

Government Worker Unions: A Review Article

Desmon Morton

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Desmond Morton

Wayne Roberts, *Don't Call Me Servant: Government Work and Unions in Ontario, 1911-1984* (North York, ON: Ontario Public Service Employees' Union/Syndicat des employé(e)s de la fonction publique de l'Ontario 1994).

Doug Smith, Jock Bates, Esyllt Jones, *Lives in the Public Service: A History of the Manitoba Government Employees' Union* (Winnipeg: Manitoba Labour Education Centre and Manitoba Government Employees Union 1993).

ONE OF THE BIGGEST BUMPS on that famous "level playing field" that free traders insist on establishing between the United States and Canada is labelled "trade unionism." At roughly 36 per cent of the organizable work force, the organized share of the Canadian workforce is now triple the American rate. How did the bump appear? Will it last? How could it be flattened? Will it be?

Until World War II, unionization rates in Canada consistently lagged behind those in the United States. After World War II, unprecedented prosperity and a belated legislative catch-up encouraged Canadian union growth until the mid 1950s. Then, in both countries, union strength began to fall. While legislative and judicial hostility played a role, especially in the United States, the biggest factor was a seeming inability to interest office workers, women and technicians in the robustly masculine values of the blue-collar unionism. It was easier to raid than to organize. In both countries the phenomenon encouraged the merger of central labour bodies — the AFL-CIO in 1955 and the TLC-CCL in 1956, forming the Canadian Labour Congress. In turn, this led to a renewed commitment to political action — electing Jack Kennedy and the Democrats in 1960 and creating the New Democratic Party at Ottawa in 1961 out of the old CCF.

From the early 1960s, the unionization curves diverge. While American unions have withered in relative and finally in absolute terms since the 1950s, union strength in Canada leaped upward in the 1960s and early 1970s, and the growth

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came almost wholly from public sector unions. By the end of the 1970s, unions formed by municipal, provincial and federal employees in Canada ranked first, second and third in size, ahead of the United Steelworkers and the Autoworkers. While Jerry Wurf's American Federation of State, Country and Municipal Employees was also a militant, high-growth union in this period, there was no such comparable overall expansion in the United States. By the end of the 1970s, Canadian unionism began tracing a very different developmental pattern from its American neighbour and frequent inspiration. Militants who had campaigned for a distinctively Canadian labour movement, with a far larger role for women, had their wishes come true.

Public sector unions transformed almost every century-old truism about Canadian labour. In 1965, unions like the United Steelworkers, the United Autoworkers and International Association of Machinists dominated Canada's labour movement; by 1980, the three largest Canadian unions were the Canadian Union of Public Employees, the Public Service Alliance of Canada and a federation of provincial employee unions. Instead of being dominated by branches of American-based international unions, Canadian-based "national unions" became the majority form in about 1978. Indeed, a good many Canadian branches of internationals, such as the United Autoworkers, soon worked their way free of their American connections; others were set free as a burden on the struggling US head-office. The fact that women form approximately half the membership of public sector unions and their organizations now dominate Canadian union central bodies led to the dramatic feminization of Canadian labour leadership and issues during the 1980s. Finally, public employees have transformed the political agenda of a labour movement they have come to dominate.

WHAT HAPPENED? Why hadn't it happened before? Some explanations will be textbook-familiar. While Ottawa and provincial governments had adopted complex legislation and regulations for union recognition and collective bargaining in the private sector, public employees were different. "The Queen does not negotiate with her subjects" explained her First Minister in Québec, Jean Lesage, in 1964. Others, of a more democratic bent, insisted that Parliament or the Legislature was supreme: the people's representatives could not be compelled to ratify spending decisions reached at some remote bargaining table. For their part, like many other workers in the 1950s, public employees accepted low wages and arbitrary rules as a fair trade for job security, respectability and employer paternalism. Ontario's Premier Leslie Frost probably did know his government's workers better than the aloof and quarrelsome officials of the Civil Service Association of Ontario, Manitoba's Douglas Campbell was far less avuncular, but he could provide an employee with a tiny raise or a post-retirement job as an elevator operator.

Barely removed from a traditional "spoils system" where jobs vanished wholesale with each change of government, most civil servants feared "politics" and supported reforms that protected them from political involvement. After all, government employees had been pressured to work for the party in power as the basis of hanging on to a job — and guaranteeing that they lost it "for excessive partisanship" if the other side won. When they formed associations, as people in the same trade inevitably will, their goals were recreational and their membership routinely spanned the spectrum from deputy ministers to stenographers. If there were class barriers, they usually excluded the "outside service," those whose jobs were beyond the federal or provincial capital and cut off from the ordered permanence of the "inside service." In 1960, only Saskatchewan's CCF government negotiated collectively with its employees, though the original arrangement owed much more to CCF ideology than worker militancy. Other provinces, including Manitoba and Ontario, boasted some version of the British system of "Joint Councils" in which government and employee representatives discussed their shared concerns — but with so little effect that they met seldom and accomplished little.

What changed? By the 1960s, a generation that regarded a civil service position as the height of reasonable ambition was rapidly overtaken by post-1945 employees for whom a lifetime of lower wages, unquestioning obedience and official secrecy was too high a price to pay for job security and superannuation. Postwar affluence and high rates of employment changed values and expectations. At first, prosperity probably drained public sector militancy: anyone who wanted a better job could usually find one. By the 1960s, a further generational shift was in progress as governments recruited thousands of people with the education and expertise required by the modern responsibilities of governments increasingly involved in health care, post-secondary education, social services and, later, environmental oversight.

Most people have forgotten how impressively government grew in Canada after 1939. Smith cites Manitoba provincial secretary Ernest Préfontaine in 1954: while the province's population had grown from 700,139 to 800,000 between 1933 and 1953, the civil service had doubled to 3,380. By 1969, when the Schreyer government was elected, it had reached 8,822 and by 1977 when the NDP was defeated, it was 12,376. Across Canada in 1951, all levels of government employed an eighth of the workforce; by 1966, the government share was one worker in five.

As a share of the total Canadian workforce, private sector unionism in Canada declined from the mid-1950s, largely because of substantial shrinkage in such traditionally unionized sectors as forestry, mining and manufacturing. Employment in public administration doubled in the 1960s; the teaching profession grew by 70 per cent. Hospital employment grew by 60 per cent. And, as with most of the curve projections we use for low-cost prophecy, the future seemed limitless. Manitoba's Conservative government doubled the province's public service under Tory Pre-

mier Duff Roblin. Ontario government spending reach \$1 billion in 1962; within a decade it had more than doubled to \$2.5 billion. Health spending quadrupled, education spending quintupled; spending on welfare in the century's most prosperous decade, rose eight-fold.

DRAMATIC EXPANSION of public employment in the 1960s gave the new generation influence long before the old-timers might have acculturated them. Militancy proved contagious. Old and familiar grievances, from institutional over-crowding to female employment ghettos, were no longer an inevitable feature of working in a provincial mental hospital, jail or office but evils to be corrected.

Apart from Saskatchewan's lonely example, public service unionism in Canada has often been dated from Québec in 1964, where Jean Marchand demanded the right to organize government employees as a reward for Confederation of National Trade Unions support for the Québec Liberals. Giving Marchand what he wanted became part of the "révolution tranquille" and a nervous response to Marchand's threat to "set the province on fire." Québec's example certainly influenced Ottawa and neighbouring provinces. So did the unexpected militancy of federal postal workers. In its consequences, the illegal 1965 postal walkout was as important to Canadian labour history as the Algoma steelworkers' strike of 1943. While Parliament had dithered and federal civil service organizations battled each other, the postal workers demonstrated that the country could survive a public sector strike and the public, at the time, even supported the workers. The federal Public Service Staff Relations Act (PSSRA) in 1966 followed soon after, providing a model and an impetus for several provinces to follow suit.

By 1975, virtually all public employees in Canada, barring managers and a few municipalities, belonged to organizations that were sufficiently union-like to be listed as members of labour organizations. Some provinces — Alberta and Ontario, for example — denied their employees the right to strike; other provinces extended the strike option to such traditionally exempt categories as police and prison guards. While teachers' federations have seldom made common cause with other labour organizations, they have added to Canada's big unionized bump on the landscape.

OF COURSE, top-down observations make nice theory but what *really* happened to turn civil servants into militant government workers? Between them, Wayne Roberts for OPSEU and Doug Smith, Jock Bates and Esyllt Jones for the MGEU, provide a lot of specifics though not much national context. Perhaps it could be taken for granted; more probably it did not occur to the authors or the activists they interviewed that anything much was going on beyond their own provincial struggle.

Military historians will recognize the same quality in regimental histories. It really does not matter why there is a war or what happens in it: what matters to the regiment is that it was there, was populated by some memorable characters, and did its job, in victory and defeat, with almost unfailing courage and sacrifice. So it has been with OPSEU and the MGEU.

Manitoba and Ontario government employee unions have financed and published their own histories. The key authors, Wayne Roberts and Doug Smith, will be recognized by their colleagues as freelance historians and dedicated socialists who have delivered accounts that celebrate union militants and sympathizers. As a columnist for the counter-culture NOW magazine and a dependable activist on the Toronto scene, Roberts delivers lively prose and the occasional human insights into OPSEU's leadership. In a poignant aside, he notes that a few weeks of prison transformed OPSEU president Sean O'Flynn, sentenced to 35 days for defying an injunction against a jail guards strike: "O'Flynn found jail degrading and humiliating ... He hated being herded around, denied laces in his shoes, a belt for his pants." An amateur painter, O'Flynn's post-jail drawings reflected his claustrophobic reaction. Two years later, when institutional workers expected him to repeat his experience on their behalf, he refused at the last minute. "Here we were, ready to go," complained militant Bill Tait, "and all of a sudden he stuck a pin in the balloon." In fairness, OPSEU organizer André Bekerman is allowed to add that the workers themselves could also have braved jail and preferred not to.

Doug Smith, Jock Bates and Esyllt Jones bring as solid a knowledge of Manitoba's union history and left-wing connections as does Roberts. While OPSEU's history runs only from the 1911 creation of the Civil Service Association and stops in 1984 with O'Flynn's departure, Smith, Bates and Jones begin the MGEU's¹ history in 1870 and end with the Filmon government's public sector down-sizing, privatization, and budget trimming, policies all too familiar across Canada in the 1990s. In case stopping in 1984 might imply some deference to Bob Rae's NDP regime in Ontario, OPSEU staffer Frank Rooney delivers the predictable denunciation of the Social Contract and its architect.

THE STORIES of OPSEU and MGEU are as similar as one might expect from two provinces that, in all sorts of cultural, institutional and political ways, have long resembled each other. Smith, Bates and Jones begin at the beginning, with the original postage stamp sized province of Manitoba, about twelve thousand mostly reluctant citizens, and a single official, Adams Archibald, the new lieutenant governor. Archibald was soon busy naming constables, justices of the peace, court clerks and then, inevitably, tax assessors, highway surveyors, licence clerks and the whole panoply of even a primitive government. Almost all were part-timers. In

¹The MGEA became the MGEU in 1992. In general, the old title will be used when it fits the period discussed.

1880, a list of Manitoba's official civil service included only fifteen "inside workers," three of them jailers, for a population just under 65,000. In fact, there may have been as many as a hundred workers, together with a far larger "outside service" of employees who came and went at the will of the party in power.

Manitoba's 1885 Civil Service Act made it clear that any request for a raise "shall be considered as a tendering of the resignation of such member." Office hours seem almost reasonable for more than a century ago — 9.30 to 4.30 on weekdays, 9.30 to 1.00 on Saturdays, with half an hour for lunch, but absenteeism was a dismissable offence. So were smoking on the job and discussing government matters with anyone outside the department. Apart from government offices and seasonal work on the road, the main public employment was in servicing public institutions. One of Archibald's first moves had been to build 30 cells in a warehouse at Lower Fort Garry and four underground punishment cells, frequently used for the insane. Chronically overcrowded and underfunded, Manitoba's asylums at Brandon and Selkirk became a base for provincial employee militancy and protest as early as 1919 and frequently later.

By 1911, Manitoba's public service resembled, on a far smaller scale, Ontario's. Governments in both provinces were small-scale, Tory-dominated, paternalistic, reasonably honest and, from the beginning of the century, well practised at using buoyant revenues to create the new institutions which American-inspired progressive reformers considered desirable. Two hundred Ontario government workers met at Queen's Park to consider "the necessity of a Civil Service Association, pointing out its possibilities in the way of improving the Service, promoting social togetherness, urging healthy athletics and co-operating with one another in the purchasing of supplies." Members agreed that they needed the government's permission to proceed. It was cheerfully granted. It was in much the same spirit that many historic and effective unions were formed in the previous century. Indeed, by 1919, the new CSAO had opened discussions with the government on pensions and, after wartime inflation halved the value of salaries, on wages too.

Born only months after the 1919 Winnipeg General Strike had been crushed, Manitoba's Civil Service Association acknowledged a role in negotiating with government but its goals were consciously conservative: "mutual improvement"; "the largest possible measure of joint action between the government and its employees"; "to ensure greater efficiency and harmony." A year later, when the MCSA was incorporated as a charitable organization, it added a role of "helping the afflicted or the widows and orphans of deceased members." Most of those who took the lead in the MCSA were senior government officials; five of the 24 were women. Not until after World War II did rank-and-file employees come to dominate both organizations.

Anyone looking for precedents of what to do in tough times would discover that government employee associations in both provinces survived the Depression by hunkering down and learning to relish relative job security, whatever the price

in low paying and degrading work. Even with arbitrary pay cuts, those who kept their jobs usually did better than their neighbours. Pay and working conditions did not improve significantly during or after the war years. The rural politicians who dominated Manitoba and Ontario politics had a low tolerance of superannuation, pay demands or ambitious women.

While Smith and his colleagues present a generally gloomy view of the old days for Manitoba Government employees, Roberts is more sophisticated. He recognizes some of the charms of a workplace culture which, for a Lands & Forests employee or a highway worker, might be remote from the eye of authority. Even in the grim setting of overcrowded jails and mental hospitals, workers evolved rules of on-the-job solidarity that protected lives and sanity and which may even have served their luckless charges. An attendant willing to play cards with a mental patient probably did more good than the official psychiatric therapies: confinement, electro-shock and lobotomies. The advent of educated and meddling "experts" in the 1960s played a significant role, Roberts insists, in transforming attitudes. Male attendants in mental hospitals, selected for their physical power to control inmates, resented the "white power" of registered nurses. Hitherto worse paid than male attendants, nurses acquired status through their professional training and their authority to prescribe drugs.

ROBERTS ALSO RELATES Ontario civil service militancy to business-like efficiency, mobilized in a powerful Committee on Government Productivity, reluctantly created by Premier John Robarts at the behest of senior officials. Its recommendations were adopted with far more enthusiasm by Roberts' successor, William Davis. Designed to end ad hoc, politically motivated decision-making, COGP replaced flexibility with the bureaucratic rule of experts. To illustrate, Roberts recalls NDP member Morton Shulman demanding to know why the government had ignored a court order to garnishee a civil servant's pay. The answer, from treasurer Charlie McNaughton, was that the civil servant was a widow with four children, trying to pay off stiff medical bills. He was proud, confessed McNaughton, to defend widows. COGP designed procedures to encourage McNaughton and his colleagues to obey the law. Treated like machines more than human beings, government workers were caught without paternal protectors or power of their own. With considerable reluctance on both sides, they and their association found that they needed each other. In the 1970s, a similar reorganization was inspired by Davis' right-wing colleague, D'Arcy McKeough, and former federal auditor-general, Maxwell Henderson.

Productivity demands, downsizing and privatization, Roberts argues, turned the CSAO into a union. The process included some bitter fights, including the firing of some key CSAO staff by general manager Harold Bowen and his ouster a year later by the militant "Four Horsemen." The battle coincided with debate on the

notorious Crown Employees' Collective Bargaining Act, a law that guaranteed the CSAO full bargaining rights for Ontario government employees and then barred the right to strike and the negotiations on twenty-one different issues, from training to pensions. The NDP, which carried the fight against CECBA, looked up and found hardly an ally among the people it was trying to defend. The CSAO's elected leaders were too busy trying to get rid of Bowen and his allies to notice what was happening to them in the Legislature.

It was the struggle to catch up to what CECBA cost them that made the CSAO into a union. Flamboyant tactics by Bowen's public relations-conscious successor, Jake Norman, helped. Norman let his staff bargain outrageously, raising expectations which no government could have matched, but which left unhappy workers feeling robbed. Without the right to strike, the CSAO was as free as the government to be unreasonable. Norman's "Free the Servants" campaign was a PR triumph. It also helped give Roberts a title for his book: at the CSAO's last convention under its old name, Jim "Foghorn" Fuller, a meat inspector, delighted delegates by roaring "I am seldom civil and I am servant to no man." In 1974, the old CSAO became the new Ontario Public Service Employee Union. Jake Norman hardly outlasted the conversion. As arrogant as he was imaginative, with a lifestyle to match, he was the victim of a palace coup by Charlie Darrow, Sean O'Flynn and other executive members. His next industrial relations job was with Rothman's.

IN MANITOBA, claim Smith, Bates and Jones, the combined advent of Ed Schreyer's NDP government in 1969 and some young, militant new hires in the 1960s like Joy Cooper of the new Planning Board, Bill Jackson, a public health inspector, and juvenile worker Gary Doer (now the Manitoba NDP leader), produced a catalytic reaction. By opposing Schreyer's offer of the right to strike and to political action, the old-guard MGEA leadership made themselves vulnerable to a harsh arbitration award. The MGEA's counterpart to "Foghorn" Fuller was John Pullen, a former IBEW official and labour department inspector who brought down the house at the critical 1973 convention by railing: "we got the bloody crumbs off the table, that's all we got, we got the crumbs off the table." After a diversionary debate about joining CUPE or even, as Doer at the time wanted, Kent Rowley's Confederation of Canadian Unions, the MGEA had become a union affiliated to the Canadian Labour Congress by the end of 1974.

THANKS TO CUPE's insistence on grabbing provincial workers and the voting weight of its many small locals at Congress conventions, the CLC was compelled, as a face-saving gesture, to create an umbrella organization, the National Union of Provincial Government Employees. The MGEA's president, Bill Ridgeway, became

NUPGE's first president. For OPSEU, the denial of direct affiliation was such an insult that it walked out and stayed out until the symbolic isolation from the "real" labour movement became too much. One of the pleasures of rejoining in 1979 was claiming Ontario's vice-presidency in NUPGE from the rival Ontario Liquor Board Employees' Union. For pro-union militants in OPSEU, affiliation plugged civil servants into union orthodoxy. "We were civil servants," recalled Mike Burke, "That changed when we joined the house of labour."

When Roberts stops in 1984, OPSEU had neither political nor strike rights and it still lived under CECBA, but it had learned to fight and to win battles that ranged from the safety of video-display terminals to sexual harassment. It had begun to broaden its membership to the "wider public sector," including private lab technicians and a sadly short-lived local of day-care workers at Miniskools, whose anti-union record was as bad as its spelling. Like OPSEU, the MGEA set out to diversify its membership in the "near-public" sector.

Among its sadder achievements, OPSEU could even claim to have spawned the National Citizens' Coalition. By persuading the government to tender civil service group insurance, Confederation Life won the business from London Life, costing one Colin Brown his commission and giving him the incentive to launch his notorious organization. By no great coincidence, the NCC funded college instructor and OPSEU member Merv Lavigne in his long, expensive, and ultimately futile suit against his union's right to spend its dues on political and social causes.

In their book, Smith, Bates and Jones bring the MGEU far closer to the present, effectively to 1992 when the Association formally renamed itself a union. For the most part, these have been difficult years, in which the MGEU conducted a rearguard action against the slash-and-burn policies of Sterling Lyon, a Pawley government at the mercy of an acute recession, and the Filmon years, when the resurgent Tories and Liberals were pulled by ideology and driven by shrinking revenues to downsize government.

In 1983, when Gary Doer opened the contract to substitute lower pay for greater job security, his members were largely overjoyed. An NDP minister, Mary Beth Dolin, managed to stop the retreat from pay equity, but for her it was a tragic death-bed victory. There have not been many recent victories for Manitoba government employees or, for that matter, for the public sector anywhere in Canada.

REGIMENTAL HISTORIES have a purpose: they inspire pride and a sense of accomplishment both among older members who recall their valiant youth and among young soldiers who may aspire to their own valiant deeds. They are less useful in the study of warfare because they seldom deal with the broader questions which might challenge, for example, the validity of valour or the rationale of the regiment's blood-stained accomplishments. Though the authors may bridle at the comparison, *Don't Call Me Servant* and *Lives in the Public Service* are trade union

equivalents of the regimental history, and very good of their kind. If Wayne Roberts has a more engaging style, Smith, Bates and Jones have more personal accounts and photographs — key features of the genre.

There is no question about the war in which these two unions are engaged: it is for the preservation and enhancement of that large public sector which Canadian society has developed since 1939 and which, *inter alia*, has become such a large and admirable bump on the Canadian side of that notorious playing field. Imagine the Canadian labour movement without unions like OPSEU or the MGEU. Would close to half the members in its ranks be women? Would technicians and even professionals carry the equivalent of a union card? Would over a third of the Canadian labour movement be unionized? Or less than a fifth?

At the same time, every element of a coalition brings weakness as well as strength. In 1961, partnership in founding a social democratic party made sense to most of the affiliates of the Canadian Labour Congress. Unionists negotiating with private-sector employers had come to realize what political influence and even power could mean for them in causes that ranged from health insurance to more sympathetic industrial relations law. The exceptions, largely among the conservative, often self-employed members of the construction trades, eventually took themselves off to the Canadian Federation of Labour. The newcomers from the public sector have added many a radical voice to Congress conventions but their political interests are quite different. No sooner had the MGEA added its powerful voice to the Manitoba Federation of Labour than its largely Liberal leadership was busy curbing the MFL's passionate support for the Schreyer government. And with good reason: Schreyer and his ministers represented the employer. Future experience with Sterling Lyon and Gary Filmon might tell Manitoba public employees that there were worse bosses than Schreyer and Howard Pawley, but that would not alter an adversarial relationship. As for Ontario, the conflict between the Rae government and the province's public sector unions over the proposed Social Contract has not only devastated the NDP but left a profound split in the Ontario Federation of Labour.

THESE ARE ISSUES in which truth, beauty and justice are not all on one side, as they always will be in the kind of supportive institutional histories Roberts and Smith, Bates and Jones have provided. Fundamental to democratic socialism was the concept that the State could be organized to serve the people, not merely its capitalist elite. An unresolved problem in the nationalization of the means of production, distribution and exchange was who would benefit. Would it be the new owners (the people), the consumers (presumably a smaller set of the people), or the managers and employees. Abstract theory could find benefits for all but each strike and each price increase fuelled the suspicion that only the workers and their bosses were profiting. While these two books imply that government workers are

somehow the employees of whatever premier or party happens to be in power, be it Leslie Frost, Ed Schreyer or William Davis, the truth both in democratic theory and actual practice is quite different. "Foghorn" Fuller's robust refusal to be "any man's servant" earned him ten minutes of sustained applause from fellow members of the CSAO but the people who paid his salary might think differently.

Governments negotiate with public employees not to protect their shareholders' dividends but on behalf of taxpayers. Demonizing employers is almost as old as the labour movement, but there is a difference between Stelco, Ford and Acme Screw & Gear and government. Even in a democracy, we all have the bad habit of thinking of governments as a negligent third party, but people can and do replace them. When Saskatchewan public employees raged at Allan Blakeney, they got Grant Devine. If the MGEA didn't like Ed Schreyer, how did they enjoy Sterling Lyon? The alternative to Bob Rae is not a kindly Solomon but an all-to-real Lynne McLeod or Mike Harris.

Eliminating the union bump on the level playing field is quite obviously part of a right-wing strategy. Can an adversarial approach help or hinder? What legislation and vast public spending created during Canada's postwar affluence can be reversed with the aid of public resentment and high real interest rates on national and provincial debts. Thanks largely to the innate adversarialism of public sector unions, labour's alliance with the NDP is dissolving, leaving the Liberals and Reform as the two dreadful options for English-speaking Canada. Like the members of gallant regiments, how can they be blamed for the overall disaster. They did their duty. And what splendid people enlisted in both these unions, even if they ended up on the losing side. Did they, by the way, supply any of the generals?

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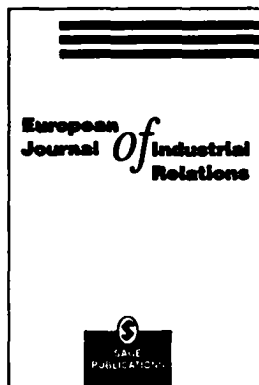
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