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Collective Bargaining and Conflict Resolution in Education : The Evolution of Public Policy in Ontario, by Bryan M. Downie, Kingston, Ontario, Industrial Relations Center, Queen's University, 1978, 179 pp.

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rience et le travail à temps partiel. Le premier de ces facteurs étant de loin le plus important. D'ailleurs, l'influence du nombre de semaines travaillées sur les gains des salariés s'avère assez importante pour que les auteurs y consacrent un chapitre de leur ouvrage.

Pour fin de comparaison des gains entre sexe, les auteurs ont retenu les groupes des hommes non-célibataires et des femmes célibataires, car pour eux, il est clair que ces dernières «sont beaucoup plus semblables aux hommes que les femmes non-célibataires sur le plan du travail accompli». En fait, leurs caractéristiques personnelles utiles sur le marché du travail des hommes non-célibataires et des femmes célibataires ne sont pas statistiquement distinctes. Pourtant, il existe quand même des écarts de rémunération entre ces deux groupes provenant du fait que le taux de rendement des caractéristiques personnelles est plus élevé et de façon substantielle pour les hommes que pour les femmes.

D'un autre côté, il est intéressant de rappeler les résultats selon lesquels les écarts de gains entre femmes célibataires et non-célibataires dépendent à 80% de différence dans les caractéristiques personnelles comme le niveau d'instruction ainsi que du nombre de semaines travaillées. Mais le taux de rendement de ces caractéristiques personnelles lui est identique pour les deux groupes. Par contraste, rappelons ici que pour les hommes de catégories homologues, c'est l'inverse qui se produit: l'écart entre les deux groupes du taux de rendement des caractéristiques personnelles constitue la majeure source de disparité de gains entre les hommes célibataires et non-célibataires.

De l'ensemble de cette étude qui analyse un nombre impressionnant de facteurs de disparités de revenus, il est difficile de tirer des conclusions définitives, quoique certaines d'entre elles paraissent bien se dégager. Ainsi, l'éducation en elle-même, c'est-à-dire son niveau, n'est pas suffisante pour éliminer les disparités de revenus. Au contraire, elle semble les accentuer du fait de la présence de corrélation entre les niveaux d'éducation et les taux de rendement. De plus, certains groupes ont un niveau de rendement sur leur capital humain si faible ou tellement plus bas que le groupe de référence que l'amélioration des niveaux devrait se faire à un rythme phénoménal si on voulait rejoindre la moyenne nationale. Sans compter que certains taux de rendement, déjà très bas, risquerait encore de baisser si ces politiques avaient pour effet de créer une offre excédentaire de travail. De plus, le rôle de l'instruction n'a pas pour tous les groupes la même importance comme facteur d'accès à certaines activités économiques. Ceci est établi de façon positive pour des femmes, mais est probablement exact aussi pour certains groupes ethniques. Plus que l'offre, il me semble que c'est la demande de travail qui décidera de la persistance ou pas des disparités.

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Collective Bargaining and Conflict Resolution in Education: The Evolution of Public Policy in Ontario, by Bryan M. Downie, Kingston, Ontario, Industrial Relations Centre, Queen's University, 1978, 179 pp.

A glance at almost any issue of a major Canadian daily newspaper is enough to show that public sector industrial relations in this country is in a state of evolution, to say nothing of occasional chaos. In part because of this friction and unrest, efforts are proceeding on a number of fronts to address the dilemmas inherent in collective bargaining in the public sector, including the problems of right-to-strike, fair compensation, and protection of the public. In this time of change, we badly need detailed and in-depth analyses and evaluation of these efforts in order to formulate new and better public policies.

Among the most useful analyses in recent years have been Arthur's **Collective Bargaining by Public Employees in Canada** and the work of Woods' **Task Force on Labour Relations**. Now, in the field of education, Bryan Downie's new book makes an important and significant contribution by ex-

amining the recent legislation ("Bill 100" --The School Boards and Teachers Collective Negotiations Act, 1975) governing teacher-board negotiations in Ontario. Downie's objectives are to look at the history and operation of bargaining in the Ontario education system, to evaluate the legislation, and to educate the public and practitioners by "closing the gap" between their perceptions and the reality of teacher-board bargaining. He begins with a lengthy description (covering three chapters) of the historical pattern of relations among teachers, boards, their associations, and the provincial government. In one of the most useful portions of the book, he reconstructs the rationale behind different features of the legislation. He discusses which aspects of Bill 100 seem to be designed to preserve or complement the status quo, and which are innovative responses to the sometimes unique situation in Ontario. This is followed by two chapters in which experience under the legislation is analyzed and the current picture is examined, particularly with respect to the issues on the table and relations between the parties. The first of these chapters contains an excellent analysis of fact finding which will be of particular interest to those contemplating or now using this device in other sectors or jurisdictions. The book concludes with a chapter in which Downie summarizes his observations, considers the strengths and weaknesses of the legislation, and offers some recommendations for changes in both the legislation itself and the practices of the parties and the Education Relations Commission which oversees the legislation.

Downie's major conclusions may surprise some of his readers. Two in particular seem likely to arouse debate. First, he claims that despite public and media impressions to the contrary, Bill 100 is essentially a conservative piece of legislation which maintains, or at least leaves as options, many of the negotiating practices used by the parties in the past decade. While innovative in some respects, the bill on the whole takes into account the particular circumstances of the Ontario education system and in some cases strengthens them. The role of the teachers' branch affiliate organizations is an example. They are specified in the Act as bargaining agents for their respective constituencies. A second conclusion certain to arouse some disagreement is that the two sides -- teachers and boards -- are now approximately equal in "power". However, since Downie does not define the word "power" in quantifiable terms, his contention is difficult to argue one way or another.

With respect to fact finding, Downie concludes that this aspect of the Act is in some danger of becoming merely a time-consuming formality for parties intent on confrontation. However, stronger fact finders' reports (coupled with specific recommendations), the simultaneous combination of fact finding and mediation, and some flexibility in the timing of fact finding would all contribute to maintaining the utility of the practice. Among the most significant recommendations Downie makes is that legislation to end strikes be required to utilize compulsory final offer selection, a form of finality which Downie himself appears to favour very much (particularly when voluntary). He also makes recommendations which would serve to increase the power of mediators at crucial pressure points in the negotiations. With respect to the branch affiliates, he recommends that elementary and secondary teachers in the same district consider joint proposals to their board in order to reduce some of the inevitable duplication that now exists.

One of the most burning issues to emerge from the aftermath of Bill 100 is teachers' right-to-strike. For those interested in the topic, this book is an excellent review of both the historical factors which led to the strike provision in the bill, and strike experience in the past few years. As part of this review, Downie is highly critical of the Reville Report authored by the three-man commission appointed in 1970 to look into negotiation procedures between teachers and boards in Ontario. His analysis of the report shows how a failure to consider the current situation

realistically can lead to legislative proposals that would do more harm than good. His comments also apply in part to the more recent recommendations of the Committee on the Costs of Education to base teacher compensation on province-wide job evaluation and comparison with selected private sector employers.

In general, Downie's book is excellent reading for those involved in any aspect of education policy evaluation and research. The book also appears to be useful as background material for practitioners in the field. Every teacher or trustee at the bargaining table would be well advised to have read it thoroughly. In terms of Downie's "educational" objectives, however, the book is less useful for the public. If Mr. and Mrs. John Q. want to know why Johnny's teachers are on strike, they will find Downie's book a lot of work to get an answer.

Finally, I would like to comment on two relatively minor annoyances in the book. The lack of an index is one; its use as a reference work is severely restricted as a result. Inadequate proofreading is the second; the book is liberally sprinkled with annoying errors that get in the reader's way.

These drawbacks, however, should not detract from the book's achievements. In this work Downie has presented the kind of analysis which is sorely needed in the field of industrial relations. It will be a benchmark for others in the discipline, and a classic for those concerned with education in the public schools of Ontario.

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The Ontario Labour Court 1943-1944, by John A. Willes, Research and Current Issues Series no. 37, Kingston, Ontario, Industrial Relations Centre, Queen's University, 1979, 255 pp.

An early, and interesting, step in the evolution of the administration of Canadian collective bargaining law was the formation of the Ontario Labour Court in 1943. Under the **Collective Bargaining Act, 1943,** the first piece of legislation in Ontario to be styled along the lines of the **Wagner Act**, a division of the Trial Division of the High Court was given the responsibility for administering Ontario's new collective bargaining structure. During its brief, ten-month life, the Labour Court performed functions similar to those now carried out by labour boards — assessing the legitimacy of bargaining agents, describing appropriate bargaining units, and determining whether bargaining agents enjoyed the support of employees in those bargaining units. Not only was this the first time in Canada that collective bargaining legislation provided a special structure for its administration, it was the last occasion where that administrative structure was borrowed from the provincial superior courts.

The first part of this monograph sets out the labour relations and political conditions leading to the establishment and demise of the Labour Court, describing the operation of the Court during its brief life and assessing the contribution that it made to labour relations. The concluding chapter of the first part explores the question of whether a Labour Court might now be a suitable vehicle for the administration of collective bargaining law. The second part of the book, comprising 171 pages, contains background material: - the full text of the Court's most significant decisions; the report of the select committee leading up to the **Collective Bargaining Act, 1943**; the statute itself; and a table of all matters coming before the Board.

During its short existence the Court dealt almost entirely with problems relating to the acquisition of bargaining rights. This emphasis is not surprising, given the high degree of organizing activity on the part of the major labour organizations at that time. One of the major problems at that time was the presence of "employee associations" as rivals to the trade unions affiliated with the major labour organizations. Since proof of the degree of employer domination necessary to disqualify such associations as trade unions