RESEARCH NOTE

Is Industrial Unrest Reviving in Canada? Strike Duration in the Early Twenty-First Century

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Les données canadiennes à long terme sur la fréquence, la durée et l’ampleur des grèves laissent entendre que la grève est un acte en voie de disparition. Cependant, le début du 21e siècle va à l’encontre du point de vue de ces prévisions. Depuis 2001, la durée moyenne d’une grève est plus longue, et n’est pas anticyclique. Ce document explique cette anomalie en utilisant l’argument que les employeurs tentent de réduire les gains salariaux des décennies précédentes en raison de la hausse de la dette publique et de la menace d’un marché de moins en moins entravé. Ces conditions motivent apparentemment certains travailleurs à subir de très longs arrêts de travail, sans tenir compte de l’étape du cycle économique, dans le but de protéger leurs droits.

Canadian data on strike frequency, duration, and volume imply that the strike is withering away. Some research also suggests that strike duration is countercyclical. However, the early twenty-first century was anomalous from the viewpoint of these expectations. After 2001, mean strike duration increased and was not countercyclical. This paper explains the anomaly by arguing that employers are seeking to scale back the wage gains of previous decades in the face of mounting public debt and the whip of an increasingly unfettered market. These conditions apparently motivate some workers to endure protracted work stoppages, irrespective of the phase of the business cycle, in an effort to protect their rights.

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THE WITHERING AWAY OF THE STRIKE?

IN THE LATE 1950s and early 1960s, researchers proposed that workers were becoming better integrated in industrialized societies as their standard of living rose and stable industrial relations systems routinized labor dispute resolution. They anticipated that a long-term decline in strike frequency would result from these circumstances (Dahrendorf 1959; Ross and Hartmann 1960). From the mid-1960s to the early 1970s, massive strike waves in Italy, Canada, and other Western countries undermined the credibility of this idea. However, in the 1980s, the strike waves subsided. Most analysts now acknowledged that neoliberal state policies and anti-union employer tactics had combined to lower union density, disempower workers, and render strikes a less effective weapon than they once were (Brym 2008; Godard 2011; Huxley 1979; Shalev 1993). The social mechanisms that analysts now highlighted differed from those emphasized by researchers in the 1950s and 1960s, but the outcome they predicted was the same: the withering away of the strike.

Ample evidence supports the view that the strike is in decline over the long term. For example, Figure 1 displays an array of 11 boxes summarizing Canadian strike data, one box for each decade since the 1900s (for data sources, see the Appendix). Each box represents three dimensions of strike action—weighted frequency (the number of strikes per 100,000 nonagricultural workers) on the x-axis, mean size (the average number of workers participating in strikes) on the y-axis, and mean duration (the average number of days workers are out on strike) on the z-axis. Multiplying the magnitude of each dimension allows us to calculate the “volume” of strike activity in each decade, which we regard as a summary measure of the impact of strikes on society. While the volume of strike activity shows no clear trend from the 1900s to the 1960s, the withering away of the strike is evident thereafter. In the 1970s, strikes exerted more than seven times the impact on Canadian society (as measured by strike volume) than they did in the first decade of the twenty-first century.

AN EARLY TWENTY-FIRST CENTURY ANOMALY

Despite the widespread view that strikes are no longer the disruptive force they once were, close observation of recent data on strike duration suggests that we may need to modify our judgment on this subject. Consider the year 2009 in Canada. On January 29th, 3,400 teaching assistants, contract faculty, and graduate assistants at York University ended an 85-day walkout, the longest such strike in Canadian history. On the same day, 2,300 Ottawa transit workers ended a bitter 51-day strike. Some 1,800 city workers in Windsor walked off the job in April and stayed on the picket lines for 70 days. At about the same time, 3,500 paramedics in British
Columbia began a work stoppage that dragged on for more than seven months. In June, 24,000 Toronto city workers followed suit. They were out for 35 days, leaving the city reeking of garbage and causing at least one American broadcaster to declare Toronto a danger zone for tourists. However, the longest strike of the year began in Sudbury in July, when 3,500 Vale Inco employees walked off the job. They stayed off just eight days short of a year. By the end of 2009, it was clear that an anomalous event had taken place in Canadian industrial relations. The mean duration of strikes in 2009 rose to 32.2 days, a level that had not been observed in this country for 63 years.

Long, bitter strikes were common in the late nineteenth and early twentieth centuries. Indeed, before 1947, when the right to collective bargaining was legally recognized, strikes were often wars of attrition, the outcome of which resolved the question of whether employers would recognize workers’ bargaining power (Card and Olson 1995). However, a long-run tendency toward shorter strikes was evident throughout the twentieth
century. It was part of an international trend that Edward Shorter and
Charles Tilly (1971) first explored in their analysis of French strikes from
1830 to 1960 (see also Britt and Galle 1974).

Shorter and Tilly (1971) found that when the French working class was
small and scattered in many establishments of modest size, strikes were
localized and a relatively ineffective means of extracting concessions from
employers. Owners were thus in a position to wait out industrial disputes.
However, as the French working class grew, became more concentrated
in large industrial and service establishments, and formed nationwide
associations, it found itself in the position of being able to paralyze an
entire industry or even a substantial part of the national economy, forcing
employers and governments to seek quick remedy. Growth over time in
the number of industrial workers, the mean size of industrial and service
establishments, and the organization of workers thus transformed French
strikes from small tests of endurance to relatively brief, massive displays
of strength. Canadian strikes appear to have followed a similar pattern.
In this country between 1901 and 2011, the weighted mean frequency of
strikes fell, the mean size of strikes rose, and the mean duration of strikes
dropped, just as in France.\(^1\)

However, close inspection of cyclical and long-term trends in the dura-
tion curve reveals anomalous evidence. After the legalization of collective
bargaining in 1947, strike duration in Canada tended to be countercyclical
(Harrison and Stewart 1989).\(^2\) That is, strikes tended to stretch out during
economic downturns and shorten up during boom times. We observe this
relationship because employers have little incentive to settle a strike when
the market for their goods is weak. They are not in a position to make wage
concessions and they may have large inventories that further weaken the
desire to end the strike quickly. Social scientists have observed this pat-
ttern for decades (Ashenfelter and Johnson 1969; Rees 1952; Smith 1972).

What then can we make of the 2002 to 2011 pattern? We would expect
a statistically significant positive correlation between the unemployment
rate (a reciprocal index of the business cycle) and the duration of strikes—
but in fact the correlation is not significant for this period (\(r = .110, p > .05;\)
calculated from Human Resources and Skills Development Canada 2012;
Statistics Canada 2012). Strike duration was not countercyclical over the
past decade.

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1. For relatively short periods, countercyclical evidence were evident. For example, see Briskin (2007:51) on strike
duration.

2. Before the legalization of collective bargaining in 1947, strike duration and strike frequency were less
sensitive to the business cycle because many strikes were fights for recognition of workers’ bargaining
power rather than strictly wage related. Campolietti, Hebdon, and Hyatt (2005) found no association
between the business cycle and strike duration in Ontario between 1984 and 1992. We speculate that
relatively rapid deindustrialization in Ontario during those years affected their results; some industrial
disputes that otherwise might have stretched out were cut short when plants were permanently shut
down (Grayson 1986).
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Turning to the long-term trend, we expect strike duration to decline for reasons identified by Shorter and Tilly (1971). However, if we apply local regression (LOESS) to the duration curve in Figure 2, we are obliged to tell a somewhat different story. LOESS computes a series of regression lines for a succession of neighboring data points, letting us see tendencies in the data that a single linear regression may obscure. Note that the LOESS curve in Figure 2 arches up after 2001, remaining above the least squares linear regression line for nine of the next 10 data points. Mean strike duration reaches an apex in 2009. This 11-year uptick defies expectations. The long-term structural factors that Shorter and Tilly (1971) identified as leading to shorter strikes did not suddenly abate at the turn of the twenty-first century. Shorter and Tilly (1971) lead us to expect that strike duration will fall as the number of workers and the number of unionized workers increase. The latter variables did increase in Canada at the beginning of the twenty-first century (Akyeampong 2004; Gordon 2011), but strike duration also increased, contrary to expectations.

We can account for this apparent anomaly by considering the social context and theoretical significance of increasing strike duration in the first decade of the twenty-first century. To accomplish this goal, we first distinguish “reactive” from “proactive” strikes.

PROACTIVE AND REACTIVE STRIKES

Workers’ motivations for engaging in strikes are typically multifarious. Nonetheless, different motivations tend to predominate in different circumstances. We find it useful to divide strikes into two broad ideal types based on the predominance of different sets of worker motivations. Workers who engage in proactive strikes aim to achieve higher wages and/or better working conditions and benefits, the latter including everything from shorter working hours to a safer work environment to more parental leave. In contrast, workers who engage in reactive strikes seek to prevent loss of wages and/or the deterioration of working conditions. Not all strikes fall neatly into one or the other of these categories, but we surmise that the great majority of strikes tend to share the characteristics of either proactive or reactive strikes.

Research suggests that strikes aimed at achieving wage gains (proactive strikes) have become less frequent in recent years, largely because the assault on the working class that began in the early 1980s and continues to the present has rendered the strike an increasingly ineffective weapon for winning wage gains. Two sets of circumstances helped to ensure that outcome (Brym 2008; Godard 2011; Huxley 1979; Panitch and Swartz 2003).

First, governments passed laws and regulations weakening unions. Specifically, they increased the use of back-to-work legislation, broadened
the definition of “management” and “essential services” for public employees, imposed restrictions on picketing beyond the work site affected by a strike, strengthened employers’ right to fight organizing drives and employees’ right to attempt decertification, weakened the right of unions to discipline members who carry out anti-union activities, allowed unions to be sued, and legalized the use of scabs (now euphemistically called “replacement workers”) during strikes.

Second, the enactment of the North America Free Trade Agreement in 1994 contributed to the decline of proactive strikes by encouraging capital mobility, increasing competition among jurisdictions for investment, promoting the “downward harmonization” of labor policies, and facilitating demands for wage concessions (Gunderson 1998). For example, one consequence of the free trade environment is that employers now routinely use the threat of plant closure and relocation to low-wage jurisdictions.
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Employees understand they can easily suffer the fate of, say, the 450 workers at Caterpillar’s London, Ontario, plant, which was shut down early in 2012 after staff refused wage cuts of as much as 50 percent. Workers expected that the plant’s jobs would be moved to comparatively low-wage Indiana, where Caterpillar’s head office is located. Adding to their suspicion was the fact that Caterpillar announced the plant closing just 36 hours after Indiana governor Mitch Daniels signed legislation making it more difficult for unions to organize in that state (Keenan 2012).

The circumstances just described have promoted growing income inequality in Canada (Fortin et al. 2012). According to Gallup and World Values Survey data, they have also led to growing perceptions of unfairness, lack of confidence in government, and falling trust (International Labour Organization 2010:33–48). Typically, these perceptions are significantly associated with social unrest, including strikes (International Labour Organization 2010:49–54). However, while proactive strikes motivated by the desire for higher wages make little sense in the context we have described, the propensity to strike reactively to prevent the elimination of jobs and a deterioration of living standards may be strengthening and leading to strikes of comparatively long duration (Owram 2009).

Experimental evidence suggests why reactive strikes tend to be relatively long and bitter. In general, people are inclined to fight material loss more energetically than they pursue material gain because they experience loss about twice as powerfully as they experience gain. Decision theorists call this tendency “loss aversion” (Tversky and Kahneman 1991). It follows that reactive strikes may be typically more bitterly contested than proactive strikes are—we hypothesize that they therefore tend to last longer than proactive strikes do, all else the same—because they are often a response to employer demands for far-reaching concessions, and as such seek to prevent the erosion of what workers see as established rights.

The workers at Caterpillar in London were on strike for a month when the company announced the plant closure. However, if given the opportunity, workers are often prepared to strike for much longer to prevent substantial cuts to a wage they have secured by means of a succession of difficult labor disputes and which they have come to view as their right. Consider the 3,500 workers who went on strike in July 2009 at Vale Inco in Sudbury and remained off the job for nearly a year. They were not demanding higher wages. Brazil’s mining giant, Vale, had purchased Inco for $19 billion in 2006. After firing dozens of members of the old management team, Vale Inco demanded major concessions from the mineworkers, including substantial pay cuts, the exclusion of new workers from the company’s defined-benefit pension plan, and a reduction in a bonus scheme that awarded miners extra pay when the price of nickel was high. Wayne
Fraser, the Ontario director of the United Steelworkers, said that Vale wanted a “war” in Sudbury (quoted in Hoffman 2009). That is just what it got. The company claimed that world nickel prices had plummeted and that Sudbury was Vale’s highest-cost operation, so the status quo was unsustainable. A former Inco executive noted that the company had actually been profitable at similar nickel prices in the past. He went on to observe, “they (the Vale executive team) just want to break the union. They want to completely hit the reset button on the entire labor situation and the agreements that have been put in place in the past” (quoted in Hoffman 2009). The mineworkers’ willingness to endure a long and bitter work stoppage was apparently based on their perception that Vale Inco was threatening their hard-won right to a living wage.

Public employees are also willing to endure long strikes when their employer demands painful concessions. This scenario is common when government faces a fiscal crisis (Rodgers and Strausman 1984). For example, “out-of-control costs” were held responsible for the demand by the City of Toronto and its mayor, David Miller, that municipal workers accept a variety of concessions in 2009 (Gillis and Lunau 2009). The city’s operating expenditures had increased 32 percent in the preceding five years and it was no longer able to balance its budget, adding annually to its debt burden. Trash collectors became the target of taxpayer outrage. Earning an average of $25 an hour and allowed to bank as many as 18 sick days a year and cash in up to six months of banked days on retirement, the trash collectors were widely accused of featherbedding. Accordingly, the city set out to scrap the sick plan and win concessions on job security and seniority, precipitating the long strike.

ARE WE WITNESSING A REVIVAL OF THE STRIKE?

We cannot say with conviction that the strike movement began to revive in the first decade of the twenty-first century. There is simply no denying that, whether we examine weighted frequency or volume, strikes are a shadow of what they were 30 or 40 years ago. We need more data points—and survey data on workers’ motivations—before we can say definitively that relatively long, reactive strikes are becoming an enduring feature of the Canadian labor relations scene and that we can reject or at least qualify the expectation of a virtual cessation of labor unrest.

Nonetheless, it is worth noting that even after removing the two extreme data points for 2007 and 2009 from Figure 2, the early twenty-first century anomaly representing an increase in the mean duration of strikes remains evident, albeit less pronounced. As the examples cited earlier suggest, employers, both private and public, seem to be seeking to scale back the wage gains of previous decades in the face of mounting public debt and the whip of an increasingly unfettered market. These conditions may be
leading some workers to endure protracted work stoppages in an effort to protect their hard won rights.

References


Appendix

Data Sources and Limitations

We derived data for Figures 1 and 2 from the following sources:

- **Strike frequency** is the mean number of strikes that started in a given year divided by the size of the nonagricultural labor force in that year. Data for 1901 to 1975 are from Meltz (1976). Data for 1976 to 2011 are from Human Resources and Skills Development Canada (2012).
- **Strike duration** is the mean number of days on strike per person involved. Sources are the same as those for strike frequency.
- **Strike size** is the mean number of people involved in a strike in a given year. It is derived from the annual number of people involved in a strike divided by the total number of strikes occurring in that year. Sources are the same as those for strike frequency.
- **Nonagricultural labor force** is the size of the paid labor force in industries outside agriculture. Estimates are from Denton (1976a, 1976b, 1976c) and Statistics Canada (2012). We interpolated labor force estimates for inter-census years.

The only major limitation on the series for frequency, duration, and size concerns the definition of strikes. From 1976 to 2011, strikes were defined as work stoppages involving one or more workers. From 1964 to 1975, strikes were defined as work stoppages involving a minimum of 10 workers. For 1958 to 1963, strikes were defined as work stoppages involving six or more workers. The definition of strikes before 1958 is unspecified and unavailable. It is unknown how the varying criteria affect the data series. For size, workers laid off because of a work stoppage are not included. This may mean that earlier strike size numbers—particularly before the legalization of collective bargaining in 1947—are underestimates.

Pre-1975 nonagricultural labor force data come from three sources. Decennial censuses contain estimates through to 1971 (Denton 1976a). Alternative estimates are available for 1931 to 1958 (Denton 1976b) and 1946 to 1975 (Denton 1976c). For the 13 years when the latter two series overlap (1946 to 1958), the 1931 to 1958 series is on average 12.64 percent higher than the 1946 to 1975 series. To obtain consistent estimates, we subtracted 12.64 percent from the 1931 to 1958 series. We weighted the 1931 to 1958 series to the 1946 to 1975 series because more recent data tend to be more reliable and because we then wound up with consistent data for 1946 to 2011.
The census series on the size of the nonagricultural labor force overlaps the alternative 1946 to 1975 series at three points (1951, 1961, and 1971). For these three points, the census data are on average 17.0 percent higher. We elected not to weight the 1901 to 1931 census series to reflect the higher census estimates because only three data points are involved. However, this meant that when we switched from the census series to the alternative 1931 to 1958 series, the nonagricultural labor force estimate dropped from 2.7 million to 2.4 million people (between 1930 and 1931). Also, it seems likely that because the 1951, 1961, and 1971 censuses give higher estimates for the size of the nonagricultural labor force, the 1901 to 1931 censuses also give inflated estimates. Since we weighted strike frequency by the size of the nonagricultural labor force, strike frequencies for this period are lower than they would be if census data measured the size of the nonagricultural labor force the same way that the alternative data series do.

Until 1951, nonagricultural labor force data exclude people serving in the armed forces. Until 1911, nonagricultural labor force data include people 10 years and older, but from 1911 to 1975 they include people 14 years and older, and from 1975 to 2011 they include people 15 years and over. Varying provincial and cross-time minimum working-age laws also affect these variables. We lack data on Newfoundland and Labrador for all variables until 1950. Nonagricultural labor force data exclude aboriginals living on reserves and data from the territories.