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L'Alliance de la fonction publique du Canada The Public Service Alliance of Canada

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ARTICLE ABSTRACT

SOME HISTORY

In order to discuss the structure of the Public Service Alliance of Canada as it now and indicate ways in which it is changing to conform to the pressure of collective bargaining in the Federal Public Service — a relatively new development — we must briefly review the history of Public Service Unions as they approached the development of collective bargaining in the Public Service.

In the days following the Second World War when Canada was in a period of reconstruction, there was an increasing demand by the general public for more and more services by government. At the same time, the federal government service was expanding considerably — from 130,000 in 1945 to 160,000 in 1961. Today, it is approximately 181,000.

Meanwhile, the staff associations movement was developing. The Civil Service Federation, which began its career in 1907 with a membership of 5,223 had grown to 37,000 by 1945, increased in membership to 80,000 by 1961. It had, however, suffered setbacks in the handling of several strikes. The Civil Service Association of Canada had become part of the Civil Service Unions of Canada in 1952 and the Canadian Post Employees Association in 1962. Before the emergence of the C.S.A. and the Federation in 1966, the C.S.A. had, nevertheless, been the only union that had all their staff associations affiliated.

It was not only its members that the Federation grew. The 1967 Convention appointed a paid full-time National Secretary with a supporting clerical staff. After the passage of the Civil Service Act of 1965, this staff developed further and that, by 1962, there were upwards of thirty paid employees with a National President at the head of the organization. In the following eight years, this figure had increased to 33,000. It is, however, in the field of staff and when the Alliance was formed in 1967, this staff amounted to about 25.

Publicists occasionally began to take notice of this growth in strength of Civil Service Staff Organizations. In response to these various complaints, they began to speak of paying salaries comparable to those paid by the other employees in the private sector. This was soon worked down to — good employees in the private sector — and eventually to — rates comparable to those paid in the private sector. The Civil Service Act of 1965 and the consultation process embodied in that Act were considered sufficient to produce the desired results. These answers were, however, quite inadequate.

Meanwhile, the increased pressure exerted by the development of staff organizations was not without its effects. In 1944, after numerous endorsements by parliamentary committees over a period of twenty-five years, and after a considerable amount of agitation, the government of the day had authorized the establishment of what came to be known as the National Joint Council. This Council there was equal representation for employer and employee organizations, but the Council fell short of expectations. The Council which has continued on the collective bargaining era, has now assumed some of the functions of labour-management committees and it is hoped that in the Council, agreement can be reached in matters affecting the whole service such as medical plans, insurance plans and counselling allowances, etc.

Another effect was the creation in 1957 of the Pay Research Bureau, the report and findings of which were made available to both management and staff organizations. This provided a common base on which consultations could take place. There was, however, constant nagging by representatives of the Treasury Board, and the Board frequently requested the publications of the Pay Research Bureau in a manner that was unacceptable to the staff organizations. Even more important, after consultation and agreement between the Civil Service Unions and the representatives of the employer, the Treasury Board arbitrarily set pay, on a number of occasions, the salary recommendations of the Civil Service Unions and indicated decisions that negated the whole value of the consultation process.

Prior to the 1962 Federal election, the leaders of all political parties were asked by some of the staff organizations if they and their parties were prepared to endorse a system of collective bargaining for civil servants. Leaders of the Liberal and New Democratic parties answered affirmatively, the others refused, the date has with some exceptions. The result was that when the Liberal formed their government they were committed to this process and, in 1965, the Proprietary Committee on Collective Bargaining was set up under the Chairmanship of Mr. A.D. Henry, former Ambassador to Washington and former Chairman of the Civil Service Commission.

The deliberations of the Henry Committee, the staff organizations were consulted. At first they considered their support and decided to do so. It was, however, a very short-lived support. The Federal Association of Labour Career Officers advised the latter Career Officers to withdraw their support and decided to do so. It was a very short-lived support. The Federal Association of Labour Career Officers advised the latter Career Officers to withdraw their support and decided to do so. It was a very short-lived support.

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L'Alliance de la fonction publique du Canada

Claude A. Edwards

Après un historique et une présentation de la nature de l'Alliance de la fonction publique du Canada, l'auteur en présente les structures et relève quelques problèmes internes de ce syndicat.

Historique

Si nous voulons parler de la structure de l'Alliance de la Fonction publique du Canada, telle qu'elle est maintenant, et montrer comment elle évolue pour s'adapter aux pressions de la négociation collective de la fonction publique fédérale, quelque chose de relativement nouveau, nous devons tracer un bref historique des syndicats de fonctionnaires à la veille de l'adoption de la négociation collective dans la fonction publique.

Après la deuxième grande guerre, alors que le Canada se préoccupait moins de l'inflation et de la montée en spirale des salaires et des prix, alors que l'économie était florissante sans être « surchauffée », le public en général demandait de plus en plus de services du gouvernement à tous les paliers. Afin de répondre à cette demande, le gouvernement fédéral a accru considérablement son service: son personnel est passé de 116,000 en 1945 à 160,000 en 1961. Aujourd'hui, il est d'environ 183,000.

Entre-temps, le mouvement des associations de fonctionnaires prenait naissance. La Fédération du service civil, qui a vu le jour en 1909, avec des effectifs de 5,223 pour atteindre 37,000 en 1945, avait porté ses effectifs à 80,000 en 1958. Cependant, elle avait perdu du terrain avec la séparation, en 1954, de l'Association du service civil d'Ottawa (qui devait plus tard faire partie de l'Association du service civil du Canada) et, en

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1962, de l'Association des employés des postes du Canada. Avant la fusion de l'ASCC et de la Fédération en 1966, la FSC n'en avait pas moins des effectifs représentant presque le double de ceux de toutes les autres associations de fonctionnaires ensemble.

La Fédération ne s'est pas contentée de croître en nombre. En 1947, le congrès désignait un secrétaire national à plein temps et rémunéré, et lui donnait un personnel de bureau. Après l'adoption de la loi sur le service civil, en 1961, le personnel s'est davantage accru de sorte que, en 1962, il y avait au bureau national un président à plein temps et un personnel rémunéré comptant jusqu'à 30 employés.

L'ASCC, au moment de sa fusion avec les fonctionnaires unis du Canada en 1958, comptait 22,000 membres. Dans les huit années suivantes, ce nombre a atteint 33,000. Le personnel du bureau national de l'Association a lui aussi augmenté et, lorsque l'Alliance a été formée en 1967, ce personnel comptait environ 20 employés.

Eventuellement, les politiciens se sont aperçus que les organisations de fonctionnaires prenaient de la force. Réagissant aux plaintes répétées, ils ont commencé à parler de verser des salaires semblables à ceux qui étaient payés par « les meilleurs employeurs de secteur privé ». Bientôt, on atténuait l'expression pour dire « les bons employeurs du secteur privé » pour en arriver éventuellement à dire « des taux comparables à ceux qui sont payés dans le secteur privé ». La loi sur le service civil de 1961 et la formule de consultation prévue dans cette loi paraissaient aptes à donner les résultats souhaités. Toutefois, ces mesures étaient bien insuffisantes.

Entre-temps, les pressions croissantes engendrées par l'évolution des organisations de fonctionnaires n'étaient pas sans faire ressentir leurs effets. En 1944, des comités parlementaires successifs en ayant maintes fois appuyé l'idée durant une période de 25 ans, et après beaucoup d'agitation, le gouvernement du jour finit par autoriser la formation de ce qui s'est appelé le Conseil national mixte. L'employeur et les organisations d'employés avaient représentation égale au sein de ce Conseil; mais il ne s'est pas révélé à la hauteur de ce qu'on en attendait. Le Conseil, qui est passé à l'ère de la négociation collective, est maintenant chargé de certaines fonctions d'un comité patronal-ouvrier; on espère qu'au sein de ce Conseil, l'entente sera possible sur des questions touchant toute la fonction publique, par exemple les programmes médi-

caux, les programmes d'assurance, les indemnités de déplacement et d'utilisation d'automobile, etc.

Un autre aboutissement a été l'établissement, en 1957, du Bureau de recherche sur la paye, dont les rapports et les conclusions étaient accessibles à la partie patronale aussi bien qu'aux organisations de fonctionnaires. Cela servait de terrain commun aux consultations. Toutefois, les représentants du Conseil du Trésor s'en prenaient souvent à la formule selon laquelle la statistique était compilée par le Bureau de recherche sur la paye; le Conseil interprétait souvent les données figurant dans les rapports du Bureau d'une façon qui n'était pas acceptable pour les organisations de fonctionnaires. Ce qui est encore plus important, en dépit des consultations et des ententes intervenues entre la Commission du service civil et les représentants des employés, le Conseil du Trésor a, à maintes occasions, écarté arbitrairement les recommandations salariales de la Commission du service civil et pris des décisions unilatérales qui enlevaient toute valeur aux consultations.

Avant les élections fédérales de 1962, certaines organisations de fonctionnaires ont demandé aux chefs de tous les partis politiques si eux-mêmes et leurs partis étaient disposés à appuyer un régime de négociation collective pour les fonctionnaires. Le chef du parti libéral et celui du Nouveau Parti Démocratique ont répondu dans l'affirmative, tandis que les autres appuyaient l'idée, mais avec certaines réserves. Il en est résulté que lorsque les libéraux ont formé le gouvernement, on leur a rappelé leur promesse; en 1963, le Comité préparatoire à la négociation collective était constitué sous la présidence de M. A.D.P. Heeney, ancien ambassadeur à Washington et ancien président de la Commission du service civil.

Au cours de ces délibérations, le Comité Heeney a consulté les organisations de fonctionnaires. Au début, elles ont coordonné leurs efforts par l'entremise de la Conférence des associations de fonctionnaires mais, à mesure que les idées du Comité Heeney devenaient plus claires, l'Institut professionnel et l'Association fédérée des facteurs (qui devait devenir plus tard l'Union des facteurs) ont retiré leur appui et décidé d'agir indépendamment, car ils se rendaient compte, à en juger par les délibérations du Comité Heeney, que les négociations se feraient en fonction des groupes d'occupations. L'Institut professionnel croyait qu'il pouvait commander l'allégeance des fonctionnaires professionnels et ainsi rallier les unités de négociation du groupe professionnel, tandis

que les facteurs ont cru que leur avenir se trouvait du côté de l'Union des postiers du Canada en vue de former un Conseil d'agents négociateurs dans le cadre du ministère des Postes. Les deux membres qui restaient de la Conférence des associations de fonctionnaires (la Fédération du service civil et l'Association du service civil) ont décidé qu'ils ne réussiraient à obtenir les droits de négociation pour la majorité des groupes qu'en fusionnant leurs deux organisations dans l'Alliance de la Fonction publique du Canada. La dernière étape de la fusion a été franchie au congrès de fondation de l'Alliance, en novembre 1966. C'est à cette organisation qu'était confié le soin de mettre en marche les négociations collectives en 1967 pour 115,000 membres.

L'Alliance de la Fonction publique est née d'un compromis. Les associations fondatrices étaient depuis nombre d'années des rivales traditionnelles. Sans le catalyseur de la négociation collective, qui rendait nécessaire l'union des forces afin d'obtenir l'accréditation pour les diverses unités de négociation, je doute que l'unité ait pu se faire avant plusieurs années.

Les statuts de la nouvelle Alliance, née d'un compromis, ont inévitablement engendré des problèmes dans l'exercice de notre nouveau rôle. La Fédération était composée de groupes affiliés entièrement autonomes mais qui avaient délégué, au noyau central de la Fédération, certains droits de régler les problèmes touchant tout le service. L'Association était une organisation unitaire dont la direction relevait entièrement d'un organisme central. Les groupes fondateurs de l'Alliance ont essayé d'édifier une organisation reflétant les meilleures caractéristiques des deux associations fondatrices. Tout comme les parents ne savent jamais si leur enfant n'hériterait que de leurs meilleures qualités, de même l'Alliance est exposée aux mêmes tendances naturelles.

Nature de l'alliance

L'adoption de la loi de 1967 sur les relations de travail dans la Fonction publique signifiait que les organisations de fonctionnaires devaient traiter avec le gouvernement selon des modalités tout à fait différentes des pratiques du passé.

Une certaine évolution fondamentale s'est produite dans les sentiments et les attitudes de nos membres depuis quelques années. Pour certains, la participation à un syndicat est une expérience traumatique.

Le mot revêtait toujours un caractère d'opprobre. Ils hésitaient même à utiliser l'expression anglaise « collective bargaining » pour parler des négociations collectives, et préféraient utiliser le mot anglais « negotiation ». D'autre part, nous avons des membres qui croient maintenant qu'ils peuvent contester les décisions de la direction à tous les paliers et à chaque occasion, et espèrent que leur organisation se mettra de la partie dans chaque cas indépendamment de son bien-fondé. Heureusement, la grande majorité se situe dans le milieu et nous permettra de croître et de nous développer dans ces nouveaux rapports sans en venir aux coups avec l'employeur chaque fois qu'il y a divergence de vues.

L'article 26 de la loi de 1967 sur les relations de travail dans la Fonction publique accorde à la Commission de la fonction publique le pouvoir de « spécifier et définir les divers groupes d'occupations qui constituent chacune des catégories d'occupations... de manière à y inclure tous les employés de la fonction publique dont Sa Majesté représentée par le Conseil du Trésor est l'employeur ». Il y a six catégories (direction, catégorie scientifique et professionnelle, administration et service extérieur, technique, soutien administratif et exploitation) et 72 groupes. La catégorie de la direction échappe à la négociation collective.

Comme nous l'avons signalé, cette disposition par groupes en vue de la négociation s'étend au-delà du cadre ministériel et, pour autant que l'Alliance de la Fonction publique est concernée, a donné lieu à certaines dispositions administratives et organiques jugées nécessaires au bon fonctionnement de la négociation du point de vue du fonctionnaire.

Il fallait tout d'abord, c'était évident, orienter la recherche vers une étude détaillée et une pleine compréhension des normes de classification et des normes de sélection devant être utilisées pour les nominations, promotions, mutations et mises à pied des fonctionnaires. Il fallait étudier, en fonction de la nouvelle classification par groupes, les taux de traitement pour les 72 groupes, y compris ceux qui, antérieurement, étaient considérés comme rémunérés à l'heure et ceux qui étaient rémunérés aux taux courants, dans l'endroit où ils travaillaient. Le Service de recherche devait également conseiller l'Alliance relativement aux lois et règlements projetés, tenir des consultations avec le Bureau de recherche sur la paye relativement à diverses questions apparentées à

la technique de relevés du Bureau et, ce qui était nouveau, avoir des consultations et des entretiens avec les comités de négociation représentant les divers groupes d'occupations pour lesquels l'Alliance est ou s'attend d'être accréditée.

Deuxièmement, il fallait nous fixer, dans le recrutement, un objectif de 50 p. 100 plus un dans chaque groupe pour que nous soyons accrédités comme représentants de chaque groupe.

Troisièmement, par suite de l'adoption de la formule d'accommodement des griefs, quelque chose d'entièrement nouveau dans les relations de travail avec le gouvernement canadien, et face à la disposition relative à l'arbitrage de certaines espèces de griefs, il a fallu désigner et former un groupe de délégués et instruire les membres sur la bonne façon d'utiliser la procédure d'accommodement des griefs. Il a donc fallu former plus de 1,000 délégués à travers le pays, programme qui est en train de prendre cinq fois plus d'ampleur. Toute procédure de griefs découlant des conventions collectives relève du Service des appels et des griefs.

Qu'il s'agisse de normes de classification et de sélection, de taux de salaires et de conditions d'emploi, de procédures d'accréditation ou de griefs, toutes les activités de l'Alliance tendent, en fin de compte, à obtenir de meilleurs salaires et de meilleures conditions d'emploi pour les membres. Cette procédure doit commencer, en dernière analyse, comme dans tous les autres syndicats, par une négociation directe avec l'employeur. C'est à cet égard qu'on note les différences les plus marquantes entre l'ancienne formule de consultation et la nouvelle méthode de négociation. L'ancien paternalisme, dont sont encore imbus un si grand nombre de membres du personnel de cadres, a été remplacé par la participation. Les décisions unilatérales, souvent déraisonnables, ont cédé la place à des conventions collectives négociées dans la bonne foi. L'Alliance ne « consulte » plus la Commission de la fonction publique ni le Conseil du Trésor. Elle négocie directement avec le Conseil du Trésor; la Commission de la fonction publique n'a plus un mot à dire dans la prescription des relèvements de traitement et des conditions d'emploi.

Les structures

Un profond changement est survenu également dans les rapports antérieurs entre l'ancienne Fédération du service civil et ses affiliés.

Ces groupes affiliés étaient des organisations ministérielles qui déléguaient une partie de leurs pouvoirs à l'autorité centrale. Lorsque l'Alliance a été fondée, ces groupes affiliés sont devenus des Eléments, qui ont conservé leurs rapports avec le ministère, mais dont les responsabilités au sein de l'Alliance ont été plus clairement définies et précisées par les statuts.

La structure de l'Alliance est, à bien des égards, analogue à la structure de gouvernement au Canada, aux paliers fédéral et provincial. Le noyau central correspond au gouvernement fédéral et exerce sa juridiction sur les problèmes de grande importance pour tous les membres, par exemple, les négociations collectives, l'organisation et la recherche. Les Eléments, comme les gouvernements provinciaux, jouent un rôle relativement subordonné, car ils sont chargés des rapports entre l'employeur et l'employé à l'endroit de travail.

Comme on s'en rend compte dans les rapports entre les gouvernements fédéral et provinciaux, il en résulte des tensions. Nos Eléments plus forts veulent une autonomie de plus en plus grande. Ils veulent fournir les moyens de recherche, s'occuper de la formation et des griefs jusqu'aux plus hauts paliers; ils veulent contrôler davantage les cotisations des membres. Nos petits éléments, ou ceux qui attachent beaucoup de valeur à un contrôle central des services, sont plus portés à permettre et à demander à l'organisation centrale de faire tout ce qu'elle peut pour eux, à partir des problèmes litigieux qui surgissent dans les rapports ministériels entre employeur et employés jusqu'à la formation des membres et à la question des griefs. Comme la multiplication des services coûte inévitablement plus cher, nous devons continuer à chercher la structure administrative la plus efficace, qui assure aux membres le meilleur service à tous les paliers et au coût le moins élevé.

L'Alliance doit résister aux pressions exercées vers la décentralisation ou à une prolifération des unités de négociation si elle veut maintenir le concept « d'un gros syndicat » pour traiter efficacement avec le gouvernement fédéral dans ses négociations touchant des groupes d'occupations dont les cadres débordent ceux du ministère. D'autre part, l'Alliance doit reconnaître que le gouvernement décentralise de plus en plus en amenant la Commission de la fonction publique à déléguer certains de ses pouvoirs aux ministères. Cette délégation de pouvoirs, en matière de dotation en personnel, de promotion et de

classification, donnera lieu à une variété de problèmes qu'il faudra régler au niveau du ministère; nous devons donc nous organiser afin de pouvoir traiter ces problèmes promptement et efficacement.

Malheureusement, nos Eléments n'ont pas tous les mêmes ressources ni la même détermination lorsqu'ils ont à traiter de problèmes dans leur propre secteur de responsabilité. Un Elément qui n'a pas le personnel voulu, qui a des dirigeants exécutifs ou un personnel qui ne sont pas prêts à tenir tête à la direction au nom de leurs membres, va non seulement se créer des problèmes, mais il va ternir l'image de l'Alliance en tant que syndicat efficace dans la fonction publique. D'autre part, un Elément agressif, qui est en quête d'une plus grande autonomie et d'une plus grande hégémonie, peut susciter des difficultés et des divisions en essayant de régler des questions qui pourraient être laissées, avec avantage, à l'initiative de l'autorité centrale.

Nous ne voudrions pas donner l'impression que la division règne au sein de l'Alliance. Il n'en est pas ainsi. Certains des plus grands antagonistes de la période antérieure à l'Alliance en sont devenus maintenant des amis sincères et des militants convaincus. Les cinq dirigeants exécutifs, dont trois viennent de la FSC et deux de l'ASCC, travaillent extrêmement bien ensemble dans l'équipe qu'ils forment.

Les Eléments aident à traiter les griefs au niveau ministériel; ils s'occupent de déterminer les réclamations de leurs membres en matière de traitements et de conditions de travail; ils participent activement à la mise au point de la politique et des programmes touchant la fonction publique; ils établissent et maintiennent des rapports fructueux et sérieux entre employeur et employés au niveau ministériel. Au niveau des membres, ils travaillent au sein des comités de négociation. Bref, les représentants des membres, par l'intermédiaire des Eléments, travaillent de concert avec les dirigeants exécutifs et le personnel du bureau central de l'Alliance à formuler les réclamations, dans le cadre des négociations, de façon que ces réclamations soient conformes aux désirs des membres.

Quelques problèmes

Les changements qui sont survenus n'ont pas été sans occasionner quelques problèmes. Tout d'abord, la plupart des directeurs et des hommes de profession n'ont jamais compris le régime de la négociation

collective ; comme ils appartiennent généralement à un groupe d'âge plus avancé, ils sont circonspects dans leur façon de voir et nourrissent de l'antipathie envers les syndicats dans la fonction publique et, à vrai dire, envers tous les syndicats. Il faut un programme de formation pour arriver à changer leur attitude ; c'est un fardeau que devront porter les organisations de fonctionnaires, sauf peut-être en ce qui concerne certains membres du personnel de cadres qui échappent à la formule de négociation.

Un autre problème découle de la politique de décentralisation adoptée par le gouvernement et qui se manifeste dans la délégation de pouvoirs aux ministères dont j'ai déjà parlé. Cela semble aller à l'encontre de la politique de négociation pour les groupes à partir du centre. Cela pourrait ouvrir la porte toute grande au favoritisme politique et bureaucratique, en dépit du fait qu'il soit prévu que la Commission de la fonction publique fait une vérification subséquente des nominations au sein du ministère, et que le Conseil du Trésor fait une autre vérification de la classification des emplois au sein des ministères également. Cette décentralisation fait surgir des problèmes comme la possibilité d'une multiplicité de règlements.

Les membres aussi ont besoin d'un programme d'éducation ; il faut y consacrer une bonne partie de nos ressources. On continue toujours à craindre que l'employé qui présente un grief est un homme marqué et que son avenir est en danger. Il y a eu de nombreux cas d'employés qui, bien que victimes d'un traitement injuste, n'ont pas voulu laisser mêler leurs noms à une question de grief.

L'appartenance à un syndicat s'accompagne de la nécessité de se plier à la discipline du syndicat. Les membres doivent être prêts à exercer la discipline en cas de grève et ils doivent être prêts à s'attendre que l'Alliance exerce la discipline s'ils ne respectent pas les dispositions des statuts.

En outre, il faut leur faire comprendre les termes des contrats qui ont été négociés en leur nom, et leur faire comprendre que nous n'en sommes pas encore à l'âge d'or. Il y en a qui parviennent difficilement à comprendre qu'il est parfois nécessaire, pour ceux qui négocient en leur nom, de choisir entre un avantage marginal de plus et un relèvement de traitements pour les membres du groupe. D'autres se plaignent du temps pris pour négocier un contrat, même si bien des conventions collectives, dans le secteur prévu, ont exigé bien plus de temps. C'est

seulement lorsqu'ils connaîtront mieux le syndicalisme, qu'ils auront un esprit plus syndical, qu'ils comprendront que négocier veut dire négocier, et non pas obtenir d'un seul coup tout ce qui est exigé.

Certains ont prétendu également que, à cause du manque d'unité dans l'action, l'employeur pourrait parfois utiliser un agent de négociation contre l'autre. C'est possible. Il existe entre certains de ces agents un abîme qui ne peut être comblé du soir au lendemain. La dissension règne, par exemple, vis-à-vis de la question de l'exercice du droit de grève. Néanmoins, il peut arriver qu'un jour un Conseil national mixte, ressuscité et revivifié, parvienne à combler ces écarts et à tracer un programme conjoint que toutes les organisations de fonctionnaires peuvent appuyer. Ainsi, il serait possible d'adopter un front uni face à l'employeur et de produire une fonction publique plus efficace, plus compétente et plus respectée.

Perspectives d'avenir

Il n'y a pas eu encore de congrès national depuis le congrès de fondation de 1966. Le premier congrès aura lieu en 1970 ; l'Alliance comptera alors trois années d'expérience et aura réglé un bon nombre des problèmes de la période initiale d'accréditation ou sera prête à discuter des solutions possibles pour les autres encore en suspens. La mise en oeuvre d'une formule Rand modifiée accroîtra les effectifs et les problèmes de recrutement devraient s'atténuer.

Notre Comité des statuts et de la structure présentera son rapport à ce congrès ; il formulera probablement bien des suggestions en vue de renforcer et de préciser les statuts de l'Alliance. Le Comité a reçu des mémoires dans lesquels on demandait un changement complet de la structure des Eléments, une série de départements au sein de l'Alliance étant chargés de s'occuper des problèmes dont se chargent maintenant les Eléments. D'autre part, le Comité a reçu des mémoires recommandant une plus grande autonomie pour les Eléments ; certains ont exprimé l'idée que les négociations devraient se faire en fonction des unités ministérielles plutôt qu'en fonction des groupes d'occupations. Il est encore trop tôt pour savoir de quel côté la balance va pencher. Nous estimons que, d'ici trois ans, il n'y aura pas beaucoup de changements profonds apportés à la structure de l'Alliance. A notre avis, on donnera à l'organisme central une juridiction définie sur toutes les questions centrales et une juridiction disciplinaire d'ensemble sur les Eléments. Les groupes de négociation auront un rôle plus fort ; il se peut qu'ils adoptent une

structure politique. Si cela se produit, ils réduiront l'influence des Éléments dans les décisions de politique relatives aux questions de négociation collective. Cela nous paraît inévitable si la négociation se continue en fonction du groupe d'occupations. Si la formule devait changer pour devenir une négociation en fonction de la catégorie d'occupations, par exemple, catégorie professionnelle, administrative, soutien administratif, technique et exploitation, d'autres forces naîtront qui peuvent changer encore davantage la structure de l'Alliance. Indépendamment de ce qui arrivera, nous persistons à croire que l'Alliance continuera à croître et à prospérer. Comme le duc de Wellington disait de son Cabinet lorsqu'il était premier ministre d'Angleterre : « Si nous ne sommes pas pendus ensemble, nous serons tous pendus séparément ». C'est une perspective qui peut paraître désagréable à certains mais, à quelques exceptions près, nous n'avons pas beaucoup le choix.

Conclusion

Les premiers groupes à s'organiser ont été les commis ambulants en 1889, et les facteurs en 1891. Cette année-là, en 1891, les deux associations écrivirent au ministre des Postes et lui demandèrent une entrevue afin de présenter leurs arguments en faveur d'une augmentation, puisque leurs taux de rémunération n'avaient pas changé depuis 32 ans. Le ministre des Postes répondit qu'il n'avait pas l'intention de perdre son temps à discuter avec des groupes dissidents d'employés. Nous avons fait beaucoup de chemin depuis 1891. Nous ne sommes peut-être pas encore rendus dans la terre promise, mais nous avons les moyens d'y parvenir.

THE PUBLIC SERVICE ALLIANCE OF CANADA

SOME HISTORY

In order to discuss the structure of the Public Service Alliance of Canada as it is now and indicate ways in which it is changing to conform to the pressures of collective bargaining in the Federal Public Service — a relatively new development — we must briefly review the history of Public Service Unions as they approached the development of collective bargaining in the Public Service.

In the days following the Second World War when Canada was less concerned about inflation and the wage-price spiral, when the economy was booming but not « over-heated », there was an increasing demand by the general public for more and more services by government at all levels. To meet this demand, the federal

government service was expanded considerably — from 116,000 in 1945 to 160,000 in 1961. Today, it is approximately 183,000.

Meantime, the staff association movement was developing. The Civil Service Federation, which began its career in 1909 with a membership of 5,223 but had grown to 37,000 by 1945, increased its membership to 80,000 by 1958. It had, however, suffered setbacks in the breaking away of the Civil Service Association of Ottawa (later to become part of the Civil Service Association of Canada) in 1954 and the Canadian Postal Employees Association in 1962. Before the merger of the CSAC and the Federation in 1966, the CSF had a membership, nevertheless, that was nearly double that of all other staff associations combined.

It was not only in numbers that the Federation grew. The 1947 Convention appointed a paid full-time National Secretary with a supporting clerical staff. After the passage of the Civil Service Act of 1961, this staff developed further so that, by 1962, there were upwards of thirty paid employees and a full-time President at the Head Office.

The CSAC, at the time of its merger with the Amalgamated Civil Servants of Canada in 1958, had 22,000 members. In the following eight years, this figure had increased to 33,000. It, too, increased its Head Office staff and, when the Alliance was formed in 1967, this staff amounted to about 20.

Politicians eventually began to take notice of this growth in strength of Civil Service Staff Organizations. In response to often voiced complaints, they began to speak of paying salaries comparable to those paid by « the best employers in the private sector ». This was soon watered down to « good employers in the private sector » and eventually to « rates comparable to those paid in the private sector ». The Civil Service Act of 1961 and the consultation process embodied in that Act were considered sufficient to produce the desired results. These measures were, however, quite inadequate.

Meantime, the increased pressure occasioned by the development of staff organizations was not without its effects. In 1944, after numerous endorsements by parliamentary committees over a period of twenty-five years, and after a considerable amount of agitation, the government of the day had authorized the establishment of what came to be known as the National Joint Council. On this Council there was equal representation for employer and employee organizations, but the Council fell short of expectations. The Council which has continued into the collective bargaining era, has now assumed some of the functions of a labour-management committee and it is hoped that in the Council, agreement can be reached in matters affecting the whole service such as medical plans, insurance plans, mileage and commuting allowances, etc.

Another effect was the creation in 1957 of the Pay Research Bureau, the reports and findings of which were made available to both management and staff organizations. This provided a common base on which consultations could take place. There was, however, constant sniping by representatives of the Treasury

Board at the basis on which the statistics were compiled by the Pay Research Bureau, and the Board frequently interpreted the tabulations in PRB reports in a manner that was unacceptable to the staff organizations. Even more important, after consultation and agreement between the Civil Service Commission and the representatives of the employees, the Treasury Board arbitrarily set aside, on a number of occasions, the salary recommendations of the Civil Service Commission and made unilateral decisions that negated the whole value of the consultation process.

Prior to the 1962 federal election, the leaders of all political parties were asked by some of the staff organizations if they and their parties were prepared to endorse a system of collective bargaining for civil servants. Leaders of the Liberal and New Democratic parties answered affirmatively, the others supported the idea but with some reservations. The result was that when the Liberals formed their government they were reminded of their promise and, in 1963, the Preparatory Committee on Collective Bargaining was set up under the Chairmanship of Mr. A.D.P. Heeney, former Ambassador to Washington and former Chairman of the Civil Service Commission.

In the deliberations of the Heeney Committee, the staff organizations were consulted. At first they co-ordinated their efforts through the Staff Side Conference but, as the ideas of the Heeney Committee became better known, the Professional Institute and the Federated Association of Letter Carriers (later to become known as the Letter Carriers Union) withdrew their support and decided to « go it alone » since they could see from the Heeney Committee discussions that bargaining would be based on occupational groupings. The Professional Institute believed it could command the allegiance of professional employees and thus capture the professional bargaining units and the Letter Carriers believed their destiny lay with the Canadian Union of Postal Workers to form a Council of bargaining agents in the Post Office. The two remaining members of the Staff Side Conference (the Civil Service Federation and the Civil Service Association) decided that they could only achieve bargaining rights for the majority of groups by merging their two organizations in the Public Service Alliance of Canada. The final step in this merger was taken at the Founding Convention of the Alliance in November, 1966. It was this organization's function to put collective bargaining into effect in 1967 for 115,000 members.

The Public Service Alliance was a creature of compromise. The founding fathers had been traditional rivals for many years. Without the catalyst of collective bargaining, with the need to join forces in order to obtain certification for the various bargaining units, I doubt whether unity would have been achieved for several more years.

The Constitution of the newly formed Alliance, born of compromise, inevitably produced problems for our new role. The Federation was composed of affiliates which had full autonomy but had delegated certain rights to handle service-wide problems to the central establishment of the Federation. The Association was a unitary organization with full control vested in a central body. The founders of the Alliance attempted to create an organization that would reflect the best features

of both parents. Just as parents can never be sure that their child will only inherit their best qualities, likewise the Alliance suffers from the same natural tendencies.

CHARACTERISTICS OF THE ALLIANCE

The passage of the Public Service Staff Relations Act of 1967, has meant that Public Service Organizations must deal with the Government in a fashion that differs from the practices of years gone by.

There have been some fundamental changes in the feelings and attitudes of our members in the past few years. To some, their participation in a union is a traumatic experience. The word was always one of opprobrium. They even shrank from the term « collective bargaining » and preferred to use the word « negotiation ». On the other hand, we have members who now believe they can challenge management decisions at every level and at every opportunity and expect their organization to be militant on every issue regardless of merit. Luckily the vast majority fit into some grey area in between and will permit us to develop and mature in this new relationship without coming to blows with the employer at each difference of opinion.

Section 26 of the Public Service Staff Relations Act of 1967 empowers the Public Service Commission to « specify and define the several occupational groups within each occupational category... in such manner as to comprise therein all employees in the Public Service in respect to whom Her Majesty as represented by the Treasury Board is the employer ». There are six Categories (Executive, Scientific and Professional, Administrative and Foreign Service, Technical, Administrative Support and Operational) and seventy-two groups.

As I have pointed out, this arrangement by groups for bargaining purposes operates across departmental lines and, as far as the Public Service Alliance is concerned, has brought about certain administrative and organizational arrangements that were considered necessary for the efficient operation of the bargaining process from the viewpoint of the staff side.

First of all, it was obvious that research would have to be channelled along lines calling for detailed study and understanding of the classification standards and the selection standards to be used for the appointment, promotion, transfer and lay-off of public servants. Rates of pay for the seventy-two groups, including those who were formerly regarded as hourly rated and those who were paid « prevailing rates » in the locality of their employment, had to be studied on the basis of the new group classification. The Research Department was also required to give advice to the Alliance on projected legislation and regulations, to consult with the Pay Research Bureau on a variety of matters related to the technique of the Bureau's surveys and, a new development, to consult and discuss with the bargaining committees representing the various occupational groups for which the Alliance is, or expects to be, certified.

Secondly, recruiting had to be directed towards achieving the goal of fifty per cent plus one in each group to obtain certification to represent that group.

Thirdly, the introduction of the grievance process, an entirely new procedure in Canadian Government staff relations, together with the provision for adjudication of certain types of grievances, necessitated the appointment and training of a corps of shop stewards and the education of the membership in the proper use of the grievance procedure. This has necessitated training more than 1,000 stewards across the country, a program that is in process of being expanded five-fold. All grievance proceedings arising from collective agreements are the responsibility of the Appeals and Grievances Department.

Whether it is a matter of classification and selection standards, rates of pay and conditions of employment, certification procedures or grievances, all the activities of the Alliance are ultimately directed towards obtaining higher salaries and better conditions of employment for the membership. This procedure has to be begun, in the final analysis, as with all other unions, by direct negotiation with the employer. Here is where the most important differences are to be found between the old consultation process and the new bargaining procedure. The old paternalism to which so many of the management personnel are still wedded, has been replaced by participation. Unilateral decisions, often unreasonable, have given way to collective agreements negotiated in good faith. The Alliance does not now « consult » the Public Service Commission and the Treasury Board. It negotiates directly with Treasury Board, and the Public Service Commission has no voice in determining salary increases and conditions of employment.

THE STRUCTURES

There was, too, an important change in the previously existing relationship between the former Civil Service Federation and its affiliates. These affiliates were departmental organizations which delegated some of their powers to the central authority. When the Alliance was established, these affiliates became components, retaining their departmental relationship, but with their responsibilities within the Alliance more clearly defined and circumscribed by the Constitution.

The structure of the Alliance is analogous in many ways to the structure of the Government in Canada at the Federal and Provincial levels. The central segment corresponds to the Federal government with its power over issues of major concern to the whole membership, e.g. collective bargaining, organization and research. The Components, like the provincial governments, have a relatively subordinate role, being responsible for the relationship of the employer with the employee at the work site.

As is evident in the relationship between the Federal and Provincial governments, this creates stresses. Our stronger Components want more and more autonomy. They want to provide research facilities, training, process grievances to the highest levels and have greater control over the members' dues. Our smaller Components or those with a strong regard for the merits of central control of services are more inclined to permit and request the central organization to do everything possible for them from handling contentious problems in departmental employee-employer relationships to membership education and grievances. Since duplication of services inevitably costs more, we must continue to seek the most effective administrative

structure, that will provide the member the best service at every level at the lowest cost.

The Alliance must resist the pressures for decentralization or further proliferation of bargaining units if it is going to maintain a « one big union » concept to deal effectively with the Federal Government in bargaining involving occupational groups that cut across departmental lines. On the other hand, it must recognize that Government is decentralizing more and more through delegation of authority to departments by the Public Service Commission. This delegation of authority for staffing, promotion and classification will create a variety of problems that must be dealt with at the departmental level and we must be organized to deal with these problems quickly and efficiently.

Unfortunately all our Components are not equal in resources or determination when dealing with problems in their own areas of responsibility. An inadequately staffed Component with executive officers or staff who are not prepared to stand up to management on behalf of their membership, will not only create problems for themselves but will also tarnish the image of the Alliance as an effective union in the Public Service. On the other hand, an aggressive Component anxious for more autonomy and control, can create difficulties and divisions by attempting to deal with matters that might more appropriately be left to the central authority.

I do not want to give the impression that we are a « house divided » in the Alliance. We are not. Some of the bitterest opponents of pre-Alliance days are now firm friends and solid supporters of the Alliance. The five executive officers, three formerly C.S.F. and two C.S.A.C., are working extremely well together as a team.

The Components help in the processing of grievances at the departmental level, they provide for the determination of the demands of their membership with respect to salaries and working conditions, they play an active part in the developing of policy and programs affecting the Public Service and they develop and maintain effective responsible employee-employer relations at the departmental level. They participate at the grass-roots level in bargaining committees. In short, representatives of the membership through the Components, share with the executive and staff of the central office of the Alliance in formulating demands in the bargaining process in a way that brings these demands into conformity with the wishes of the membership.

A FEW PROBLEMS

The changes that have been brought about have nevertheless occasioned a few problems. First, most managers and professionals have never understood the system of collective bargaining and, being generally of an older age group, are conservative in their outlook and have an antipathy towards unions in the Public Service, indeed towards all unions. An educational program is required to change their attitude, the burden of which, except possibly with respect to some of the

management personnel who are excluded from the bargaining process, will fall on the staff organizations.

A second problem is raised by the decentralization policy of the government demonstrated in the delegation of authority to departments already mentioned. This appears to run counter to the policy of bargaining for groups at the centre. It could open wide the door to political and bureaucratic patronage despite provision for post-audit by the Public Service Commission of appointments within departments and another audit of job classification by Treasury Board, likewise within Departments. This decentralization also raises such issues as the possibility of a multiplicity of rules and regulations.

The membership itself, too, is in need of an education program and a large share of our resources must now go to this. The old fear still persists that the employee who presents a grievance becomes a marked man and his future is thought to be jeopardized. There have been numerous examples of employees who, though unfairly treated, would not allow their names to go forward on a grievance issue.

Belonging to a union carries with it the requirement to conform to the discipline of the union. Members must be prepared to exercise discipline in the event of a strike and they must be prepared to expect discipline by the Alliance if they fail to abide by the terms of the Constitution.

Further, they must be educated to respect the terms of the contracts negotiated on their behalf and to realize that the millenium has not yet arrived. Some find it difficult to understand that it is sometimes necessary for those who are conducting the bargaining on their behalf to make a choice between an additional fringe benefit and an increase in salary for the members of the group. Others complain of the length of time taken to negotiate a contract, though many collective agreements in the private sector have taken a much longer time. Only as they become more union-educated, more union-minded, will they realize that bargaining means bargaining, not obtaining all at once everything that is demanded.

It has been suggested, too, that because of lack of unified action, the employer in some instances might be able to play off one bargaining agent against another. This is possible. There is a gulf that exists between some of these agents that cannot be overcome overnight. There is dissension, for example, over the issue of exercising the right to strike. Nevertheless, there is the possibility that some day a revived and revitalized National Joint Council might be able to bridge these gaps and produce a common program that all staff organizations can support. In this way a unified position can be taken vis-a-vis the employer to produce a more efficient, more capable and more respected Public Service.

THE FUTURE

As yet, there has been no national convention succeeding the Founding Convention of 1966. The first one will be held in 1970, by which time the Alliance

will have had three years of experience and will have solved many of the problems of the initial certification period or will be prepared to discuss possible solutions to any that are outstanding. The application of a modified Rand Formula will bring increased membership and the organization problems should diminish.

Our Committee on Constitution and Structure will be reporting at that convention and undoubtedly will be making many suggestions to strengthen and clarify the Constitution of the Alliance. The Committee has received briefs calling for a complete change in the Component structure with a series of departments within the Alliance to handle the problems now being handled by Components. On the other hand, the Committee has received briefs recommending more autonomy for Components and there have been suggestions that bargaining should be on the basis of departmental units rather than occupational groups. It is to soon to speculate which way the pendulum will swing. My guess is that within the next three years there will be little major change in the structure of the Alliance. I think the central body will be given clear jurisdiction over central issues and overall disciplinary jurisdiction over the Components. The role of the bargaining groups will become stronger and we may see them becoming politically structured. If this does happen, they will reduce the power of the Components on policy decisions relative to collective bargaining issues. This to me seems inevitable if the bargaining continues on an occupational group basis. If this should change to bargaining on an occupational category basis, i.e., professional, administrative, administrative support, technical and operational, other forces will be created which may change the structure of the Alliance still more. Regardless of what develops, I still believe that the Alliance will continue to grow and prosper. As the Duke of Wellington said of his Cabinet when he was Prime Minister of England, « If we don't hang together we will all hang apart ». Hanging together may be distasteful to some but with few exceptions there is little alternative.

CONCLUSION

To revert for a moment to history and to close my remarks, I should state that the first groups to organize were the Railway Mail Clerks, in 1889, and the Letter Carriers in 1891. In the latter year, these two associations wrote to the Postmaster General requesting an interview to present arguments for an increase, since there had been no change in their rate of pay for 32 years. The Postmaster replied that he had no intention of wasting his time meeting with dissident groups of employees. We have come a long way since 1891. The millenium may not have arrived, but means to achieve it are in our hands.