPM) in 1946⁴.

At the beginning of the conference a few delegates from Pulp, Sulphite and Paper Mill Workers' locals stated that the International Brotherhood of Paper Makers had already submitted a program to the manufacturers, and these delegates voiced the objection of their locals to a program being submitted before all the locals had had a chance to meet and to draw up a program. Vice-President D'Aoust explained that the Paper Makers had just had their convention; that the delegates from all Paper Makers locals had already prepared their program at Columbus, Ohio, and that this program had been sent to the manufacturers. This came as a distinct shock to the Pulp Workers delegates. It presented a completely new situation. It was no longer a question of trying to reconcile two different ideas. One of these ideas had already been made into a program and had been presented to the manufacturers. The Paper Makers stated that this program could not be changed. This was their program and it was all settled⁵.

In that instance, however, the delegates from the IBPM locals adjusted their demands to take into account the desires of the Canadian delegates from other unions. Otherwise, in each union the initial bargaining agenda seemed to be formulated by Canadian delegates.

Second, U. S. negotiators participated in Canadian negotiations predominantly when Canadian firms exported substantially to the U. S. That

³ The Packinghouse Workers merged with the Amalgamated Meat Cutters and Butcher Workmen in 1968 and are now entitled the Canadian Food and Allied Workers.

⁴ The International Brotherhood of Paper Makers was the precursor of the United Papermakers and Paperworkers.

⁵ *Ontario Newsprint Conference*, in the files of the Department of Research and Education, IBSPMW, Montreal, Que., 1946, p. 2.

is, they demonstrated little interest in Canadian negotiations unless U. S. members could conceivably be affected by employment shifts due to Canadian competition. The most publicized example which exemplifies the importance of the product market has, of course, been the auto industry. With the signing of the auto pact U. S. officials negotiated the key Canadian agreement for the first time. This is probably an extension of UAW policy. They normally pursue the same collective bargaining objectives throughout a given product market. When U. S. officials in the UAW participated prior to the passage of the auto part administration considerations seemed to be of primary importance. They entered negotiations in the late stages and offered their expertise in resolving issues already on the table. They essentially played a « back room » role.

The paper unions have been following a somewhat similar course for years in the primary paper industry. The pressures for uniformity seemed to be particularly embodied at the U. S. leadership level. The presidents of the Pulp and Sulphite Workers and the IBPM or UPP participated in a substantial number of Canadian negotiations. On some occasions U. S. officials other than the above would participate. The international vice-president of the Pulp and Sulphite Workers on the U.S. West Coast chaired the B.C. negotiations. His counterpart for the UPP was also generally present. They often led the negotiations for the union or played a commanding role. Through this process they pursued similar bargaining policies in the two countries. One reason was probably economic. One international official stated during negotiations :

Competition is an important factor as between Canadian and U.S. producers, as well as between east and west. The wage structures of the two countries must be considered and do have a bearing on each other ⁶.

The available transcripts of negotiation suggest strategic considerations, as well. The corporations argued that a pattern could not be established unless wages in other regions went up in a corresponding fashion. The following from 1950 negotiations highlights this type of interaction :

I attended the Conference on the Pacific Coast this year. The employers there have been condemning our unions because of the low rates we agree to in the east. At the conference this year they used me as a

⁶ *Ontario Newsprint and Pulp Conference*, Toronto, April 18, 1950, (in the files of the Department of Research and Education, IBPSPMW, Montreal, Quebec).

machine gun target . . . I defended our methods of bargaining in the East, but they asked me what I was going to do about Eastern competition ⁷.

The policy of the USWA in iron ore was not precisely the same. U. S. officials did the negotiating for Marmoraton Mines, however, and became involved in the late stages of negotiations at several other mines. They did this by way of telephone calls from Canadian negotiators. Also, the Director of District 33 which encompasses the Mesabi Range, visited Canada in 1960 and held policy meetings with the iron ore locals. This may have been in response to pressures from U. S. locals which were concerned with Canadian competition. Just prior to his Canadian visit, a letter from a local to the Director of District 33 read in part :

Prior to 1955, whenever a mine was closed down permanently, everyone in the community more or less accepted it as being caused by the depletion of a particular ore deposit. Since then, however, attention has been drawn to the importance of iron ore from foreign sources, especially Canada and South America and of course some very justified suspicions have begun to take effect ⁸.

The link between the letter and his visit is tenuous but the letter indicated the feelings of the U. S. rank-and-file on the matter of Canadian imports.

USWA leaders have pursued a much less active role in Canadian basic steel. Significantly, the paucity of Canadian steel exports to the U.S. constitutes little danger to the rank-and-file in that country. At no time did they come to Canada to supervise negotiations. This was also the case of U. S. officials in the UPWA.

A third aspect of union policy that was notable was the extend to which Canadian negotiators sought the most effective decision-making unit in a firm. In the case of U. S. firms, when labor relations policy for a Canadian subsidiary was formulated in the U. S. office, or at least subject to central consideration, the internationals seemed to find it advantageous to deal with U. S. management. The exception was the pulp and paper industry, but even there U. S. control was of considerable importance to union policy. The basis for a bi-national union policy began in the embryonic stage of collective bargaining, primarily at firms owned or

⁷ Canadian International Paper Company and Subsidiary and Affiliated Companies, *Labor Conference*, April 26, 1950, (in the files of the Department of Research and Education, IBPSPMW, Montreal, Quebec).

⁸ In the files of the National Office, USWA, Toronto, Ontario.

controlled by U.S. interests. The important point is, however, that in many of the U. S. firms the policy makers are in that country. As a bargaining ploy union negotiators would approach these officials rather than those in Canada. The UPWA approached Swift negotiators in the U. S. at one point because of their feeling that company negotiators in Canada did not have the authority to make decisions. The USWA approached officials at Bethlehem and Republic to negotiate for Marmoraton and Union Drawn, respectively. They also negotiated pension plans for several iron ore mines at U. S. parent companies. The paper unions followed a similar course over the same issue at Kimberly-Clark. This strategy of seeking the most effective corporate decision-making unit took other forms, as well. The UAW by-passed Ford which set the pattern in the U. S. in 1967 and approached Chrysler on the wage parity issue. The relationship between Ford and Ford of Canada is more tenuous than between Chrysler and its Canadian subsidiary.

A fourth feature that seemed to cut across union lines was that, while the unions used U.S. pattern on many occasions as a standard and lever, they often demonstrated a capacity for compromise and flexibility. Union officials in some cases acted as a moderating influence. In one set of Ontario paper negotiations, for example, a caucus of delegates was held to consider the employers' final offer.

Vice-President D'Aoust spoke of the effect the rejection of the offer would have on the other groups meeting next week. He also spoke of the lost time and earnings due to strikes in other industries. He asked if it was worthwhile to go through all this trouble for \$100.00 a year which was approximately 4 cents per hour for that year. It was his opinion that this was all that we could get and suggested the offer be accepted⁹.

Oral testimony from company officials in the auto and paper industries suggested that U.S. officials, particularly, were somewhat more flexible. Wage parity demands by the UAW and USWA more often than not were given lip service but dropped. It simply was not feasible for the UPWA to press for U.S. standards and they did not do so. The Canada Packers pattern was established for the central segment of the industry but there were geographical differentials even at the major firms. Faced with well insulated local labor markets and a variety of marginal

⁹ Minutes of the Conference held with the Ontario Newsprint Employers at the Mount Royal Hotel, Montreal, April 9, 1947, (in the files of the Department of Research and Education, IBPSPMW, Montreal, Que.), p. 13.

and expanding mines (the latter with very low labor costs), the policy of the USWA in iron was highly segmented and a considerable variety of wage rates were negotiated. The internationals over-all, therefore, did not seem to be overly rigid.

The Government

Government labor policy affected the practice and process of collective bargaining in two ways. First, wage controls during World War II were not lifted until 1947. They effectively prevented any tie-in with U.S. bargaining so that negotiations during those years were largely unaffected by U.S. developments. Additionally, the structure of bargaining was balkanized during those years because government policy, for the most part, provided for single plant representation only on wage change requests. This helps explain the delay in the emergence of international bargaining arrangements until the late 1940's and early 1950's. After wage controls were lifted, the unions were first concerned with getting wages up and with re-shaping the structure of bargaining.

Second, compulsory conciliation, particularly when coupled with the multiple loci of public policy in Canada, was a pervasive factor in negotiations especially in steel, meat packing, and autos (up to 1956). If anything, it made a closer tie-in with U.S. bargaining more difficult to facilitate. It appeared to make the parties more intractable in many instances and caused serious delays in negotiations. Additionally, under some circumstances it seemed to play a negative role.

Of relevance to this study is the fact that conciliation was ineffective or not used in the two industries (autos and paper) where U.S. standards are extensively used as relevant referent points. The policy in the auto industry is well-known and entails circumventing conciliation to the extent possible. In the paper industry, it is the policy of the internationals and the companies to use conciliation as rarely as possible, both parties preferring to settle their differences without outside help. That boards rarely will accept U.S. standards for normative or accommodative purposes is clear from the experience in the five industries. The one exception occurred in steel in 1954 when a board reluctantly recommended a 5-cent increase in the Stelco negotiations after a similar increase had been granted in the U.S. industry. This became the basis for settlement. There were other cases, however, where boards rejected the counterpart U.S. industry as a benchmark for their recommendations. Addressing itself

to this question the Ford board of 1954 stated :

The true criterion must be the rate of wages paid in Canada in a comparable sphere of industry in a place where economic conditions are similar.

The board appointed in 1953 to resolve the dispute between the paper unions and the Ontario Newsprint Group observed :

We think it is unwise to attempt to use American precedents when examining wage rates in Canada for so many different conditions apply that such a comparison is unsound.

These remarks are not intended to infer that their judgment was incorrect but only to point out that this position differed from that of one party or the other, or both.

The Content and Character of Negotiations

Over time there has been a large body of commentary on U.S.-Canada bargaining arrangements. Unfortunately, the consequences are difficult to pin-point in a definitive manner. In this context, nevertheless, as a starting point two particular aspects should be discussed. First, what are the substantive and procedural differences and, second, what are the effects with regard to the length of negotiations and industrial peace. Put another way, how does the negotiations process differ in substance, procedure, participants, and tone vis-à-vis a situation where bargaining is isolated or compartmentalized from U.S. developments.

SUBSTANTIVE AND PROCEDURAL ASPECTS AND THE BARGAINING AGENDA

One of the consequences of international bargaining seemed to be the introduction to the bargaining agenda of issues which would otherwise be downgraded or completely ignored for some time. Although speculative, in some cases the contract talks have probably been tilted more towards fringes than otherwise would have been the case. Benefits, such as the extended vacation plan, which were introduced during the U.S. automation scare, had not been high priority demands in Canada but were transferred in any case at Union Drawn and Marmoraton. Fringes at these two companies departed in significant ways from the practice in the Canadian steel and iron ore industries and the variety of benefits negotiated was impressive. Moving allowances in the auto industry may have been another example. In addition to shifting the content of negotiations and settlements, another aspect has been the introduction of U.S. wage adjustment approaches. The CWS program in steel and iron

ore, the annual-improvement-factor in autos arrived in Canada shortly after their development in the United States. Also, at times there were minor anomalies in Canadian agreements because of bi-national bargaining. At Marmoraton, for example, the escalator clause was based on the U.S. Consumer Price Index. Where applicable, however, differences in the social security system have generally been taken into account by providing for different offsets. Overall the substantive aspects would not seem to be particularly important.

A major procedural aspect is that the timing of negotiations and settlements are affected. The attractiveness of U.S. settlements as a standard for Canadian negotiators was demonstrated by the timing of agreements and expiry dates in all of the industries except meat packing. Again, among and within the four industries, a broad experience was in evidence. At one extreme, the timing was precise by expanding the U.S. bargaining unit (Marmoraton and Union Drawn). At the other, U.S. and Canadian expiry dates were generally dissimilar but with occasional overlap and a consequent delay in Canadian negotiations while the U.S. situation was resolved. This occurred in segments of steel and iron ore. As an added dimension in steel, it has already been noted that the date on which yearly increases become effective was changed from March to August to concur with the practice in the U.S. industry. The auto and paper industries resided somewhere in between by providing for U.S. and Canadian expiry dates which were only one to three months apart. This dimension in procedures is likely to be unimportant unless marking time for U.S. settlements unduly delays Canadian settlements or if economic conditions are markedly different in the U.S. than Canada. The latter is generally not the case, the former is treated below.

Another procedural factor much in evidence was the participation of U.S. negotiators on both sides of the table. This is the most widely criticized and probably the most important aspect of bi-national bargaining. It is discussed in the last section.

The Length of Negotiations and Strike Activity

From an analysis of negotiations two notable features which involve the efficacy of the negotiations seem to be in evidence. First, there were lengthy negotiations, particularly in steel and autos, when there was no U.S. pattern to follow. Second, there appeared to be a greater incidence of strikes over non-pattern following issues. Table 1 summarizes the results — in meat packing, steel, paper, and autos — regarding the

TABLE 1

Approximative Average Length of Negotiations (in Days) and Strike Activity, Key Negotiations, Meat Packing, Steel, East and West Coast Paper, and Auto Industries^a

	Meat Packing	Steel	Pulp and Paper		Autos
			East	West	
Approx. avg. length of negotiations	106(6)	193(5)	80(8)	111(7)	148(5)
Approx. avg. when not following U.S. pattern	106(6)	228(2)	60(4)	235(1)	240(3)
Approx. avg. when following U.S. pattern	-	170(3)	97(4)	90(6)	87(2)
Avg. length between U.S. and Canadian settlements when U.S. pattern set first	-	27(3)	103(4)	35(6)	57(2)
No. of strikes when not following U.S. pattern	-	1	-	1	2
Length	-	74	-	91	109; 148
No. of strikes when following U.S. pattern	-	-	-	-	1
Length	-	-	-	-	2

^a Figures in brackets denote the number of observations.

length of negotiations and strike activity for the key negotiations in Canada from the early 1950's to the mid 1960's. Sufficient data was not available in iron ore for a similar tabulation. A qualitative appraisal suggests the results would be basically the same, however.

Any firm conclusion is limited by the number of observations. It is interesting to note, however, that negotiations were much longer in steel, autos and in the B.C. paper industry when the parties were not following the U.S. pattern or when one did not exist to use as a benchmark. In the paper industry in eastern Canada the opposite occurred. In

cases where eastern paper firms followed the U.S. pattern, however, negotiations were not unduly long. The average length was approximately the same as in the meat packing industry. The shorter length when not following the U.S. pattern in this case is also somewhat misleading. In those cases the continental pattern was set in eastern Canada and negotiations were very short.

When following the U.S. pattern the paper and auto negotiations were shorter than the average in meat packing. Steel negotiations by far were the longest even when there was a U.S. pattern to follow. The parties in steel used conciliation in every round and this probably accounts for the longer length over time. The average length of time consumed after the U.S. pattern was set was only 27 days in steel, 35 days in B.C. paper, 57 days in autos but approximately 100 days in eastern Canada paper. On two occasions, however, negotiations had been postponed in eastern Canada paper by mutual agreement. When bargaining was reconvened a settlement was arrived at quickly.

In the four industries there was only one strike over a U.S. issue ¹⁰. This occurred in the auto industry. It concerned the issue of pension parity. The strike lasted only two days. In contrast, there was one strike in steel (74 days), one in paper (91 days), and two in the auto industry (109 and 148 days) over issues that were not related to U.S. substantive provisions ¹¹. The limited evidence, therefore, supports the view that, for these industries at least, following the U.S. pattern does not result in more intractable negotiations or at a minimum the results are mixed. Indeed, it could be argued that bi-national bargaining is a positive factor with regard to industrial peace. Certainly it is an aspect that merits further exploration and research.

An Assessment

A crucial aspect in assessing bi-national relationships is why they occur. The theoretical and policy implications are far different if they result from joint decision-making rather than from unilateral pressure.

¹⁰ This may not be quite accurate. There were strikes at Ford and GM in 1967 after the key agreement was signed at Chrysler. Both agreed to parity but insisted on improvements in local work practices.

¹¹ This does not include the strike at Stelco in 1966. While parity was a demand, the strike was not over that issue. Stelco had agreed to the parity principle early in negotiations.

Ross¹², for example, attributes extended bargaining contours primarily to union pressures. Wage patterns, so the argument runs, emanate from institutional variables such as common ownership, centralized bargaining and union rivalry which result in emulation to resolve union political pressures.

The findings do not provide solid answers to the most important forces shaping collective bargaining. Both institutional and economic factors, the external as well as the internal environment, were important. While the existence of common ownership, centralized union policy, and union rivalry assumed prominence in some of the cases, other factors outside of the Ross construct are just as important in understanding the bargaining relationships. In three industries — autos, paper and meat packing — there was historical information available which goes back prior to 1940 when unionism either did not exist (autos and meat packing) or was not a major force (paper). In each of these cases bi-national patterns were a frequent phenomenon. It was limited to fringes in the case of Swift but there was uniformity in wage changes and levels in parts of the auto and paper industries. Laying aside the Swift experience for the moment, the underlying force behind concurrent wage adjustments must be contained in factors other than those noted by Ross and must be explained by more than unilateral union pressures. Re-inforcing the pre-1940 data is the fact that there was little management resistance to the pass-on arrangement at Marmoraton. In this regard I think it is significant that in the auto, paper, steel, and iron ore industries price determination from the U.S. is a major feature¹³. As is true of wage adjustments, American price decisions affect Canadian firms but in various degrees. The major U.S. paper companies, for example, have mills in Canada and price leadership affects producers throughout the continent. Major price decisions in the auto industry are, in many cases, made in the United States. For at least some producers the pricing of new Canadian models is done in the U.S. and, in between model years, Canadian officials move certain lines by offering rebates to dealers. Canadian steel producers look to U.S. price decisions as a barometer for

¹² Ross, Arthur M., *Trade Union Wage Policy*, Berkeley, University of California Press, 1948.

¹³ Information on pricing in the auto industry was obtained through oral testimony. For the paper and steel industries see GUTHRIE, J.A., *The Economics of Pulp and Paper*, Pullman, State College of Washington Press, 1950, pp. 111, 112; and Royal Commission on Canada's Economic Prospects, *The Canadian Primary Iron and Steel Industry*, Ottawa, Queen's Printer, 1956, pp. 23, 24.

their own price adjustments. In some cases, list prices are identical. The fate of Marmoraton, and most Canadian iron mines, is directly tied to the fortunes of the U.S. parent firms. Almost all Canadian ore is shipped to U.S. parent firms. Thus, even though there may not be a direct relationship, the linkage in the product market clearly would have some importance in explaining developments in the labor market. This, of course is something that Ross has downgraded.

At various levels in the hierarchy of the unions it is true that bi-national coercive comparisons develop, and largely where one would expect on a priori grounds. They were probably important in setting targets. But, the question of uniformity in the bargaining process hit in different ways. It was never really an issue at Swift and only sporadically in basic steel. The reasons are difficult to pin point but a few observations can be made. Because of the dominant size of Canada Packers, and correspondingly the C.P. negotiating committee, the Swift negotiations had a diminished function in union strategy. C.P. delegates to a large extent controlled the policy of the union and, because of its size, the union inevitably selected Canada Packers to set the pattern. Swift offered to take the lead in 1961 but the union simply took their wage offer and « whipsawed » Canada Packers. The result was that U.S. oriented demands formulated at Swift were never presented. Historical and personality factors are also important. The Canadian branch of the USWA very early in their existence clearly established autonomy in their relationships with the Pittsburg office in all matters including collective bargaining. This was by design and was always respected by Phillip Murray. As a consequence American officials rarely, if ever, visited Canada to supervise negotiations. In contrast, the practice of coordinated bi-national wage adjustments in paper dates back to World War I. John Burke, the perennial president of the IBPSPMW, particularly, institutionalized the practice. He had unusual influence with the locals, because of his guidance during the difficult 1920's and 30's. Following his death in the mid 60's participation of U.S. officials declined.

There appears to be another reason why the question of uniformity hit in different ways. Each union has its own rank-and-file attributes. In the iron ore mines the USWA represents a membership widely dispersed by geography, one with a diversity of preferences and backgrounds and one in which there are decided differences in militancy from local to local. This had an effect on the distribution of the package, and the attitudes toward the international. A uniform program is extremely diffi-

cult to obtain even within Canada because of differences in tastes and culture. At the remote Quebec mines, for example, the miners are primarily interested in such benefits as long vacations and transportation allowances. French Canadian nationalism dictates against centralized control over negotiations at the Quebec mines. Oral testimony indicated, as well, that a lack of militancy was another reason why the USWA has not pushed for the Marmoraton arrangement at some of the other mines. On the other hand, the membership in the auto industry is probably at least as militant as the leadership and, although differences in emphasis exist from local to local, they are a comparatively homogeneous group in both countries. This gave the leadership additional leverage, once they marshalled rank-and-file support, and facilitated a common approach.

Centralized union bargaining did not seem to be an autonomous variable. Rather, control or coordination from the U. S. could be looked upon as an organizational or administrative reaction to other factors. The USWA presents an excellent example. It is decentralized in the U.-S.-Canada context in the basic steel industry but centralized for Marmoraton. Rather than viewing bi-national emulation as the result of union pressures an alternative hypothesis can be suggested. Bargaining as Reder¹⁴ suggests, takes place within limits which are determined by the economic environment. Within this framework, both sides will use certain bargains as referent points. They may use the same ones. For the company, firms in the same or closely related product market are likely to serve as the appropriate standard. For the union this is also a relevant consideration along with the wages paid at the other plants of the same company. The important point is that the transmission process seemed to be a joint one. It has been stressed that in every case of bi-national influence the evidence was to the effect that U. S. standards were acceptable and assumed prominence for both parties. Their policies seemed to be mutually reinforcing for the most part so that a parallel process exists for both.

From the point of view of the company there can be strategic and/or administrative advantages in following an internationally coordinated policy. For example, head office policy could be upset and the firm « whipsawed » in their U. S. negotiations if the subsidiary follows an independent course. Or, in the pulp and paper industry, mills in various regions could be « whipsawed » or a particular firm could obtain a competitive advantage. There are administrative advantages, as well, in having

¹⁴ REDER, M.W., « The Theory of Union Wage Policy », *The Review of Economics and Statistics*, Vol. XXXIV, February, 1952.

at least some standardization in certain contract provisions. The reasons for Swift's policy with regard to fringes is probably contained in administrative considerations. Baker and France¹⁵ list the following principal factors favoring centralization of insurance and pension plans : 1) the sums of money involved and legal long term commitments ; 2) the need for the services of a specialist ; 3) the desirability of wide coverage ; and 4) desirability of uniformity.

The uniqueness or focal quality of U.S. settlements takes place in varying degrees at various levels within both union and company structures. It can be further hypothesized that the mechanics take the form of behavioral tactics which are a response, among other things, to the structural arrangements of the other party. The point has already been made that the internationals sought the most favorably disposed decision-making unit of the company¹⁶. This tends to be the highest unit and in the case of U.S. companies is located in the United States. The experience at Marmoraton, Union Drawn, and the auto companies all illustrate this. It also took place in paper but at a different level because of the regional nature of multi-employer and pattern bargaining. The U.S. union leadership took an active role in key Canadian negotiations — ostensibly those where management is most favorably disposed to follow the U.S. pattern. This was successfully carried out in eastern Canada in 1958 and 1959. To facilitate this strategy they also stagger negotiations throughout the continent. By so doing they can enhance the focal quality of key settlements¹⁷.

Therefore, neither side can be pin-pointed as the agent of pattern conveyance. Instead, the initiative probably comes from both sides with the parties adjusting their structures in response to economic and institutional factors. The actual mechanics do not conform to a fixed pattern. They can take the form of shifting Canadian negotiations to the United States. Here, de facto supervision from the U. S., which existed in the past, becomes explicit. Alternatively, U. S. negotiators can exert an on-

¹⁵ BAKER, H. and FRANCE, R., *Centralization and Decentralization in Industrial Relations*, Princeton, N.J., Princeton University, Industrial Relations Section, 1954, p. 148. Others have also pointed out that a reasonably broad unit is required for some fringes. See Summer SLICHTER, James HEALY and Robert LIVERNASH, *The Impact of Collective Bargaining on Management*, Washington, D.C., The Brookings Institution, 1960, p. 613.

¹⁶ This union approach in procedural tactics has been elaborated by Richard WALTON and Robert MCKERSIE in *A Behavioral Theory of Labor Negotiations; An analysis of A Social Interaction System*, New York: McGraw Hill Book Company, 1965, pp. 74, 75. It is important to note that Walton and McKersie indicate management may attempt to approach higher union officials, as well.

¹⁷ This tactic has also been noted by WALTON and MCKERSIE, *ibid.*, p. 106.

site influence by playing a « back-room » role in Canada. Or, they can exert an influence *in absentia* as in paper through the employers association or as in iron ore through telephone calls.

The mechanics may, and the evidence indicates do, have repercussions in the intraorganizational sense. A movement towards centralized bargaining is typically the result for one party or the other, in some cases for both. The interests of local negotiators may be sacrificed ; their function becomes less important. First and second level negotiators may not see eye to eye. The most serious aspect of the wage parity agreement to Canadian officials in one auto firm is the future ramifications as far as their role is concerned. They see an evolution towards the complete centralization of the industrial relations function. Centralization at Swift deprived Canadian negotiators of their effectiveness and undermined their prestige with the union.¹⁸ Rebellion by the West Coast paper locals in both countries was partially attributable to centralized bargaining. Similarly, some of Burke's activities, particularly at CIP in 1958 and 1959, caused local friction and dissension. There are advantages which may outweigh this. The achievement of U.S. standards may help the leadership resolve competing pressures. Nevertheless, one of the consequences is that some local unions, just as local managements, may disagree with headquarters on important issues but be forced to accept uniform treatment. Strong local unions may have a particular complaint if they feel they can do better outside an international agreement. Also, to the extent that on-site negotiators do not play as great a role, local issues may be de-emphasized and have later repercussions.¹⁹ Adjustment to local needs sometimes suffers under multiplant bargaining. In the cases examined, however, an area of local initiative remained in the day-to-day handling of grievances, the application of seniority rules, and so on. The locus of bargaining also varied by issues and in each case a local contract exists which is largely worked out by Canadian officials on both sides.

At the same time, as others have noted, narrowing wage differentials increase the emphasis on the level of work so that the effort bargain

¹⁸ Canadian officials not only had to clear wage offers with the parent firm but it, in turn, seemed to withhold information from Canadian officials until the pattern was set by Canada Packers. As a bargaining strategy it had definite advantages in that they never had to set the Canadian pattern. This bargaining gambit is discussed by Walton and McKersie, *Ibid.*, p. 316.

¹⁹ Reuther ultimately had to face this problem in the U.S. auto industry. *Ibid.*, p. 374.

may take on more importance.²⁰ The auto companies agreed to parity but used the occasion to press for improvements in work practices. At their new plants in Canada, Ford and GM have insisted on the « tag relief system » that is prevalent in their U.S. plants, so that the assembly line is not shut down during coffee breaks. In paper, wage uniformity could not be maintained for eastern Canadian mills without union concessions on continuous operations.

It cannot be denied that there are potential dangers stemming from bi-national strategies and pressures. First, it can be argued that Canadian sovereignty is threatened because of some extra-territorial decisions on the part of labor and management in the U.S. Second, a strike of North American dimensions initiated from the U.S. is possible where a continental agreement exists. The importance of both can be grossly exaggerated and the probability of the latter occurring is very remote.

The first involves the presumed danger of issues being resolved outside of Canada by U.S. rather than Canadian personnel. The crucial factor is that collective bargaining is for the two most affected parties — labor and management — unless an emergency situation develops. They must live with the agreement and are most apt to know the conditions of demand and supply for labor. It can be argued that U.S. corporation officials may be more sympathetic to union demands or, that in the interests of industrial peace throughout the corporation they may be more lenient. It is dubious to assume, however, that they will act irrationally. They are in a better position to judge the overall economic position of the firm. Head office officials in any case will probably have the final say even if Canadian officials do the bargaining.

While an international strike is a possibility, continental agreements to this point are very rare and the number of Canadian employees covered is relatively small. They are not in areas which could be designated as public interest situations or where a strike would lead to an emergency situation. Further, the possibility is only of particular concern to the extent that Canadians are striking over non-Canadian issues or, are ordered out on strike by American officials against their wishes. These are likely to be rare. A most important consideration is that a continental unit can only last as long as it is found to be worth while to the parties. Without this ingredient an expanded negotiating unit is not likely

²⁰ SLICHTER, HEALY and LIVERNASH, *The Impact of Collective Bargaining on Management*, pp. 620-21.

to survive internal, let alone, external pressures. To the extent that they do survive, presumably they are of value to the parties.

Wage guidelines present an additional dimension to the collective bargaining scene and, laying aside any consideration of the wisdom of guidelines, the implications of bi-national bargaining should be considered. If there were guideposts in both countries, and making the unrealistic assumption that they are effective in the U.S. and that international pattern bargaining takes place, American guidelines would then be determining some Canadian settlements. The U.S. guidelines would undoubtedly not be too far out of line with Canada's, however, so that this would be a plus factor. If there were guidelines in Canada only, then continental units and pattern bargaining could conceivably run contrary to public policy. It would be unrealistic to assume, however, that a Canadian union be any easier to influence through moral suasion than an international.

Overall, international bargaining arrangements are probably a factor bringing stability and a greater degree of industrial peace to an industry. Officials are located at the bargaining table, whether it is located in the U.S. or Canada, who have the responsibility, authority and experience to break an impasse. Also, because U.S. standards possess focal quality settlements are likely to be arrived at more quickly.²¹ At the same time the locus of decision-making varied with the issues under consideration, a group of dissident locals in the British Columbia paper industry were able to break away from the Pulp and Sulphite Workers in the 1960's, the Abitibi Paper Company objected to being blanketed in a multi-employer unit but successfully disengaged itself, and so on. The structural and procedural arrangements, therefore, seemed to accommodate the interest of constituent groups reasonably well, but at the same time responded to the dynamic institutional and environmental features of particular situations. Although collective bargaining is somewhat different then it would be, the differences seem to be of little real importance.

The empirical evidence indicates that internationals do possess some advantages because of their U.S. link. These can be grouped under the headings of available expertise, structural advantages when dealing with U.S. subsidiaries, and access to American funds.²² The Canadian bran-

²¹ WALTON and MCKERSIE, *op. cit.*, p. 124.

²² These advantages have been treated in more detail elsewhere. See JOHN CRISPO, *International Unionism: A Study in Canadian-American Relations*, Toronto: McGraw-Hill Company of Canada Ltd., 1967, pp. 211-13.

ches can draw on the experience and research facilities of U.S. headquarters. A thorough knowledge of the policies, provisions, and profit position of U.S. parent firms is available to them on short notice. It is unrealistic to assume, however, that a purely Canadian union would function in isolation from their U.S. counterpart. Next, a Canadian branch has the opportunity of having certain issues resolved at the top level in the U.S., through international headquarters, when subsidiary policy is directed from that country. But any additional power is dependent on the actions of the U.S. membership and it is doubtful that they would initiate or maintain a lengthy strike for their Canadian confreres. There is also nothing to prevent a Canadian union from attempting the same strategy by eliciting support from the U.S. Lastly, a Canadian branch may have access to U.S. funds to support their members on strike. Actually, there are probably only a small number of cases where U.S. union leaders would tangibly support a set of Canadian demands whose acceptance would require a strike of inordinate length. Employers may credit internationals with more power than they actually possess due to the latter's large (real or imaginary) strike funds and the international link may give the membership confidence. Both of these are of doubtful validity particularly as time expires and, in any case, would be very minor advantages. They may also face some disadvantages due to their U.S. link. A purely Canadian replacement would, perhaps, be closer to its membership and able to develop the militancy of the rank-and-file more effectively. The militant Quebec-based unions are a case in point ²³.

At this point, a few remarks should be made about wage parity. From the evidence it would appear that the parity concept is a nebulous one and that great care is required when comparing agreements that, in appearance, are uniform on the two sides of the border. An assumption is often made that parity will mean equal real income and identical wage structures. This, of course, need not be the case. The evidence indicates that where wage equality is claimed it is generally an attenuated version. First, wage levels were transmitted in terms of domestic currency. Union Drawn provided the single case where Canadian rates were equivalent to the highest paying U.S. company when the Canadian dollar

²³ Action by internationals in the political sphere may be of more importance than in the collective bargaining area. The UAW, for example, strongly supported the Canada-U.S. auto pact before Congress in the U.S. Similarly, the USWA has argued against the imposition of tariffs on iron ore.

was at a premium. To make exchange rate adjustments to Canadian settlements would have simply added another dimension and complication to negotiations. In any case, the parties did not introduce adjustments²⁴.

This would seem to indicate that the unions look upon U.S. levels as proper and sellable ones in Canada rather than reflecting a desire for equal real income. Again, administrative and strategic aspects are probably paramount considerations.

Second, within the more limited concept of parity in Canadian dollars, it was not complete in terms of producing equivalent wage structures on the two sides of the border. Common labor rates most typically have been the ones equalized. Marmoraton and Union Drawn constitute the only cases where rates for each job class are the same as in the U.S. However, in both cases the wage structure is more compressed in Canada in that no jobs have been slotted in the higher classifications. The auto companies agreed to wage parity for all jobs but there are differences in the cost-of-living bonus and complete parity is yet to be introduced.

Finally, it was argued that wage parity in the auto industry would cause a surge in demands for parity in other industries. This is unlikely. There may be some increase in wage parity demands but it is doubtful that the issue will be seriously pursued throughout negotiations. The experience in the auto and steel industries are cases in point. Despite autos' important position in the economy, it is even doubtful that it will be pursued where it had not been an issue before. It is not a new issue, but a recurring one and it has always been compartmentalized — one restricted to a few industries. The evidence in this study indicates that the same is also likely to be true of international wage change coordination. The future, therefore, is not likely to be very different than the past.

In conclusion, bi-national bargaining of various forms will be a part of the Canadian collective bargaining fabric in the foreseeable future at least. There are a host of unanswered questions but the following questions would provide an appropriate focus : Do bi-national pattern, or even domestic patterns, occur essentially because they have problem

²⁴ The 1967 Chrysler agreement deals specifically with this point. The memorandum states - « Wage rates in plants of Chrysler Canada shall be stated in Canadian currency, and wage rates in plants of Chrysler in the United States shall be stated in United States currency, and it shall be conclusively presumed that said currencies are on a par with each other - regardless of the rate of exchange at any given time or from time to time ».

solving value for both sides ? If so, what are the implications for dispute settlement procedures ? Does international pattern bargaining result in more efficient and less chaotic negotiations and is this an additional reason for its prevalence ? What are the intra-organizational implications ? Also, much more information is required on the employer side. It is clear that a much wider range of empirical evidence is required to answer these and other questions.

LES NÉGOCIATIONS COLLECTIVES CANADO-AMÉRICAINES

Le but de cet article est d'examiner la négociation bi-nationale impliquant une délégation de prise de décision vers les États-Unis, soit en suivant les normes américaines, soit en déléguant effectivement la prise de décision à des cadres américains. C'est au moyen d'études de cas que nous avons précédemment complétées que nous tenterons de découvrir les sources, les tactiques, les stratégies et les implications des conventions bi-nationales.

RÉSUMÉ DES CONCLUSIONS DÉJÀ PRÉSENTÉES

L'allure générale des influences

Il semble qu'on ne puisse faire aucune généralisation quant à la nature des influences sur les négociations bi-nationales. Bien au contraire, on s'aperçoit qu'en pratique il en existe plusieurs sortes. Nous pouvons cependant dire que les relations canado-américaines en négociation collective semblent fortes dans les industries du papier et de l'automobile (après 1956), relativement fortes dans les industries de l'acier et du fer et extrêmement faibles dans l'industrie des viandes.

Le rôle des différentes parties à la négociation

Il semble que les employeurs aient contribué autant que les syndicats à implanter l'usage des « patterns » en négociation collective. L'exemple bien connu des industries du papier et de l'automobile illustrent clairement ce point de vue. L'échange d'information et l'acceptation de politiques bi-nationales de relations industrielles surtout par les grandes compagnies organisées par des syndicats internationaux sont une cause certaine de cette acceptation par plusieurs de « patterns » bi-nationaux en négociation collective.

Les syndicats internationaux de leur côté, diffèrent quelque peu principalement par la façon dont leurs demandes sont formulées et par les pratiques utilisées en négociation collective : soit que les demandes sont formulées à l'intérieur de chacun des syndicats à l'occasion de conférences individuelles tenues au Canada, soit que des négociateurs américains participent aux négociations canadiennes surtout dans le cas de firmes exportant substantiellement aux États-Unis, soit que les syndicats canadiens préfèrent négocier avec la direction américaine lorsque les politiques de relations industrielles sont définies aux États-Unis. Une autre caractéristique de la politique syndicale vis-à-vis les « patterns » bi-nationaux serait une certaine flexibilité

et capacité de compromis vis-à-vis les standards américains pré-établis. Souvent les officiers syndicaux ont ici une influence modératrice.

Finalement on peut noter l'influence gouvernementale sur les « patterns » internationaux de deux façons différentes : soit par le contrôle des salaires pendant la dernière guerre, soit par la conciliation obligatoire, surtout dans les industries de l'acier, de l'automobile et des viandes (jusqu'à 1956). Ces deux éléments de politique du travail ont rendu plus difficile la coordination parfaite avec les négociations américaines.

LE CONTENU ET LA NATURE DES NÉGOCIATIONS

Une des conséquences de la négociation bi-nationale semble être l'inscription aux négociations de plusieurs points qui seraient autrement sous-estimés ou complètement ignorés (v.g. certains avantages sociaux). Ces nouveaux sujets de négociation et le simple fait qu'on traite en des termes bi-nationaux ont grandement affecté la coordination (timing) des négociations et les dates d'expiration des conventions. La participation de négociateurs américains des deux côtés de la table de négociation ajoutent une caractéristique à ce genre de négociation.

Quant à la longueur des négociations et aux activités de grève, il semble que l'on puisse noter deux caractéristiques : de longues négociations en l'absence de « pattern » américain à suivre et un plus grand nombre de grèves sur des points qui ne sont pas sujets aux « patterns ».

UNE ÉVALUATION

Il semble que l'explication fournie par Ross sur les raisons d'être des relations bi-nationales en négociation collective ne soit pas complète. C'est donc dire qu'il y a plus que la communauté de propriété, que l'existence d'une politique syndicale centralisée et que la rivalité syndicale dans l'explication d'un tel phénomène. La variation des prix sur le marché du produit, le choix pour le syndicat de négocier avec la compagnie la plus importante pour établir le « pattern », l'importance des facteurs historiques et des facteurs de personnalité et le genre de membership syndical semblent être des facteurs importants à considérer dans l'explication des relations bi-nationales.

Cependant l'on doit noter les dangers possibles des stratégies et des pressions bi-nationales : la menace à la souveraineté canadienne, et l'éventualité d'une grève nord-américaine dans une industrie donnée constituent de sérieux problèmes sur le plan théorique, mais leur probabilité de concrétisation demeure très mince. Notons en plus que l'existence d'une politique de salaires dans un pays ou dans l'autre peut être sérieusement mise en danger par de telles conventions bi-nationales.

Dans l'ensemble, les conventions résultant de la négociation bi-nationale semblent être un facteur important de stabilité et de plus grande paix industrielle dans une industrie donnée. On peut prévoir la croissance d'un tel genre de négociation au Canada. Cependant, une foule de questions restent encore sans réponse.