The Ottawa and Gatineau Museum Workers' Strike: Precarious Employmentand the Public Sector Squeeze

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Nearly five years removed from what would later come to be known as the Great Recession, a large amount of critical writing has sought to show how a private sector-led economic crisis has been thoroughly displaced into the public sphere (McNally, 2011; McBride and Whiteside, 2011; Panitch *et al.*, 2010; Fanelli *et al.*, 2010). Having taken on private capital's debts, supplied new subsidies and undertaken a stimulus program in order to offset the recession, the economic downturn has been redefined as one originating in overgenerous social services, an inefficient government bureaucracy, unions and just about any user or producer of public services. Paradoxically, but perfectly logical in capitalist terms, the banks, corporations and capitalist classes that caused the crisis are now demanding austerity.

As David Camfield (2011, p. 96) has recently written: "There is evidence that governments and other public sector employees are beginning to conduct an intensified offensive against public sector unions. This offensive will likely feature not only freezes for wage and benefit costs but also other concessionary demands and job cuts, along with new efforts to restructure the public sector." In line with Camfield's contention, in this paper we seek to add to the growing body of literature examining the changing nature and content of government political economic intervention, social welfare provision, growing attacks against labour unionism and general restructuring of the federal public service.

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We overview the transition from Keynesian to neoliberal public policy prescriptions, with a focus on precarious work and shifting labour market conditions. Our research is empirically grounded in an analysis of striking museum workers in the Ottawa and Gatineau region. As will be shown, the Public Service Alliance of Canada (PSAC) Local 70396's efforts in achieving job security and fair wages for its members offer valuable insights from which to learn in the continued struggles against precarious work and neoliberal public policy. The PSAC strike illustrates how increasing trends in non-standard, temporary, and contract work are making inroads into the public sphere. We conclude with some cursory projections as to the hardening relationship between employers and employees, particularly those unionized and in the federal public service, followed by some general observations on the in/adequacy of union responses.

CANADA'S KEYNESIAN COMPROMISE

As the political economic malaise and social devastation wrought by the Great Depression and WWII came to an end, decades of strife had transformed the class dynamics of Canadian society. Describing the Depression years of the 1930s, an excerpt from Pierre Burton's (2001, p. 9) study of the period is quite informative: "Nobody could tell exactly when it began and nobody could predict when it would end. At the outset they didn't even call it a depression. At worst it was a recession, a brief slump, a "correction" in the market, a glitch in the rising curve of prosperity. Only when the full import of those heartbreaking years sank in did it become the Great Depression." As rampant financial speculation, plunging primary resources extraction and industrial production coalesced in the turmoil of the 1930s, nearly one-third of Canadians were out of work and half the population had become reliant on some form of social relief. As Berton (2001, p. 10) noted, "Balancing the budget was more important than feeding the hungry. The bogey of deficit was enlisted to tighten the purse strings," while "[t]he bondholders enjoyed a free ride on the backs of the people." Unfortunately, it was only with Canada's entrance into WWII that the Canadian economy began to see some so-called recovery.

With social turmoil mounting, the Canadian state began introducing and expanding welfare provisions assuming a greater responsibility for social reproduction (McKeen and Porter, 2003). Indeed, the following years were an intense period of labour-capital disputes, marred by ideological, political and philosophical contestation. Panitch and Swartz (2003) suggest that due to swelling union membership and mass political

mobilization, the 1940s represented an unparalleled shift in the balance of class forces. Commonly referred to as the 'Keynesian compromise', Harvey (2005, p. 10) describes the period thus:

> "States actively intervened in industrial policy and moved to set standards for the social wage by constructing a variety of welfare systems (health care, education and the like)...[M]arket processes and entrepreneurial and corporate activities were surrounded by a web of social and political constraints and a regulatory environment that sometimes restrained but in other instances led the way in economic and industrial strategy. State-led planning and in some instances ownership of key sectors (coal, steel, automobiles) were not uncommon" (Harvey, 2005, p. 10).

This social pact formed the basis from which the Canadian state enlarged and developed its active and interventionist provision of social services, while laying the groundwork for rising real wages and improved working conditions. Symbolic of the newfound 'compromise' was Privy Council Order 1003 which 'recognized the rights of private sector workers across Canada to organize, bargain collectively and strike... and backed these rights with sanctions against employers who refused' (Panitch and Swartz, 2003, p. 3). Canada's experiment with Keynesian demand-side macroeconomic policy was guided by certain key commitments: full employment; active fiscal and monetary policy; public works projects (e.g. roads, bridges, general infrastructure); progressive taxation (particularly income and corporate); universal social programs; some degree of capital controls and a commitment to domestic reinvestment (McBride, 1997; Evans and Shields, 1998; Burke *et al.*, 2000). As Canadian governments and their provincial counterparts implemented–to varying degrees–the aforementioned policies, two federal programs were central to the development of Canada's welfare state: Unemployment Insurance (1940) and Family Allowances (1944). This was followed over the next two decades with the expansion of pension and health care coverage, for example, as well as the introduction and extension of federal-provincial cost-sharing arrangements and direct income transfers to individuals.

In the quarter-century following the Second World War, growing militancy on the part of labour unions, anti-racist and women's' movements radically revamped the contours of work, labour market conditions and social reproduction. What has come to be known as the Standard Employment Relationship (SER) became the normative "white

male breadwinner/family wage" model upon which legislation, labour laws, public policy and union organizing strategies were based (Vosko, 2006, 2007; Pupo, 1997. The SER refers to a work arrangement based on a single employer, full-time, year-round employment, often under direct supervision with benefits and expectations of indefinite employment. Throughout this period, inequities along the lines of race, gender, sexuality and ethnicity marred the shifting landscapes of work, with many of those deviating from the white male breadwinner model excluded from the SER (Teelucksingh and Galabuzi, 2005; Bezanson and Luxton, 2006; Das Gupta, 1996). As the 1960s progressed, most federal and provincial employees were finally granted the right to strike with the passage of the *Public Service Staff Relations Act,* something most private sector workers obtained more than a decade earlier (Panitch and Swartz, 2003). However, just as many gained these rights, economic recession would once again put many workers, working conditions and general labour market security under duress. After three decades of uneven, though gradual improvement in the provision of social entitlements and working conditions, growing regional uncertainty and international economic turmoil would come to radically halt the expansion of Canada's social programs and public goods and works investments. As inflation and unemployment mounted, postwar Keynesianism began to unravel in the 1970s "re-exposing all that had been learned about market failures and monopoly provision a century ago" (Albo, 2009, p. 5).

NEOLIBERALISM WITH CANADIAN CHARACTERISTICS

The 1970s would witness a significant transformation in the form and function of public policy, labour relations and social services. As the making of global capitalism stumbled amid the deep recession of the 1970s, collective efforts on the part of the capitalist classes would seek to refashion the institutional configurations and social provisions of the previous thirty years. Neoliberalism emerged in this context as a means to discipline the growing power of labour militancy and return to capitalist profitability. As three decades of unprecedented economic growth came to a standstill, social expenditures increasingly came under attack as unaffordable. The 1970s saw rising unemployment and inflation, increased foreign competition, the doubling of international oil costs and rising resource prices (McBride, 1992; Carroll and Shaw, 2001). Contending that the Keynesian welfare state cultivated dependency on the government for social security and interfered with the so-called natural machinations of the free market,

emerging neoliberal models reoriented public policy toward fiscal restraint, the cultivation of a competitive business climate, enhanced capital mobility and individual responsibility. The state's role came to be seen as ensuring the institutional preconditions for free trade, private property and "flexible" labour market conditions. Neoliberal work arrangements sought to intensify the profit motive with the use of shift work, short-term contracts, workplace speed-ups, evening and overnight work, part-time labour, weekend work, rotating and split shifts, variable schedules, as well as casual and seasonal employment (Shalla and Clement, 2007; Pupo and Thomas, 2010). It was at this point, roughly in the mid-1970s, where the SER began to crumble. In its place has arisen what some have identified as atypical, non-standard, contingent and casualized forms of work, but which we prefer to characterize as "precarious" (Vosko, 2006, 2007; Pupo and Thomas, 2010; Braedley and Luxton, 2006; Camfield, 2011).

Four key indicators are often taken as measures of precarity: the degree of certainty in employment; control over the labour process (linked to the absence or presence of trade unions); the degree of regulatory protection through union representation or law (e.g. against unfair dismissal, discrimination); and income level (as even 'secure' jobs can be low-paying) (Rogers and Rogers, 1989). However, not all contract or part-time work is precarious: "sometimes it is progressive, sometimes regressive, and it can be both precarious and permanent" (Clement *et al*., 2010, 57). As such, the concept of precarious employment remains a multidimensional and heterogeneous concept (Vosko, 2006). In an effort to reduce production costs and maximize profitability, many employers have adopted a neoliberal approach to employment, which is achieved through union-busting, the temporary and discretional use of employment, layoffs, labour intensification, the denial of benefits and retrenchment of wages. The results of which have brought median real wages to a near stand-still for more than three decades amid the growing discrepancy between the intensification of worker productivity and the compensation that follows (Clement, 2007). For instance, it is estimated that real median wages in Canada peaked in 1982, while productivity grew more than 35 percent between 1981-2008 (Gonick, 2009; IOW, 2009). Businesses now openly regard workers as disposable commodities. For example, take a senior manager at AT&T: "In AT&T, we have to promote the whole concept of the workforce being contingent, though most of our workers are inside our walls. "Jobs" are being replaced by "projects" and "fields of work" are giving rise to a society that is increasingly "jobless but not workless."...

People need to look at themselves as self-employed, as vendors who come to this company to sell their skills" (cited in Perelman, 2011, p. 31). As such, central to the new reality of work in the twenty-first century are insecure labour arrangements, low-pay, the absence of benefits or entitlements, and growing work-life incongruities.

In this regard, central to Canadian neoliberalism was a deepening integration with American economic policy; the de- / re-regulation of foreign direct investment, including a steadfast emphasis on free trade agreements, particularly with the U.S. and later Latin America; corporate and personal income tax reductions; new subsidies to capital in the form of loans, grants and tax exemptions; increases in consumption taxes; public sector reform through New Public Management strategies; the replacement of welfare with workfare; and the movement away from universal social programs toward market-based models (Broad and Hunter, 2010; McBride, 2001; Evans and Shields, 1998; Workman, 2009; Burke et al., 2000; McKeen and Porter, 2003). This was joined by an increasingly authoritative turn by corresponding Canadian governments, notably the Liberal government of Trudeau (1968-79, 1980-84) and Conservative government of Mulroney (1984-1993), which sought to dismantle the regulatory gains and protections afforded by Keynesian-era social protections. Both the Trudeau and Mulroney governments intensified neoliberal policy prescriptions by serving injunctions on unions, jailing prominent union leaders (notably the federal government's showdown with the Canadian Union of Postal workers and Public Service Alliance of Canada), freezing wages for federal workers, the increasing designation of unionized workers as "essential", and the growing use of back-to-work legislation, while laying off workers under the auspices of fiscal responsibility. For some commentators this signaled a return to a more open reliance of the state and capital on coercion to secure the subordination of labour, including the consolidation of a state of "permanent exceptionalism" (Panitch and Swartz, 2003, p. 25).

But it was in the 1990s with the election of the Chretien Liberals, who "adopted the neoliberal fiscal agenda much more vigorously than Mulroney" (McBride, 2001, p. 99), that the most sustained welfare state restructuring took place. McBride (2001) has come to describe this period, particularly the 1995 federal budget, as one when erosion ended and demolition began. The primacy of deficit reduction over social welfare coupled with inflation-targeting over full-employment, characterized this period as expenditure restraint and supply-side arguments dominated the political economic arena. A wave of privatization measures

also swept over the federal and provincial landscapes as the most lucrative Crown corporations were dismantled and sold off piecemeal. Social services also became increasingly subject to public-private-partnership (P3) delivery models, as in health care and education (Armstrong et al., 2001; Fisher et al., 2006; Loxley and Loxley, 2010). The notion that unemployment was more a result of individual failure as opposed to market failure came to dominate public policy debates, as the principle of private responsibility over collective responsibility transformed the parameters of the welfare state. Neoliberal policies also reproduced and intensified patterns of racialized and gendered labour market segmentation and inequality by ignoring socio-historical structural relations and transformations in the breadth and depth of protective regulations. For instance, as social services became ever-more market-dependant, the burden increasingly fell on historically racialized groups, women and immigrants to occupy the most precarious labour market positions (Braedley and Luxton, 2010; Teelucksingh and Galabuzi, 2005; Arat-Koc, 1997; Bakan and Stasiulus, 1997).

By the mid-2000s, the neoliberal project had thoroughly remodeled the Canadian welfare state. The election of Conservative Prime Minister Stephen Harper in 2006 is perhaps the most comprehensive attempt to embed a particularly aggressive form of neoliberal market dogma. Since his election in 2006, Prime Minister Harper has methodically worked to entrench a market-led revamping of the federal public service. This includes: cutting federal social services programs, especially those that would fall under the auspices of the provinces; freezing federal wages; cutting the federal Goods and Services tax (GST) from seven to five percent; mandating provinces to consider the P3 route in order to receive federal grants; increasing defense spending by nearly 40 percent; allocating $9 billion to build new 'super jails'; easing environmental regulations in the Arctic for oil and mining companies; fast tracking development project's in the Alberta tar sands; weakening Canada's internationally admired long-form census; defunding equity seeking groups; intensifying free trade talks with the European Union; and leading the largest militarization, and subsequent mass arrests, in Canadian history at the June 2010 G20 summit in Toronto (Evans and Albo, 2010; Fanelli and Hurl, 2010; Hussey and LeClerc, 2011; McBride and Whiteside, 2011).

Despite being found in contempt of parliament, Stephen Harper has been clear about his intensions "to make conservatism the natural government philosophy of the country" (Whittington, 2011). Moreover, although already one of the most tax-friendly regimes for corporations

in the world, Harper's Conservatives will provide over $10 billion in corporate welfare for 2011-12. While corporate tax rates were 30 percent in 2000, they had fallen to 21 percent in 2004, 19.5 percent in 2008, 16.5 percent in 2011 and 15 percent by 2012 (ibid). In just twelve years corporate tax rates will have been cut exactly in half, with Prime Minister Harper's Conservatives overseeing the bulk of corporate subsidies and the undermining of federal revenue streams. Altogether, tax cuts enacted by the Conservatives since 2006 will result in $220 billion in foregone revenue by 2013-14; that's money that could have gone toward expanding and improving health care and education, pension plans, early learning and child care programs, tackling poverty and fighting climate change. Such changes in the nature and content of public policy have had significant implications for the transformation of labour market conditions with some important differences in the public and private sectors. As Stinson (2010, 94) has argued: "The key difference is that casualization in the public sector has taken place primarily through the growth of temporary full-time employment between 1997-2007, whereas in the private sector the growth in casualization has been mainly in temporary part-time work. Over this period, temporary full-time work has squeezed out permanent part-time employment as the main form of casualized labour in the public sector." Given significant structural forms of discrimination, such as those historically linked to the female gender wage gap and racialized exclusions, transformations in the quality and form of work and working conditions remains important given that nearly one in four Canadians, 61 percent of which are women, work in the public sphere.

Moreover, these transformations will also have grave implications for the strength and vitality of Canada's highly unionized public sector (75 percent), and its relationship to the shrinking union density of the private sector (19 percent) (ibid). Recent scholarship regarding the growing spread of precarious work is also revealing new insights. Lewchuck *et al.* (2011) propose that we may be in the early stages of a major shift in the interrelationship between production and social reproduction in the last century. Their data suggests that men and women's employment experiences are becoming increasingly similar, due in part to the downward convergence of wages and working conditions –i.e. those historically associated with "feminized labour"– characterized by dual precarious earner households. As they argue (Lewchuck *et al.*, 2011, p. 94), "White male workers can no longer assume that secure labour market positions are theirs, while new opportunities for hidden forms of both gender and racial privileging/discrimination have merged in the less secure segments of the labour market, in the pay

differences, constant scheduling, and rehiring/firing of temporary and contingent work." On the whole, then, while in the preceding Keynesian period the public sector often set the general standards for working conditions and wages, due in good part to unionization, under neoliberalism the weakened private sector has become the benchmark, often at the detriment of public sector workers today. As our analysis of the 2009 strike by museum workers in PSAC Local 70396 illustrates, their struggle over decent working conditions and fair wages may be a sign of things to come as neoliberal public policy seeks to undermine free collective bargaining in a renewed age of austerity.

PREPARING FOR A STRIKE: BACKGROUND AND CONTEXT

After seven months of negotiations without a contract, on September 21, 2009, 375 Public Service Alliance of Canada (PSAC) members with Local 70396 took job action against the Canadian Museum of Civilization Corporation (CMCC), which operates both the Canadian Museum of Civilization (CMC) and Canadian Museum of War (CMW).[2] PSAC Local 70396 is separated into two main groups: (1) the floor staff, public hosts, tour guides, client services and animators, (2) and about one-third work in administration, collections and exhibition (PSAC, 2009a). The union is composed of approximately 60 percent women, with 5 percent from historically racialized groups, 2 percent from First Nation communities, and 6 percent persons with disabilities. At the time of the strike there were only 6 permanent tour guides at both museums, while 49 positions remained temporary and part-time. With 92 percent of the voting membership choosing to exercise their right to strike, members took to the picket lines over job security, wages and contracting-out. As one of the striking workers stated, "This is a frightening time in which people who have full-time, permanent status still feel they could be laid off or replaced by a private firm at any time. It's incredibly difficult on the psyche" (Personal Communication, 2009).

Using the recession as an excuse to freeze wages and contract-out employees, the strike pitted the Crown corporation against PSAC workers striking in the bordering cities–one in Ontario and the other in

2 Since its beginning in 1966, PSAC has grown into one of the largest labour unions in Canada representing over 172,000 Canadian workers, many from the federal public sector. With representation in the private sector also growing, the majority of PSAC members remain federal government workers in agencies such as Postal Communications, Agriculture, Customs and Immigration, National Defense, and Heritage Canada. PSAC also represents workers in the broader public sector including teaching and lab assistants in universities, casino workers, and employees in women's shelters.

Quebec–of Ottawa and Gatineau. Central to the strike was the Crown's efforts to increase the use of contractual and temporary work, which already accounted for nearly 38 percent of the workforce. As part of maintaining this level of casual employment, the CMCC regularly terminated temporary positions days before they would reach the level at which they would become eligible for a permanent position as then stated by the collective agreement. After enforcing a three-week waiting period, the employer would unashamedly offer the former employee a new contract. The newly re-hired worker was then forced to start from the bottom of the pay scale without any seniority. Where lay-offs and promotions were concerned, management possessed the power to terminate temporary contracts at their discretion thus making it impossible for casual workers to become permanent employees and union members. One such termination involved an employee who had twenty years of employment experience with the CMCC. Examples are abound of workers with nearly two decades of experience still considered temporary by the corporation, and could therefore be let-go at any time. Likewise, an important element of the strike was significant pay differences among workers. It was not uncommon for employees in similar positions to make anywhere from twenty to forty percent less than their colleagues working at other Crown museums, despite similar levels of training, education and experience. For example, at the time of the strike a host working at the Museum of War was paid an hourly wage of $13, while one at the Museum of Nature was paid $24 per hour, despite near equal levels of experience, training and education. Similarly, in an effort to avoid providing benefits to its employees, the CMCC sought to extend benefit eligibility requirements for sick leave and vacation pay from a six month probationary period to twelve. In fighting to end the unfair treatment and casualization of labour at the museums, job security, control over the labour process and wages on par with other workers at CMCC museums was a sticking point throughout negotiations (ibid).

ON STRIKE

Throughout the first four weeks of the strike few discussions were held between PSAC Local 70396 and the CMCC bargaining committee. Aware of the impasse, then-Minister of Labour Rona Ambrose offered to send the labour dispute to binding arbitration; however, while Local 70396 was open to the idea, the CMCC refused, perhaps fearful that an arbitrator would rule in the union's favour given precedent at other CMCC museums. Seeking to avoid arbitration, and after nine weeks

of refusing to meet with PSAC members unless their demands for job security and the end of casualization were taken off the table, the corporation finally agreed to meet with the union on November 20, 2009. However, bargaining failed to provide any concrete movement as censorship and intimidation became the preferred approach of the CMCC. For instance, PSAC was presented with a letter from CMCC's legal counsel threatening that immediate action would be taken if so-called defamatory comments and photos were not deleted from a Facebook page set up to provide strike support entitled "Fairness and Justice for Museum Workers." PSAC responded by saying that they were not of the opinion that the material on this page was offensive or inaccurate and in turn accused the Corporation of attempting to suppress the voice of the workers who were exposing the unfair work practices and experiences they had endured. Maria Fitzpatrick, the Regional Executive Vice-President for the National Capital Region, described this attempt at censorship as "acts of desperation" and went on the say at the time that "we are appalled that a Crown corporation is spending taxpayers' money to attempt to intimidate workers into silence, rather than getting back to the bargaining table to negotiate a fair settlement" (Blatt, 2009).[3]

Nevertheless, the CMCC's bargaining committee refused to address issues related to workplace insecurity, staffing procedure and wage disparities, using the rationale that the public service needed to be "flexible" like their private sector counterparts. Private security surveillance was subcontracted by the CMCC to constantly videotape the strikers, at times from only a few feet away. Also, Records of Employment were sent to the homes of those on strike without explanation as part of a rather bold intimidation strategy. PSAC did not take kindly to such tactics and indicated that their lawyers would be demanding an explanation for this offense. This proved to be the first time an employer has ever sent such documents to the homes of striking employees in the forty four years of the union's existence. In

3 PSAC also presented the CMCC with a letter of their own referring to a web publication entitled "Union Activities Counterproductive to Negotiations." In an attempt to sway public support away from the strikers, the CMCC document stated: "The Public Service Alliance of Canada and some of the strikers have taken their labour dispute from the work site to the private residences of employees of the Canadian Museum of Civilization Corporation. These employees, their spouses and children were frightened, and felt intimidated and harassed by these questionable tactics. We believe that the majority of striking staff and Canadian citizens would find such activities reprehensible and not conducive to a timely resolution of the current labour dispute". The "reprehensible" activity in question was a pancake breakfast, which PSAC describes as "in no way intimidating, frightening, harassing or otherwise improper or questionable." If the corporation refused to remove the document PSAC was ready to pursue legal action for damages and sue for defamation on grounds of its own.

response, PSAC reassured its members that there was no legal cause for the sending out of such documents and advised them to ignore the Records of Employment. At the time, PSAC (PSAC, 2009b) reminded management that "Section 94 of the Canada Labour Code clearly states that no employer may terminate, layoff, discipline, transfer, suspend, intimidate, threaten or otherwise discriminate against an employee for participating in a legal strike" and threatening to do so would result in charges of unfair labour practices. Yet, despite the corporation's attempts to scare workers into concessions and forcefully impose upon them a state of permanent precarity, striking PSAC workers held the line. Strong bonds were formed while picketing and a newfound sense of courage amongst workers left them anxious for talks to resume. Throughout, strikers stressed that the dispute was not with the public, but with the CMCC.

Unlike the resentful memory of the Ottawa public transit strike over late 2008 and early 2009, including bitter civic workers' strikes in nearby Windsor and Toronto (Fanelli and Paulson, 2010; Noonen, 2009), striking museum workers in Gatineau and Ottawa continued to gain public support as the strike went on. Walking a picket line for weeks with no obvious end in sight can be extremely demoralizing. As anyone who has ever been on strike or been effected by a strike can attest, the financial and personal/familial strains this puts on picketers can easily fracture a common front. One useful way museum workers fought this was by putting together regular cultural events that normally would have taken place inside the museum, but holding them outside on the picket line instead. These events were open to the public and provided the workers with an opportunity to organize and work together on the picket line in a fulfilling way. The successful execution of these events, such as one honouring veterans on Remembrance Day (CBC News, 2009a) and picket line tea parties held in celebration of Prince Charles' visit to Canada (PSAC, 2009c) contributed in a substantial way to workers' ability to maintain their spirits throughout the strike. The events also demonstrated to the public an effort on the part of workers to make the best out of a difficult situation while informing them of their issues. This was especially evident when the Museum of Civilization opened the "Afghanistan: Hidden Treasures" exhibit and workers on the picket line created their own exhibit featuring 200 photographs of museum workers engaged in strike action entitled "Striking Treasures." To quote a striking employee who worked on this project, "The purpose was to show people the real treasures of the museum… unfortunately on the sidewalk" (CBC News, 2009b).

Holding events such as these on the picket line made workers extremely visible to the community and showcased the skills of the striking workers and their work as valuable contributors to the community. It encouraged dialogue between the picketers and the public, providing an opportunity for workers to express their legitimate concerns and reasons for being on strike, as well as garnered positive media attention and political support. Picketers were also visited by fellow artists and musicians as every bit of encouragement counted. This included the support of politicians Marcel Proulx (Member of Parliament Hull-Aylmer, Liberal Party) and Paul Dewar (Member of Parliament Ottawa-Centre, NDP), public supporters and other prominent figures such as Barry Blake (National Councilor for the Alliance of Canadian Cinema, Television and Radio Artists) and Douglas Cardinal (architect of the CMC), which provided the workers with positive reinforcement and confidence (PSAC, 2009d).

Other unions and labour affiliates also came forward in support of PSAC Local 70396, such as the Professional Institute of Public Service and the Canadian Union of Public Employees. At the same time, the Canadian Labour Congress (CLC) met in Ottawa and agreed that the CMCC "has blatantly abandoned their responsibility by failing to negotiate a fair collective agreement" (CLC, 2009). The CLC also asked the Canadian government, then a Harper minority, for a public showing of support for the employees in their struggle by applying pressure to the CMCC, and in particular its Chief Executive Officer Victor Rabinovitch, to begin a new round of talks that would put an end to the strike. Cognizant that back-to-work legislation would not make it passed a Conservative minority government, the Harper government did not intervene.

OUTCOME

Negotiations with the CMCC finally resumed on December 11, 2009, but it took a meeting between Victor Rabinovitch, then PSAC president John Gordon, the Deputy Minister of Labour Canada, and a Senior Official of the Federal Mediation and Conciliation Service to make it happen. To sum a long and bitter labour dispute, in the end some important improvements to the working conditions of PSAC Local 70396 employees were won. Four improvements were central: first, the CMCC agreed to provide full-time temporary workers with the opportunity of permanent status; second, internal applicants were granted preference to available jobs, providing they possess the necessary skills and experience; third, new language was introduced in the collective agreement that guaran-

tees no existing temporary position will be involuntarily eliminated as a result of the contracting out of the same position; and fourth, improvements in maternal and parental leave benefits were gained, which are now on par with the Quebec Insurance Plan (Emploi et Solidarité Sociale Québec, 2011).[4] Also, gained in negotiations were salary protections for those who are reassigned to different positions. As a step toward recognizing seniority among casual employees, the CMCC offered seven newly created permanent part-time positions filled internally based on experience and years of service. After 86 days on strike, on December 15 2009, PSAC Local 70396 workers voted to accept the tentative agreement reached with the CMCC (PSAC, 2009e).

Of course, there are other aspects of the strike that were not quite as successful. For instance, workers with PSAC Local 70396 were unsuccessful in their quest for wage parity with museum workers at other Crown corporations, such as the Museum of Nature. Likewise, after nearly three months on strike, relations with management remained obviously strained, as do tensions between non-union and union members who crossed the picket lines. Rather than resorting to unjust terminations, the CMCC now uses attrition as a way of reducing staff numbers, while in the event of layoffs employees are offered a severance package that both the employee and the union Local must approve.

The above aside, however, reflecting on the strike's relative success, one striking worker mused that building solidarity among the rank-and-file of the two museums and the bargaining executive played a major role in PSAC's optimism over the long haul (Personal Communication, 2009). Tensions among the classic divide between Francophone and Anglophone workers were few, if any, perhaps due to the recognition that they were–as one striker remarked–"in this together." All union communications were issued in French and English, ensuring the free flow of necessary information. Regular updates were communicated to the membership by the negotiating team and the demands of the workers were presented in a clear and consistent way. Feelings of camaraderie were fostered within the union throughout the negotiating process. Also, important to striking workers was support from other PSAC Locals and unions. Indeed, some workers attributed the overwhelming refusal of the CMCC's "final offer" by the membership to their new-

4 The Quebec Parental Insurance Plan is perhaps the strongest in the country providing paid leave for wage-earning birth or adoptive parents. Benefits can be shared by parents or taken separately as maternal/paternal leave and include a 55-70% income replacement for a maximum of 18 to 37 weeks depending on the chosen option. See: http://www.rqap.gouv.qc.ca/travailleur_salarie/choix_en.asp

found politicization and solidarity. In interviews conducted during and after the strike, they suggested that their resounding "no" sent a clear message to the corporation that "workers remained fiercely united, were not prepared to back down, and were to be taken seriously" (PSAC, 2009f; PSAC, 2009g).

A SIGN OF THINGS TO COME

Even though the strike ended in what may be considered a relatively small victory with gains in the protection of employees against contracting-out and improvements to parental leave, the spectre of increased private sector penetration into the CMCC looms large. For instance, shortly after the strike the CMCC's CEO Victor Rabinovitch stated that he intended to focus his energies on "attracting private sector support to supplement government funding" (CMCC, 2009). As disconcerting as such comments are, the PSAC Local 70396 strike over the Winter of 2009 is one small success in what may, unfortunately, be an increasingly aggressive Federal Conservative, now majority, government. Workers at the National Gallery of Canada and Museum of Civilization are once again being threatened with continued cuts to heritage institutions. Without a contract since June 2010, the Gallery's management has announced plans to trim its budgets by privatizing its book store and terminating nine employees. Commenting on the situation, Local 70397 President David Bosschaart said: "We just want a fair contract that provides service pay, improved job security and some protection against inflation" (PSAC, 2011). Since gaining a majority in the House of Commons, the Conservatives have been unhesitant in their quest to remake the public sector in the image of the private sector. For instance, over the next three years 6000 full-time jobs in the public service are set to be cut. National vice-president of PSAC, Patty Ducharme, commenting on the cuts, said: "They are chipping away at services they consider have no value. Arts, culture, heritage, language [and the] environment…" (Cobb, 2011). Likewise, in an effort to further shrink public sector employment, workers are being offered buyout packages, the option of taking early retirement and, ultimately, layoffs should attrition fail to produce the desired results. Indicative of this trend, from 1990 to 2009, as a percentage of the total labour force government employment experienced a decline from 21 percent to 18 percent (McBride and Whiteside, 2011). In addition to making the public sector market-dependent, the Federal Conservatives are flexing their majority power with the growing use of back-to-work legislation.

After seven months of negotiations without a contract, on June 2, 2011, nearly 50,000 workers at the Canada Post Corporation (CPC) took job action against employer efforts intent on downgrading their wages, benefits and working conditions.[5] Rather than launching an all-out strike, the Canadian Union of Postal Workers (CUPW) decided on rotating job action, while continuing to deliver pension and social assistance cheques. Canada Post's intentions were unambiguous: introduce new machinery and workplace reorganization in an effort to intensify productivity; increase the volume of mail carried by each letter carrier; cut well-paying, full-time positions; introduce more evening and overnight shift work; replace sick leave rights with an inferior Short Term Disability Plan; and, most contentiously, introduce a lower pay scale and replace the defined benefit pension plan with the unstable fluctuations of a market-dependent defined contribution plan. After twelve days of rotating job action, however, on June 14, 2011, the CPC locked out the workers. Just one-day later Labour Minister Lisa Raitt tabled back-to-work legislation imposing a wage scale that was lower than the CPC's last offer (CTV News, 2011). But, as David Camfield (2011b) has written, that wasn't the worst part:

> "The law dictates that the new collective agreement for urban postal workers will be determined by an arbitrator appointed unilaterally by the Minister of Labour, using a method called final offer selection (FOS). FOS is uncommon in Canada, and is very rare in back to work legislation. In this case, the union and the employer are each required to submit a final offer covering the many disputed issues. The arbitrator will then select one offer or the other in its entirety. In addition to allowing the Conservatives to handpick whoever they want as the arbitrator, the law includes guidelines that the arbitrator must follow in choosing a settlement...This puts intense pressure on CUPW officials to submit a final offer that includes concessions they would never have agreed to in bargaining, in the hope that the arbitrator will pick their offer rather than an even-worse one from the employer."

Like Canada Post workers, on June 14, 2011, 3,800 call-centre staff and check-in workers unionized with the Canadian Automobile Workers (CAW) at Air Canada took job action against employer efforts to reduce

5 The impending commentary on the 2011 Air Canada strike and Canada Post lockout were written just as the strikes were coming to an end and are therefore cursory at best.

wages, benefits and the quality of working conditions. Central to the job action was Air Canada's efforts to implement a two-tiered wage system, increase the minimum retirement age by five years and, like the CPC, impose a defined contribution pension plan over the much more secure defined benefit plan. A private company, unlike the CPC, it must be recalled that for the majority of Air Canada's rank and file workers, wages had been cut and frozen in 2003 amidst bankruptcy proceedings. This has not, of course, stopped executive compensation from rising excessively. In 2010, for example, Air Canada's CEO pay increased forty percent for a total compensation worth $4.5 million. Nevertheless, just two hours into the strike Labour Minister Lisa Raitt, vowing not to put at risk "Canada's fragile economic recovery," motioned that she would be tabling back-to-work legislation (Kane, 2011). With the threat of back-to-work legislation looming large, Air Canada and the CAW were able to reach an agreement soon after the Minster of Labour tabled legislation forcing striker's back-to-work. Details of the agreement are few at the time of writing, but the contract includes a nine percent wage increase over four years, while the contentious issue of pensions will be dealt with through arbitration (Murphy and Godfrey, 2011). The newfound aggressiveness of the Harper Conservatives in employing coercive back-to-work legislation signals what is likely a disturbing precedent for future collective bargaining. The question moving forward, then, is whether or not unions, social justice and community activists can match the aggressiveness and organization of their counterparts?

TOWARD A MILITANT, CLASS UNIONISM

Writing in an era much different than the twenty-first century, though in many ways similar, it is worthwhile recalling the words of one of the U.S.'s most celebrated labour activists who reminds us that "...the struggle in which we are engaged today is a class struggle; and labour unionism to be of any real value to the working class must be organized, not along craft lines, but along class lines" (Debs, 1905, n.p.). Current labour struggles under the new Conservative majority of Prime Minister Harper are about more than workers' rights to job security, health and safety, benefits and pensions; it is also about defending public services, democratic control over resources and decision-making power, and the rights of all persons to chart out a future without the ever-present fear that capital will at any moment abandon them. In short, it is about recognizing the Tory attacks as acts of class war.

Like Debs, Marx and Engels recognized long ago that improvements

in working conditions for those organized also helped raise the basic legislative floor for others. But they also recognized that the benefits accrued through unionization and legislation would always be under attack and likely provisional. Consequently, they stressed that "*The unions must convince the world at large that their efforts, far from being narrow and selfish, aim at the emancipation of the downtrodden millions*" (Marx, 1866, n.p). If unions were to become a substantive force of movement–rather than reactionary, even if defensive, opportunists–this meant building unions as expressions of working class unity. All in all, for Marx and Engels, as for Debs, if organized labour was going to have a progressive future it would need to be anchored in a politics that oriented its struggles toward the emancipation of the working class as a whole and, therewith, the abolition of class privileges. This ineradicably meant challenging the very existence and legitimacy of capitalism.

While striking PSAC workers in Local 70396 were certainly not, on the whole, anti-capitalist in their aims and efforts, important seeds were revealed in the strike toward a turn to class-struggle unionism. This included, as we outlined above, generalizing their specific qualms into broader social issues, connecting with the general public, seeking to break down the arbitrary distinction between public and private sector workers, challenging the division of labour within the employment structure, communicating with their members and the public in a clear and consistent manner, and confronting management prerogatives. As workers learned and struggled together confidence and optimism became contagious among members. Indeed, while the Ottawa and Gatineau museum workers' strike may be one, albeit relatively small but successful trade union struggle, it is becoming ever-more apparent that trade unions must go beyond their role as mediators between workers and management. This requires, in our view, transforming trade unionism into class-struggle unionism.[6] As likewise argued by Panitch and Swartz (2003, 237), "Union activists and leaders would need to engage directly–not just as surrogates who issue statements to support the vital issues taken up today by social movements–in many spheres of working people's lives, from education and housing to racism and sexism, and the nature of the work they do… Unions need to open themselves up to the broader community to become centres of working-class life and ultimately vehicles through which working people develop

6 There is valuable research examining the importance of union renewal. However, just what such changes are required is a matter of continuing discussion. While we do not have the space to provide an exhaustive literature review, for strong starting points see Kumar and Schenk, 2006; Ross, 2008; and Camfield, 2011c.

the capacity and confidence to lead society." Furthermore, a call to a more inclusive working class resistance model brings attention to the "false logic of competitiveness" of neoliberal capitalism as the collective fight takes place at the community level, which requires the cooperation of those who live and work in shared spaces (Radice, 2010, p. 39). For this strategy to be effective, cooperative efforts must be made between unions representing working people as well as renewed union outreach to people without jobs and non-unionized labour with the goal of building class consciousness. To do so requires that unions step beyond formal membership and offer support to the broader community of working class people including the unemployed, non-unionized, migrant labour, the disabled and the poor. Considering the brashness of Prime Minister Harper's newfound Conservative majority, and the coordinated responses of the capitalist class, it is conceivable that the worst for Federal public service workers (and the users of those services) is yet to come. As PSAC Local 70396 members showed, fighting back matters.

CONCLUSION

To conclude, in this paper we have sought to trace the trajectory of neoliberalism in Canada, with a focus on precarious labour and public services through an analysis of the Ottawa and Gatineau museum workers' strike over late 2009. We situated in historical perspective the coercive mechanisms employed by consecutive Federal governments' since the 1980s, drawing attention to the most recent maneuverings by the current government of Stephen Harper. As we have argued, unions and oppressed persons generally can no longer, if they ever could, put their unbridled faith in the courts, laws or governments to enforce and protect workers' fundamental human rights. Since at least the 1970s, Canadians have witnessed the progressive dismantlement of Keynesian-era social programs amidst an increasingly militant and recalcitrant capitalist class offensive. While PSAC Local 70396's struggle with the CMCC may be considered a victory, scores of losses in the decades preceding and since then mar the political landscape. The attacks against the collective bargaining rights of workers should unmistakably be understood as acts of class war. A twenty-first century unionism, then, must come to terms with an increasingly aggressive capitalist class-state nexus and the limits of unionization as an end in itself; only then may the political potential of a working class unionism rekindle the struggle for realizing a world without capitalism.

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