

# **SPEAKING UP, BEING HEARD, MAKING CHANGE:**

The Theory and Practice  
of Worker Voice in Canada Today

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# PowerShare

## Shaping Future Work

This research paper is published by PowerShare, a project to investigate workers' collective voice and agency in the future of work. Work is changing due to many forces: technology, business models, labour regulations and policies, and social attitudes. Will workers have a real say in what work becomes? Will they have the voice and power to meaningfully shape the future of work, and protect their interests?

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# Summary and Main Findings

**T**HERE IS ABUNDANT EVIDENCE THAT JOBS ARE BETTER when workers can provide input, express opinions, and influence change in their workplaces. Providing workers with regular, safe channels of “voice” at work increases their personal motivation and job satisfaction. It benefits their employer, too, through reduced turnover, enhanced productivity, and better information flows. And it contributes to improved economic and social outcomes — everything from stronger productivity growth, to less inequality, to improved health.

There are many different ways to operationalize workers’ voice — some more robust and genuine than others. Effective managers often welcome informal, individual feedback from their staff: keeping an ‘open door policy,’ maintaining a suggestion box, or sponsoring more structured communication (like surveys or social media feedback). These employer initiatives can make a difference to workplace relationships and efficiency, but they are inherently limited by the management-controlled nature of the communication. The topics on which feedback is invited are usually limited; workers may not feel secure enough to express complete or honest views; and there is no obligation for managers to respond to or enact any of the changes workers seek. Stronger and more comprehensive channels of voice can be developed within the framework of unionization and collective bargaining. In unionized workplaces, more formal and reliable mechanisms of voice can be enshrined in the terms of collective agreements. Workers are protected from reprisal or dismissal for expressing views that managers may prefer not to hear. And through collective bargaining, workers have some power to compel employers to take their views seriously, and enact some desired changes. Other ways of strengthening workers’ voice are also possible: including voice mechanisms required by government statute (such as exist in Canadian

health and safety regulations), and efforts by workers to organize collective voice through non-governmental, community, or informal organizations and campaigns.

If anything, given the dramatic changes occurring in Canadian workplaces, the need for thorough and effective channels of workers' voice is more urgent than ever. This report reviews ten challenges facing Canadian workplaces, which could be managed more effectively and fairly if workers had strong, reliable, and influential voice in their workplaces. These challenges include:

- Implementing and adapting to new technology
- Improving workplace health and safety (especially after the COVID-19 pandemic)
- Employment transitions associated with environmental policies
- Promoting racial equality and diversity at work
- Ensuring that work-from-home arrangements are safe, sustainable, and fair
- Providing organized voice for self-employed Canadians
- Improving job stability and working conditions for gig workers
- Developing stronger and less paternalistic channels of worker voice in small businesses
- Using social media safely and effectively as a tool of workers' voice
- Improving Canada's income security programs with worker input

Across all these areas and more, Canada's labour market is facing historic and far-reaching pressures and challenges. Historical and international experience proves those challenges can be better met if workers have a genuine say, and genuine influence, over how their workplaces evolve.

Unfortunately, despite the need for effective channels of workers' voice, fewer Canadian workers have access to reliable, safe ways of expressing their views — and making sure they are listened to by their employers. The erosion of workers' voice is especially acute in private sector workplaces. Just one in six Canadian workers in the private sector now have the enshrined voice rights (including protection against reprisal or dismissal) that come with a collective agreement — down from one in four in the 1990s. In non-union settings, channels of internal communication and voice are typically stunted (where they exist at all), due to management control over communication, and workers' legitimate concerns their job security or promotion opportunities could be jeopardized by speaking out. And as the prospects of private sector unionization have weakened, non-union employers feel less pressure to offer more collaborative channels of input for their own workers (since the risk that dissatisfied workers

might unionize is less concerning). While the benefits of strong workers' voice are shared by employers (via improved retention, reduced recruitment and training costs, and stronger motivation), most employers are reluctant to voluntarily provide genuine and robust channels of voice without prodding – prodding that must come from unions, government, or the broader community. In short, we need to step up the pressure on Canadian employers to provide healthy and robust systems of workers' voice, or we will miss the potential ideas and energy that engaged workers can contribute in meeting the challenges of a rapidly changing world of work.

The paper concludes with several concrete suggestions for strengthening workers' voice. Some involve strengthening union representation – especially critical in the private sector. Others involve providing parallel opportunities for (and protections of) workers' voice in non-union workplaces. These proposals include:

- Enhancing workers' access to union representation and union voice through changes in labour law and freedom of association
- Extending union-based voice mechanisms to other workers (such as through sector-wide agreements and processes)
- Strengthening and broadening voice mechanisms within union workplaces (including through more specialized forms of representation and joint committees, and stronger internal union democracy)
- Expanding statutory consultation and codetermination mechanisms (building on the model of joint health and safety committees required in Canadian workplaces)
- Strengthening the ability of workers to expose and correct violations of minimum labour standards (such as minimum wages or paid holidays)
- Establishing benchmarks for best practices in workers' voice as a criterion in public procurement contracts
- Improving protections against arbitrary dismissal for workers (especially non-union workers, who lack the basic protections against dismissal routinely specified in union contracts)
- Establishing and enforcing guidelines to protect employee speech outside of work (again especially for non-union workers).

Building a workplace culture that better respects and protects the voices, preferences, and priorities of workers will take time, requiring engagement and commitment on the part of employers, trade unions, governments, and community advocates. Strengthening workers' voice in Canada can be achieved through a combination of measures enacted via collective bargaining, government policy and regula-

tion, community advocacy, and management initiative. If successful, these efforts would result in workplaces that are more collaborative, innovative, safe, and fair. And an economy and society that are stronger as a result.

# Introduction: Speaking Up, Being Heard, Making Change

**W**ORK IS THE PLACE WHERE MOST PEOPLE SPEND a greater proportion of their lifetime waking hours than any other single activity. Paid work is how most Canadians must financially support themselves and their families. But work is more than economic subsistence. Work is also where we interact with others, where we make friends and colleagues, how we contribute to the prosperity of society. It is also where many of us derive much of our sense of self-worth and accomplishment. Evidence suggests that being happy at work – feeling safe, respected, productive, creative, and fairly treated – is one of the most vital prerequisites for happiness and satisfaction with life in general.<sup>1</sup>

Given the central importance of our experience at work to our overall economic, social, and personal well-being, it is not surprising that workers generally wish to influence their jobs and their workplaces, in order to make their experiences at work more pleasant, safe, and fulfilling. For this to happen, workers must be able to formulate and express their preferences and proposals, effectively communicate those ideas to relevant audiences (including their colleagues and managers), and know they will be fairly considered (along with the ideas and demands put forward by others) with a reasonable chance of producing the desired outcome. Of course, those outcomes also depend on how others in the workplace feel about the matter.

In some cases, where they have a high degree of individual control and autonomy over their immediate work conditions and practices, workers can directly alter their specific jobs in line with their personal preferences and circumstances. For that rea-

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<sup>1</sup> See, for example, Fisher (2010) and Robertson and Cooper (2011).



son, greater autonomy in work tends to be associated with greater job satisfaction, happiness, and productivity.<sup>2</sup> For similar reasons, many self-employed people (at least those who went into business voluntarily, rather than being pushed into self-employment out of economic necessity and desperation) also express higher levels of job satisfaction.<sup>3</sup> But most Canadians work in groups, where individual autonomy is necessarily constrained (to varying degrees) by the need to work with others in a shared space, in production systems that involve many people.<sup>4</sup> In those cases, ability to influence the conditions of work presupposes workers' ability to express their ideas and preferences within a collective setting, participate in decision-making, and wield influence.

*Effective employee voice is an essential input to effective decision-making, healthy interpersonal relationships in workplaces and productive, sustainable work practices.*

For these reasons, the concept of “voice” is critical to building better, safer, fairer workplaces. Workers need to be able to express their preferences and demands, communicate with colleagues and managers about how workplaces are functioning and how they could function better, and exert reasonable influence over how work evolves. Effective employee voice is an essential input to effective decision-making, healthy interpersonal relationships in workplaces,

productive and sustainable work practices, and ultimately the broader satisfaction and happiness of the people who work there - not to mention the customers and clients who depend on their efforts. As we will see, workers' voice is also a critical ingredient in stronger economic and social outcomes. To make work better, in every sense (safety, comfort, efficiency, quality, pleasure), workplaces need to hear the voices of workers, listen to them, and act on their priorities and concerns.

This report on worker voice is part of a series (developed through the PowerShare project<sup>5</sup>) examining workers' collective voice, agency, and power in the evolving future of work. Workplaces are being buffeted by a daunting array of changes and challenges: new technology (like automation and artificial intelligence), new business models (such as digital on-demand platforms and 'gig' work), and new threats (like contagious diseases and climate change). Workplaces will have to be flexible and adept in responding to those changes and challenges. Those adaptations will be more effective, and their costs and benefits shared more fairly, if workers are genuine

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<sup>2</sup> See Benz and Frey (2004), Morrison *et al.* (2005), and Langford (2013) for examples of this research.

<sup>3</sup> See Schneck (2014) and Binder and Coad (2015).

<sup>4</sup> And even the effective control that can be exercised over work by fully independent or self-employed workers is always constrained by the broader economic context of their work. A self-employed person who must work 16 hours per day to try to earn enough money to live on, does not enjoy genuine autonomy or control in their work life.

<sup>5</sup> The PowerShare project is led by the Centre for Future Work, with support from the Canadian Centre for Policy Alternatives and the Atkinson Foundation; see <https://centreforfuturework.ca/powershare/> for more information and other publications.

players in identifying problems, advancing solutions, and implementing change. A basic building block in achieving better workplaces, therefore, is to understand workers' voice: what it is, why it matters, and how it can be nurtured, respected, and listened to. This paper explores voice: defining it, reviewing the various ways it can be operationalized, considering its relevance in a rapidly-evolving world of work, and proposing concrete strategies for strengthening it.

## Canadian Attitudes Regarding Voice at Work

Two prominent Canadian researchers – workplace specialist Graham Lowe and opinion researcher Frank Graves — have conducted unique long-term surveys of Canadians regarding their experiences with work, and their attitudes toward their jobs (see Lowe and Graves, 2016). A core finding of this research is that while a majority of Canadians are broadly satisfied with their worklives, many Canadians are not – and the extent of dissatisfaction is growing over time. Their most recent published survey (from 2015) found 18% of Canadians dissatisfied with their jobs, twice as many as a decade earlier. One-third of Canadians rarely or never look forward to going to their jobs. So for many Canadians, unfortunately, work is a place of stress, discomfort, and unhappiness – and, too often, exploitation and danger.

Table 1. Top Targets for Workplace Change	
<i>Responses to question: "If you could change one thing about your job that would make you look forward to coming to work more often, what would that change be?"</i>	
Reason	Share of Responses (%)
Better pay	17%
Change in hours or schedule	12%
Better boss / management / leaders	11%
Relationships / culture / work environment	8%
Workload / pressure / stress	7%
Job security & stability	6%
All other reasons	39%
<small>Source: Lowe and Graves (2016), p.85.</small>	

Asked what they would most like to change to make their jobs more appealing, Canadians advanced a comprehensive agenda for workplace change. They are saying clearly that workplaces could be better — but is anyone “in charge” listening? The

top six responses (in order) are summarized in Table 1; together they capture the top priorities for change of over 60% of all respondents. Some of the indicated changes (like pay) are clearly economic in nature — dependent on the financial capacities of the employer and the balance of bargaining power between employers and workers (which itself depends on the extent and strength of workers’ voice). Other responses relate more to how work is organized and managed: including issues like work schedules, management quality, workload, and job stability. Either way, workers need capacity to express their opinions, have them heard, and have them acted on, in order to win desired changes that would make their jobs more satisfying, and enhance their job satisfaction and motivation.

Indeed, in supplementary questions Lowe and Graves identified a strong desire for more voice at work, and more control over basic working conditions, among working Canadians. Almost one-third of Canadians indicate that “having a say” in workplace decisions is a very important criteria for a satisfying experience at work.

40% of respondents said that having more freedom to decide how to do their jobs is very important, and 45% indicated flexible hours and schedules are very important.<sup>6</sup> The latter two criteria can also be interpreted as

dimensions of control over one’s job, dependent on each worker’s power to make decisions in their own work lives. Moreover, among the 16 criteria surveyed by the researchers, these three dimensions of voice – having a say, having autonomy, and having control over hours — were the fastest-growing preferences.

Another study exploring job satisfaction among Canadians, and linking it to the extent to which workers have control over their jobs and conditions, was undertaken by Statistics Canada through a project called the Longitudinal and International Study of Adults (LISA; see Martin, 2018). This research found a lower level of overall job satisfaction among Canadians than the Lowe-Graves survey data: Statistics Canada found that only about half of Canadians reported a good or very good level of satisfaction. The project defined 4 dimensions of workers’ control and flexibility over their jobs: including ability to determine the order of performed tasks, how tasks are completed, the speed of work, and working hours. Each was positively associated with general work satisfaction; being able to control hours of work was the most important. And collectively, a high degree of control across all 4 dimensions was strongly associated with improved work satisfaction. Job satisfaction among workers with a high degree of control over their jobs was up to 19 percentage points higher than among others. Job satisfaction, in turn, is reflected in better attendance, productivity, retention, and skills acquisition.

*Almost one-third of Canadians indicate that “having a say” in workplace decisions is a very important criteria for a satisfying experience at work.*

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<sup>6</sup> See Lowe and Graves (2016), pp. 100-103.

Sometimes it can be hard (especially on Monday mornings!) to gather up our energy and head off to our jobs. But Canadians accept that work is necessary: for the economic and personal well-being of ourselves, our families, and our communities. Most Canadians want to work, and most are broadly satisfied with their work. But they also have clear ideas about how work could be improved — for the benefit of themselves, their colleagues, their employers, and the economy. Validating and respecting those ideas and preferences, developing stronger channels of communication and negotiation, and ensuring that workplace decisions are responsive to those voices, will make Canadian workplaces stronger, happier, more productive, and more successful.

## **Overview of the Paper**

This report considers the nature and importance of workers' voice in the following order. First, we define "workers' voice": describing essential characteristics of genuine voice, and distinguishing it from somewhat overlapping concepts (like "communication," "participation," or "democracy"). It also considers the different places or levels where voice operates: from the micro (individual workplaces), to the meso (industry- or middle-level structures and processes), to the macro (economy-wide decisions on economic, labour, and social issues).

The second section of the paper summarizes the findings of economic and other studies regarding the broader impacts of worker voice on economic performance, equality, and social well-being. As we have seen, having more ability to influence their work lives is strongly correlated with the personal satisfaction and happiness of Canadian workers. But it also has broader impacts on economic and social conditions. This section reviews key reasons why strengthening genuine workers' voice will have positive spill-over impacts on other economic outcomes. Hence strengthening workers' voice should be supported by governments and employers, too, not just by workers.

The third major section reviews contrasting economic theories of voice. It first considers traditional theories of voice, which emphasize the benefits of workers being able to influence practices and conditions from "inside" the firm. This is preferable to a situation where workers can only respond to unacceptable circumstances by quitting: that is, by exercising their power to "exit." Those traditional theories, however, do not capture all of the reasons why voice is important. In a broader understanding, organized and effective worker voice is also essential to counterbalance the natural power imbalance between employers and their workers, and ensure more equitable and democratic outcomes in the labour market.

The fourth section considers different ways in which voice can be operationalized within workplaces and in broader society. These include:

- formal structures of voice and representation codified in trade unions and collective agreements;
- unilateral employer-led processes and mechanisms;

- statutory systems of voice and representation mandated by government and labour law;
- other channels for mobilizing workers' voice, including broader workers' movements, community and non-governmental organizations, and others.

Workers' voice is strongest in the context of unionization and collective bargaining: that's where workers can express their views most freely (without fear of reprisal), where channels of voice are formalized and not subject to management control, and where workers have some collective power to actually win and enact some of their priorities (through collective bargaining). The gradual erosion of union representation, especially in Canada's private sector, has thus undermined the extent and effect of workers' voice in recent years. Stabilizing and strengthening union voice, and finding ways to provide similar opportunities and protections to non-union workers (through statutory, sector-wide, or community-based initiatives) will be critical to building stronger workers' voice in the future of work.

The final major section considers several ways workers' voice must evolve to address the dramatic changes which are remaking the world of work. Canadians face great challenges and uncertainty as work and workplaces adapt to new technologies, new business models, new attitudes and expectations, and new constraints — from climate change to the dramatic workplace consequences of the COVID-19 pandemic. This section introduces ten specific reasons why workers' voice will be even more vital for achieving safe, efficient, and fair workplaces in the future. Some observers contend that new technologies and business practices are fostering an economy composed of independent workers, in direct charge of their economic destiny, supporting themselves through digital apps and other decentralized processes. In this world of gigs and entrepreneurs, having "voice" in your workplace seems irrelevant. We reject this view: after surveying the key dimensions of workplace change, it is clear that reliable, genuine channels for workers' voice will be more critical than ever in ensuring that workplaces and the economy successfully negotiate the challenges ahead.

The conclusion of the paper considers the implications of these findings for employers, unions, community organizations, and governments. If we want to optimize workers' ability to inform and shape the future of work, through organized and genuine channels of voice, then all stakeholders must commit to ensuring that those channels exist, are sustained, and are effective. To this end, the conclusion suggests eight specific strategies to strengthen worker voice in Canada.

## **Vignettes: Voice in Action**

Scattered throughout this report are 16 vignettes describing real-world stories of groups of workers in Canada who have organized their collective voices in different ways, in different settings, around a wide range of different issues. Together these vignettes illustrate the diversity of ways voice can make a positive difference in

workers' lives – and for society as a whole. This sampling of specific examples of voice in action cannot hope to be comprehensive: there are literally thousands of other examples of workers using their voices, their organizations, and their solidarity to win important changes in their workplaces, their industries, and in society. But together they provide a vivid illustration of the wide range of opportunities and strategies that exist for workers to lift their voices, demand positive change ... and in many cases win it.

In choosing this sample of interesting and creative examples of workers' voices being mobilized to win change, we are naturally drawn to stories and campaigns that are unusual or innovative. But this approach risks focusing unduly on what is *new* in the

***Basic rights to representation and job security in unionized workplaces provide an underlying stability and confidence that allows employees to express their views openly and confidently to management, with less fear of reprisal.***

world of voice, and potentially overlooking and appreciating what is *important*. Thus we emphasize that some of the most powerful and important channels for worker voice may strike many readers as rather unextraordinary, even mundane. That does not mean these channels are not important and influential. To the contrary, some of the most influential manifestations of worker voice in Canadian workplaces today occur in quiet, often overlooked ways and places. Part of the goal of this report is to draw attention to forms of worker voice that are often taken for granted: reminding readers how they operate, why they matter, and why they need to be nurtured and supported.

For example, consider the simple requirement in most unionized workplaces that a worker is entitled to representation and support from their union rep or steward (if desired) in supervisory or disciplinary meetings and processes. This requirement is typically accompanied by parallel provisions (standard in union contracts) that prevent workers from being punished or dismissed without clearly specified just cause. Indeed, Canadian labour law makes a fundamental distinction between job security for workers who belong to a union (for whom well-defined just cause rules and processes must be followed) and those who do not – who, in most cases, can be discharged by their employers for any reason at all, with appropriate notice or payment in lieu of notice. These basic rights to representation and job security in unionized workplaces provide an underlying stability and confidence that allows employees to express their views openly and confidently to management, with less fear of reprisal. In this way, representation rights and just cause rules help to level the scales in all dealings between workers and their employers. These provisions are often resented by employers as impeding their unilateral right to manage and impose strong, immediate discipline on employees. Yet by entrenching and protecting workers' rights to

speaking out – backed by the provisions of a binding contract – they facilitate the healthy freedom of workers to speak out about things in their work lives that are unacceptable, inefficient, exploitive, or dangerous.

A routine meeting between a worker, their steward, and their supervisor won't make newspaper headlines as an "innovation" in workplace practices. But it is a simple, powerful example of why a worker's ability to speak up in the workplace, and have their views respected and protected (if not always agreed with), is a vital characteristic of decent work that should not be taken for granted. So in addition to the interesting and creative examples of voice in action portrayed in these 16 vignettes, please remember the innumerable lower-profile but equally influential ways that worker voice exists and is heard, in thousands of workplaces in every industry and every region in Canada. By positioning those seemingly mundane processes as manifestations of a bigger, overarching goal – namely, ensuring that workers can safely speak out and be listened to – we may better appreciate workers' voice, and be prepared to strengthen and defend it in the future.

# I. Defining Worker Voice

“**WORKERS’ VOICE**” IS A BROAD, IMPRECISE CONCEPT WHICH naturally gives rise to different interpretations and nuances – depending on how the term is used, and who is using it. As Wilkinson *et al.* suggest, voice is “an elastic term meaning different things to different policy, academic, and practitioner actors” (2020, p.3). Company HR managers may understand voice in a relatively superficial, non-confrontational sense: they invite their employees to offer suggestions, and enlist their employees to collect valuable data about production, attitudes, and other variables of interest. Labour advocates and unionists will prefer a more concrete and structured vision of voice: one in which workers’ priorities and demands are communicated formally and forcefully, and employers are compelled to engage and respond. So the definition of voice clearly depends on one’s position in the world of work, and care must be taken to understand its meanings and intentions.

At the simplest and most generic level, worker voice simply refers to the ability of workers, individually and collectively, to **EXPRESS** their opinions and preferences regarding their jobs and workplaces; to **PROTECT** themselves against unfair, unacceptable, or dangerous conditions and decisions; and to **ADVOCATE** for desired change. Voice allows workers to indicate to their employers, supervisors, or other intended audiences how they feel about their work, and how they think it should change: including topics like work organization, compensation, management, fairness, safety, or even the fundamental purpose and goals of the enterprise itself.

In a survey of multi-disciplinary research on employee voice, Morrison (2011) identifies three core features common to different interpretations of worker voice:



- i. It is an act of expression and communication: a message conveyed from sender (workers) to the recipient (employers, governments, or other audiences).
- ii. It is discretionary and voluntary: workers choose what to say, and how and when to say it.
- iii. It is constructive in its intent: the goal is to effect some improvement or positive change, not merely to express emotion or complain.

Attaching worker voice to this latter characteristic (constructive intent) necessarily implies that it cannot be understood solely as a form of expression or “venting” (Wilkinson *et al.*, 2020, p.3). Naturally, workers like to sound off about their jobs and their bosses: whether in the bar after work or (nowadays) on social media.<sup>7</sup> But to be meaningful and effective, worker voice must be connected to a process whereby expressed views are received, considered, and to some degree acted upon. Genuine voice is not simply shouted out into the ether. Genuine voice requires that employers and managers receive, respond, and act on the information and opinions expressed. In this regard, workers’ **VOICE** is fundamentally connected to their **AGENCY** and their **POWER**: that is, their ability to act to bring about desired change.

*Workers’ voice is fundamentally connected to their agency and their power.*

## Kinds of Voice

Because it is such a broad and flexible concept, it is useful to distinguish between different forms and features of worker voice. This helps to clarify the characteristics of more genuine and meaningful forms of voice. As Dundon *et al.* suggest, “There are competing meanings of the term ‘employee voice,’” with different actors mobilizing the term in different ways to achieve different and at times contradictory goals (2004, p. 1151). Here are several axes along which different kinds of worker voice can be distinguished – some more genuine and effective than others:

Formal vs. Informal Voice: Many employers and managers proclaim they are open to ideas, feedback, and input from workers at any time, through the normal day-to-day operation of their workplaces. Effective managers and supervisors will engage with their employees’ ideas and opinions, rather than treating workers solely as productive automatons. They may use an “open door policy,” hold regular consultations and supervision sessions, and try to build a generally open culture of communication. This style of management may be open to upward-flowing information and (to some extent) opinion from workers – certainly in contrast to old-school, “put up or shut up” styles of management. But those open-door strategies are generally informal, subject-

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<sup>7</sup> Although past litigation indicates that this kind of personal expression, even when off-duty, can result in sanction or dismissal if it is found to harm an employer’s reputation; see Keeler (2019).

tive, and dependent on the attitudes and personalities of the managers who implement them. In contrast, more formal processes of worker voice are codified in clear policies and practices that are known, regular, transparent, and reliable. Examples of formal worker voice include joint worker-management committees or boards, formal grievance and dispute settlement procedures, and collective bargaining. The attitudes of managers will also affect how well these formal voice mechanisms operate in practice, but since they are codified in formal structures and practices they are more permanent and reliable than informal channels.

**While employers are often willing to allow individual workers to express their views and concerns (with no promise to listen to and act on those expressions), they are more resistant to structured channels of collective voice.**

Individual vs. Collective Voice: Smart employers try to enlist the intellectual and emotional loyalty of their employees to create a sense of shared identity and purpose. In this way they seek to blur the distinct (and in some ways conflicting) interests and perspectives of workers and owners. To this end, when they are open to receiving the voices of workers at all, employers usually prefer those voices to be expressed *individually*: inviting solo workers to communicate personal opinions or concerns independently. This helps to avoid an “us versus them” culture within the workplace, and inhibits the development of collectivity or solidarity among groups of workers. It also constrains the power which can be mobilized in support of any demand: individual complaints can always be diminished as representing “just

one person’s opinion.” Systems of collective voice, in contrast, allow workers to marshal concerns and demands across larger groups of employees. This naturally carries more clout with management. It also opens the possibility of building countervailing power within the workplace, which can compel management to take workers’ concerns more seriously. After all, if the complaints of one worker are simply ignored, the consequences for management are normally limited to the risk that the worker may quit their job (exercising their “exit” option, as theorized by Hirschman, 1970, and Freeman and Medoff, 1984<sup>8</sup>). But if management ignores the complaints of many workers, then the ability of the workplace to continue to function can be jeopardized: the cost of disagreement, in this case, is much larger for management. Therefore, when workers have channels for expressing their *collective* voice on workplace matters (from compensation policies to work organization to health and safety), the possibility of backing their views with collective action is naturally and automatically enhanced (depending, of course, on the laws governing industrial action). In this context, British trade unionist Margaret Prosser concluded: “Collective voice achieves what the lone voice could never do: it humanises and civilizes the workplace” (2001, p.1). So while employers are often willing to allow individual workers to express their

<sup>8</sup> The Freeman-Medoff and other theories of voice are discussed in detail below.

views and concerns (with no promise to listen to and act on those expressions), they are more resistant to structured channels of collective voice. Instead, employers generally need to be pushed to accept such measures: through unionization, statutory requirement, or public pressure.

Direct vs. Indirect (or Representative) Voice: A parallel distinction is visible between direct and indirect voice. Some forms of worker voice involve granting individuals or small groups of workers (production teams, for instance) authority to make direct decisions regarding certain workplace matters. Allowing an individual worker to decide when to take lunch, or in what order to perform specific tasks, transfers a small bit of power – and that autonomy (as discussed above) can have significant impacts on job

## VOICE IN ACTION:

### Talking Back to Bad Bosses



**Government employment standards set out basic requirements for fair practice by employers: like paying at least the minimum wage, giving minimum required notice for severance, and providing basic statutory benefits (like paid holidays). Unfortunately, when employers renege on these responsibilities, workers face an uphill struggle to win corrective action and compensation. Particularly for workers in non-union workplaces, fighting back is complex, time-consuming, and expensive – usually involving complaints with slow-moving government departments, or taking private legal action.**

**One creative initiative based in Victoria, B.C., has shown that direct action can be faster and more effective in addressing abuses by irresponsible employers. The WORKER SOLIDARITY NETWORK (WSN, formerly called the Retail Action Network) undertakes various ‘in-your-face’ strategies to press employers to fulfil their legal and regulatory responsibilities. Their tactics include public pressure, petitions, naming-and-shaming, and social media outreach.**

**These interventions can pay big dividends for workers who need the help of a larger force in**

**dealing with a bad boss. For example, near the end of 2020, a Victoria restaurant worker was discharged via text message from her job – after trying for weeks to obtain back pay owed by her employer. The boss told her that her tips offset her lost wages (which is illegal). The WSN launched a social media blitz tagging the restaurant, and a public petition; the worker received \$3000 in back pay the same afternoon.**

**Some campaigns lead to permanent changes in workplaces, not just resolution of specific grievances. Workers at a Victoria health and supplements store, Lifestyle Markets, had voted to unionize with UFCW Local 1518 in February, 2020. But as the pandemic hit and business conditions deteriorated, the employer blocked efforts to reach a first collective agreement – despite the pressing need for clarity around sick days, pandemic pay, and other urgent issues. WSN organized a week of action to support the Lifestyle workers, including on-line reviews, a petition, mass faxes and e-mails, and more. The campaign prodded the employer into action: a first contract was ratified in the autumn, and included many improvements such as retroactive hazard pay for staff who worked through the pandemic.**

**Sources: UFCW (2020), Worker Solidarity Network (2020).**

satisfaction and well-being.<sup>9</sup> Teams and other sub-groups may also be allowed to make direct decisions regarding certain production issues, and/or may be charged with meeting production targets and supervising their own performance. More rarely, entire groups of workers are allowed to make group decisions about issues that affect the broader workplace: for example, voting on a shift arrangement or holiday schedule. This “do-it-yourself” vision of direct voice may have important benefits for workers in some aspects of their jobs. It may also carry risks of self-exploitation and coercion (risks that are considered further below). In contrast, indirect or representative voice implies a formal structure of collective decision-making. Individual preferences or concerns are passed through a chain of accountability, rising through the hierarchical structure of the workplace. Forms of indirect voice range from allowing a union steward to accompany a worker into a supervisory meeting, to electing departmental worker reps to a safety committee, to negotiations between elected worker bargaining reps and management, to fully-developed systems of elected workers’ councils (as exist in Europe). Indirect mechanisms require more formal structures to operate, and imply a more collective process of operation. For these reasons, indirect mechanisms are generally less favoured by management than decentralized direct systems.

Promotive vs. Prohibitive Voice: Hassan *et al.* (2016) distinguish between mechanisms of worker voice which advance ideas for change and improvement in a workplace (promotive), and those which have the power to restrict or prohibit certain actions or practices (prohibitive). Full decision-making authority implies both dimensions, and both have meaningful impacts on workers’ experiences and satisfaction. But prohibitive voice implies a more direct challenge to the unilateral decision-making power of employers. When managers must seek “permission” from workers to implement specific decisions or changes, then it is clear that their unilateral control in the workplaces has been curtailed.

*Voice means little, if workers have no effective power to act to realize the goals and demands they give voice to.*

Employer-Constrained vs. Worker-Controlled Voice: Perhaps the most critical distinction in understanding voice is between systems that are overseen and ultimately controlled by employers, and those in which workers exercise more complete and autonomous discretion over what is said, how it is said, and what is done to back up their demands (Peetz 2020, pp. 181-182). Employer-constrained voice is conditional on the willingness of management to listen to workers’ voice and act on it. Employee-controlled voice, on the other hand, is more independent, and can be backed up with action (individual or collective) to advocate workers’ priorities and opinions. The distinction between employer-constrained and worker-controlled voice thus highlights the interaction between voice and power: voice means little, if workers have no effective

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<sup>9</sup> Of course, in many work settings (such as most industrial settings) individual autonomy is not feasible, given the inherently collective nature of the work.

power to act to realize the goals and demands they give voice to. How voice is shaped (and curtailed) by power is crucial for understanding the often contradictory strategies of managers regarding workers' voice and autonomy. At times (as Peetz emphasizes, p. 180), managers are happy to shift some nominal control and responsibility to workers or teams of workers – but always in pursuit of benchmarks and expectations which managers unilaterally set. So-called “high trust” or high-performance workplace strategies, favoured by many HR professionals, may seem to value the ideas and input of individual workers. But they always operate to further management goals regarding productivity, cost, and competitiveness. And at the same time, managers also exert tight control over other dimensions of work and production — and modern tools of digital monitoring and supervision (discussed later in this report) provide new opportunities for this. So there is a constant tension in management strategy between giving workers more autonomy (in limited ways, so long as it is compatible with productivity and profit objectives), and subjecting them to tight oversight and control. Employer-constrained voice mechanisms are generally limited to the former issues and circumstances. In contrast, worker-controlled voice can address the full gamut of workplace issues and workers' concerns – whether they fit neatly on management's list of “acceptable” topics, or not.

Given the malleable and imprecise nature of the concept of “voice,” and the important distinctions between different kinds of voice, it is possible to identify several key criteria which determine whether mechanisms of worker voice are genuine, balanced, and encompassing — or whether they are superficial, constrained, and situated within the operational and financial goals of employers. Here are several criteria determining whether worker voice is genuine:

- Workers must have autonomy in exercising their voice: at the times, and on the issues, of their choosing.<sup>10</sup>
- Voice must be safe for workers to exercise: they cannot face censure or retribution for using their voices.
- Mechanisms of voice must be established, reliable, clear, and accessible; they cannot be contingent on the cooperation or attitude of particular managers or supervisors, and they cannot be subject to employer influence or control.
- Workers must have opportunity to share and aggregate their concerns and ideas, and advocate for their priorities collectively; individual workers must be able to enlist support for their concerns from their colleagues or representatives.

<sup>10</sup> In this context, Wilkinson *et al.* (2020) speak of two distinct dimensions of a “voice gap”: workers have less opportunity to use voice than they would like (a “quantity gap”), and the range of issues on which they feel their voices can be safely invoked is limited (a “content gap”).

- There must be a reasonable prospect that workers' proposals and demands will be implemented; while workers cannot dictate outcomes in a firm,<sup>11</sup> they must have genuine and proportional influence and power within overall workplace decision-making. In other words, their voices must be heard, and acted on.

Under these conditions, workers will have more ability to shape the terms and conditions of their jobs, and exert proportionate influence over key decisions (including compensation, work organization, schedules, safety, and more). When it is genuine, worker voice can counterbalance the unilateral power normally enjoyed by employers and managers within workplaces.

## Complementary but Distinct Concepts

Workers' voice overlaps with other ideas and concepts which may have similar or complementary effects, but which should be understood as distinct. This section considers some of these related concepts, highlighting how they differ from the core idea described above.

The term "voice" obviously implies a form of **COMMUNICATION**. But the goal of workers' voice clearly extends beyond simply facilitating communication and information-sharing in workplaces. Good managers know that workers appreciate information about what is happening in their workplaces, and within the broader enterprise: including economic and financial trends, orders and schedules, new technologies, special initiatives and projects, and more. These managers may establish regular channels to share this information: via newsletters, announcements, worker assemblies and meetings, social media, and other channels. This constitutes a top-down flow of communication which may help workers stay informed, and perhaps encourage them to identify more enthusiastically with the goals and strategies of the enterprise.<sup>12</sup> But this way of broadcasting information does not constitute voice in the sense defined above: workers listen to this communication, they do not contribute to it, and its purpose is to enhance firm performance, not address worker concerns and priorities.

Enlightened HR managers will also allow communication to flow the other way: establishing mechanisms for workers to report on their activities and progress, identify problems or issues in the production process, and (to varying extents) express opinions on certain matters. An old-fashioned suggestion box, via which workers submit suggestions or concerns, represents a simple version of bottom-up communication. Modern versions would include electronic performance reporting mechanisms, employer-sponsored surveys,<sup>13</sup> or on-line comment boards (generally closely moderated

<sup>11</sup> At least not within a context of private ownership of businesses that is characteristic of most workplaces in Canada. Worker-run co-operatives (discussed below) are an example of a workplace where workers do control all decisions within a firm.

<sup>12</sup> Communication and outreach strategies in these firms are commonly supplemented by other mechanisms to encourage workers to identify with and internalize the goals of employers, such as calling them "team members" or "associates" (rather than workers), and structuring compensation to include performance bonuses, gain-sharing, or share ownership schemes.

<sup>13</sup> The validity of these top-down surveys and polls is constrained by management control over the questions that are asked, the answers permitted, and concerns about anonymity and possible reprisals.

to prevent them becoming sites of negative sentiment). Again, these forms of managed communication should not be confused with genuine voice: they are motivated primarily by employers' desire to gather data on workers' performance and attitudes, using workers as a source of information on work flow, bottlenecks, or other problems. There is no assured follow-up, and no expectation that workers' concerns must be addressed or satisfied. Workers' voice implies something stronger and more impactful than simple communication – whether flowing from top to bottom, or bottom to top.

Another broad concept that overlaps with voice is workplace **PARTICIPATION**. This is another vague term that is wielded in different ways by different actors. To be sure, strong and authentic structures of voice provide a way for workers to participate in and influence decisions made in their workplaces. But there are other forms of “participation” common in workplaces, which may not further the goals of genuine voice – and in fact may undermine those goals (Peetz, 2020). For example, some forms of “participatory” management rely on peer groups or teams of workers to self-monitor worker performance, and in effect take on some tasks of management themselves. Researchers in the “labour process” tradition (following Ramsay, 1977) have emphasized that these forms of “participation” mostly represent strategies for enforcing employer control. Indeed, studies have shown that self-managed teams can actually

*The contrast is jarring between the assumption that we live in a democratic society – until a worker enters a workplace, at which point they become subject to the rather dictatorial power of their employer.*

be more coercive in boosting work intensity and performance within teams than traditional supervisors (Barker, 1993). When mechanisms of participation are established with the overarching motive of boosting output and reducing costs, and when workers face sanctions (up to and including dismissal) for failing to meet those employer-determined objectives, then this kind of participation can readily degrade into self-exploitation.

Another concept sometimes used interchangeably with worker voice is the notion of workplace or economic **DEMOCRACY**. Some advocates view the ultimate goal of workers' voice as being able to collectively govern entire workplaces, enterprises, or even the economy. In this tradition, efforts to strengthen genuine

voice (including through trade unionism) are understood as an extension of democratic principles into the realm of the economy. For them, the goal of democracy extends beyond representative government; it should also include democratic control over our day-to-day economic lives. After all, the contrast is jarring between the assumption that we live in a democratic society — until a worker enters a workplace, at which point they become subject to the rather dictatorial power of their employer.

As Eidlin and Uetricht put it:

“ [People must] check their deeply held democratic rights at the door every day when they show up for work. That is because the rules and rights associated with democracy only apply to people’s relationship to their government, not their employer. Citizens in a democracy remain subjects in the workplace — the place where most adults spend a large part of their waking hours.” (2018, p.70)

Certainly, strong structures of genuine workers’ voice can be understood as a step in the direction of workplace democracy.<sup>14</sup> Basic democratic rights in the workplace might include protections for free expression; protection against harassment, undue censure, or arbitrary punishment; rights to privacy and dignity (including freedom from intrusive performance and location monitoring); and rights to choose or elect representation (Budd 2004). However, it is hard to conceive of a full extension of democracy within any workplace owned by private investors: any private firm is governed and ultimately accountable to its owners. Giving workers a greater say over certain aspects of the operation of these private businesses does not really make them “democratic.” Even in public sector workplaces, which are owned and ultimately accountable to governments (presumably democratically elected), the particular workers who happen to be employed there will not have full democratic control over its operations – and nor should they. These workplaces and agencies should ultimately be accountable to all of society. The fact that managers of public sector workplaces increasingly tend to ape the worst practices of private-sector managers (trying to suppress wages and labour costs, leaning production, and outsourcing many tasks) makes them even less susceptible to genuine “democracy.”

Worker-owned cooperatives are an exceptional form of economic organization that constitutes a more ambitious expression of workplace democracy. In this case the workplace is owned by the people who work there. They make decisions on all workplace matters through democratic processes (variously including direct assemblies, elected directors, referenda, and other means).<sup>15</sup> Worker co-ops have important potential to grow, and could be a potent strategy for economic development within particular communities and industries. So far, however, their footprint in Canada has been small (see box).<sup>16</sup> In some other countries and regions (such as parts of Spain, Italy, and India), worker-run co-operatives play a more substantial role.<sup>17</sup>

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<sup>14</sup> Gomez and Gomez (2016) provide a modern description of workplace democracy and its potential benefits.

<sup>15</sup> There are other types of cooperatives which do not necessarily embody workplace democracy, including consumer co-ops, producer co-ops, and credit unions. In those organizations, decisions are made democratically by co-op members, most of whom do not work there. Some co-ops are exemplary employers and strive to implement strong processes of worker voice and representation, others are less so. The bitter 6-month lockout of refinery workers by the Co-op Refinery in Regina in 2019-20 (CBC News, 2020) is a painful example of the latter.

<sup>16</sup> The Canadian Worker Co-op Federation (2020) produces resources on cooperative opportunities.

<sup>17</sup> Stanford (2015, Ch. 29) surveys several international examples; see also Ness and Azzellini (2011) for a rich historical survey of models of workers’ control.



## VOICE IN ACTION:

## Artists and Cultural Workers Do It Themselves



One of the earliest examples of 'gig'-style employment is the arts, music, and film sector. Indeed, the original definition of 'gig' referred to time-limited or one-off jobs

for performers, technicians, and stage hands in various cultural and entertainment industries. For many years, trade unions like the INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES (IATSE) have worked to organize workers in these industries: fighting to establish basic standards, recall and seniority rights, and benefits for these original gig workers. Their success proves that with the right protections, gig work can be safe, stable, and fair.

Now an IATSE local in British Columbia is reaching out to other arts and cultural workers with an innovative strategy to achieve better jobs and incomes despite the catastrophic effects of the COVID-19 pandemic on this industry. Local B778 of IATSE, also called the ARTS AND CULTURAL WORKERS UNION (ACWU), is working to unionize the visual arts and cultural sector in the province.

ACWU launched in 2020, and has already organized 8 worksites, despite the pandemic – 3 of which were established through voluntary recognition agreements with employers (rather

than conventional labour board certification). Moreover, in two cases the union itself founded the enterprise that employs its members. ACWU formed two union-led worker cooperatives: the Vancouver Artists Labour Union Cooperative (VALU CO-OP), and the Vancouver Sewing Labour Union Cooperative (VSLU CO-OP).

VALU is a communal arts production and print studio that offers a living wage and flexible work arrangements for members – selling printing services, video production, and event services. Other progressive organizations (like unions) are among its major customers. VSLU was launched as a sister cooperative to VALU, and produces masks, tote bags, and other textile products. It is largely staffed by costume shop workers in the theatre sector who lost work during the pandemic.

ACWU now has around 50 members working in the two co-ops. Their success has spurred a broader initiative, called the UNION COOPERATIVE INITIATIVE, to explore other opportunities for organizing cooperative business and workplaces in B.C. The goal is to encourage workers in other occupations dominated by precarious work or gigs to consider co-ops as a way to achieve more stability and voice in their work.

Sources: Vancouver Artists Labour Union Cooperative (2020), Jenkins (2020).

Even if the whole company is owned and managed by the workers, however, this may still not constitute the full achievement of economic democracy. After all, the operation of an individual cooperative is still subject to powerful external constraints (including market conditions, finances and banking, and government regulations) which are beyond the purview of the people working there. Subjecting the economic realm of life completely to democratic decision-making therefore implies a capacity to undertake management and planning of macroeconomic and financial affairs through democratic mechanisms.<sup>18</sup> These more far-reaching manifestations of economic

<sup>18</sup> There are many historical examples of proposals to democratize overall economic ownership and control, including various experiments with planned economies, the system of self-managed enterprises that existed in the former Yugoslavia, or the proposal in Sweden in the 1970s (called the Meidner Plan) to gradually socialize the ownership of industry through worker-controlled investment funds.

democracy (from worker cooperatives to economy-wide planning) are intriguing and hopeful avenues to imagine. But these ideas extend far beyond the boundaries of the workplace issues considered here. While strong and accountable systems of worker voice can therefore be considered as a step toward more democratic rights in a workplace, the goal of full workplace or economic democracy extends well beyond the subject of this report.

## Levels of Voice

So far we have discussed worker voice primarily in the context of influencing decisions and practices within particular workplaces. But there are other ways in Canada's economy where organized worker voice can influence important decisions, with benefits for economic performance, well-being, and sustainability. Following the analysis of Kattel *et al.* (2018, pp. 6-8), we broadly define three levels at which workers' voice can be mobilized and directed:

- The “micro” level: Conditions and practices within individual workplaces or firms.
- The “meso” level: Decisions and policies affecting groups of workplaces, firms, or entire industries.
- The “macro” level: Policies and structures which operate at the economy-wide level.

Decisions at each of these levels affect workers' well-being and job satisfaction. So it is natural that workers will want their voices heard in all of them. And when workers have organized, recognized, and effective channels for participating in and influencing outcomes at each level, their all-round agency is broadened, and their power amplified. Here are examples of issues that fall within each of these three realms of voice:

Micro: As conceived and discussed above, workers' voice is naturally concerned with conditions and practices in the immediate working environment, within particular workplaces or firms. Issues commonly considered by micro-level workers' voice include: wages, hours and schedules, safety practices, job security, seniority provisions, representation, internal job mobility, skills and training, work pace and ergonomics, harassment, and other working conditions. In some cases workers will also speak out regarding broader business decisions in their enterprises – like technology, investment, and environmental performance.

Meso: Some of these same issues can also be tackled at a multi-firm level, attempting to improve conditions and practices across whole industries, sectors, or regions. In some cases, broad wage and compensation policies may be set at the meso level (through arrangements like pattern bargaining, sector-wide collective agreements, or industry-specific wage standards<sup>19</sup>). Skills, training, and occupational regulation is-

<sup>19</sup> Australia's system of Modern Awards is an example of statutory wage minimum applied at the sector level.

sues can also be addressed at the meso level: through sector skills councils, vocational education and apprentice systems, and regulated professional bodies (see box). Workers should have organized opportunities to meaningfully participate in those processes and decisions. Several broader economic policy tools are also wielded at the meso level — including industrial policy and strategy, technology and innovation, and environmental standards (Asselin *et al.* 2020; IIPP 2019; Cherif and Hasanov 2019; Mazzucato 2015; Rodrik 2015; Lynn 2017). Another meso-level institution, albeit one that straddles both financial and economic sectors, is the role of national or regional development banks and investment funds (Council of EU 2019; Mazzucato and Macfarlane 2019; UNCTAD 2016). Efforts by non-governmental organizations to monitor and improve working conditions through the supply chains of major firms, including offering support for worker representation and freedom to organize, is another meso-level manifestation of workers’ voice.

**Macro:** Labour law and industrial relations systems are obvious examples of macro-level policy-making which directly affect workers — and hence where the capacity to speak out and advocate is vital to ensuring worker-friendly outcomes. National

## VOICE IN ACTION:

### Workers’ Voice in Vocational Training and Curriculum



**Nobody knows the realities of a job better than the workers who must do it. So experienced workers are a vital resource in training: showing new recruits how the job can be done safely, efficiently, and with high quality. The apprentice system common in many occupations is based on harnessing experienced workers to train others.**

**Workers (and their unions) can play a vital role in improving curriculum and training methods. One example is through the RED SEAL PROGRAM. For 60 years, this program has worked to ensure vocational certification standards in each province are consistent with common national benchmarks: signified by attaching a red seal endorsement to a tradesperson’s provincial certificate. Through trade-specific Apprenticeship Boards and various working committees, the Red Seal Program enlists unions, employers, vocational educators, and other stakeholders in defining trade categories, developing curricu-**

**lum and content, and delivering training modules.**

**Unions are key partners in the Red Seal Program. They communicate workplace-level experiences with safety, quality, and technology, and propose changes and updates to curriculum and training practices. Recently this included quick action to revise training modules in light of the COVID-19 pandemic. For example, trade unions representing sheet-metal, refrigeration, and insulation workers contributed to the rapid roll-out of new curriculum and training standards in building ventilation construction and maintenance. This helped support ventilation improvements in schools, offices, and other buildings to reduce COVID infection. Through their unions, therefore, workers provide vital input to vocational education: designing curriculum that addresses current problems and issues, and then helping to deliver it.**

**Sources: Red Seal Program (2020), Heating, Refrigeration and Air Conditioning Institute of Canada (2020).**

macroeconomic policies have a significant impact on economic growth and employment conditions. This macro dimension is often ignored in analysis of human resources management and industrial relations systems, yet workers clearly have a stake in macroeconomic policies which support the creation of more and better jobs. Workers have a direct interest in other macro-level policy decisions, too, such as social policies (including income security programs like employment insurance), fiscal policies, and environmental measures (like energy transition policies).

Obviously, these three levels of voice are mutually interdependent: workers' ability to influence outcomes at one level, will naturally spill over into the others. For example, collective bargaining regimes are determined by statutory rules, agency regulations and court rulings that are determined at the macro-level. These macro settings thus shape the institutional landscape at the meso and micro levels, through rules and practices shaping the existence, scope, and operation of collective bargaining systems. At the same time, the extent to which workers can build and mobilize voice (and corresponding power) at the micro level, will also influence the evolution of policies and structures at the meso and macro levels. Workers who are well-represented and protected within their individual workplaces, will have more opportunity to influence decisions regarding their industries and the direction of the economy as a whole. In short, when workers have effective voice at one level, they use it to strengthen their voices in all the other areas of economic decision-making that affect them.

*Workers who are well-represented and protected within their individual workplaces, will have more opportunity to influence decisions regarding their industries and the direction of the economy as a whole.*

## II. The Economic and Social Benefits of Voice

**A**S NOTED ABOVE, THERE IS A STRONG CORRELATION between having influence and control over the terms and conditions of one's work, and the job satisfaction and happiness which people experience. That provides an immediate and direct motivation to study worker voice and the ways it can be fostered. However, workers' voice is not only important to the well-being of individual workers. There is abundant evidence, as well, that effective, genuine structures of worker voice, representation, and decision-making contribute positively to broader economic and social outcomes, in many ways. This section considers some of the major channels through which strong workers' voice helps to attain a stronger economy, and a healthier society:

### **PRODUCTIVITY**

Abundant empirical research confirms that labour productivity and efficiency are improved in the context of regularized systems for workers' voice and input (Addison *et al.* 2007; Bart *et al.* 2020; Huebler and Jirjahn 2001; Jirjahn 2014). These positive productivity effects are stronger when managers are encouraged or compelled to listen and respond to workers' input and demands (Bryson *et al.* 2006), rather than being allowed to ignore or obstruct these processes. One main channel through which voice contributes to productivity is through improved employee retention (discussed separately below) — but there are other links between voice and productivity, as well. The existence of more stable jobs and better compensation (associated with unionization and other formal structures of voice) encourages employers to adopt more skill- and capital-intensive business strategies. It also curtails the use of 'low-road' business strategies based on labour cheapening and insecure employment models, which are

## VOICE IN ACTION:

## Home-Based Child Care Workers Organize



There are many examples in Canadian labour history of self-employed people forming organizations and unions to collectively advance their interests – including fish

workers, truck drivers, stage hands, foresters, and others. This experience of providing collective voice and advocacy for self-employed people is an important precedent for modern efforts to build collective representation for independent and self-employed workers today – in industries like technology, ride-share, and media.

An interesting experiment in collective voice for self-employed workers was undertaken by owner-operators of home-based child care facilities in Quebec. Under that province's extensive child care program, some pre-school children attend small centres located in private homes.

Both the owner-operators of these facilities, and staff they employ, belong to a union, called LA FÉDÉRATION DES INTERVENANTES EN PETITE ENFANCE DU QUÉBEC (FIPEQ). The union advocates to improve fee structure, government subsidies, working conditions, and other measures affecting its 13,000 members.

In September 2020 the union called a strike to demand an increase in payments by the provincial government to participating home-based centres. The centres rely on these payments, supplemented by modest parent fees (of \$8.35 per child per day), to cover costs and pay salaries. The union claimed that inadequate government support resulted in effective wages for these workers of just \$12.40 per hour. After one week, the provincial government agreed to increase its subsidies, lifting effective wages, and the strike was settled.

Source: Canadian Press (2020), FIPEQ (2020).

associated with lower productivity. By collecting information on worker experiences and preferences, stronger voice mechanisms also induce better staffing decisions and management practices that improve morale and cooperation in workplaces, and further boost firm performance.

### TURNOVER AND RETENTION

Workers who are more satisfied with their work arrangements, conditions, and compensation are more likely to stay in their positions, reducing costs of turnover, recruitment, and training (Addison *et al.* 2001; Cascio 2006). Canadian data indicate that satisfied workers are 17% more likely to stay in their current job than those who are not (Martin 2018). This research also confirms that worker satisfaction is closely linked to having more control over working hours and conditions. Avoidable turnover can add tens of thousands of dollars per year to labour costs per worker. Unfortunately, Canada's labour market is currently marked by very high levels of job turnover and churn. About one-fifth of Canadian workers start new jobs in any given year; in some low-wage, less appealing industries, turnover is much higher.<sup>20</sup> This ongoing

<sup>20</sup> In the hospitality and food service sector, for example, 37% of workers in 2019 had been in their job for less than a year, and 23% for less than 6 months; author's calculations from Statistics Canada Table 14-10-0054-01.

flux, driven in part by dissatisfaction among workers with their jobs (as well as the insecurity of precarious jobs) adds to labour costs, underutilizes skills and training, and undermines productivity.

### **INCOME DISTRIBUTION AND INEQUALITY**

Empirical evidence also confirms that more empowered workers can attain both a higher level of wages, and more equality in wage incomes (Blanchflower and Bryson 2010; Eidlin 2016; Card, Lemieux, and Riddell 2018; Farber *et al.* 2018). There are many dimensions to this equity-promoting effect of worker voice and agency. Jaumotte and Buitron (2015) show that reduced inequality results both from both lifting the bottom of the wage distribution (by raising wages for lower-income workers) and curtailing excessive growth at the top (limiting escalation of salaries and bonuses for executives and other elites). Freeman *et al.* (2015) show that higher wages resulting from unions and other wage-regulating institutions result in greater intergenerational mobility, by facilitating more economic opportunity for the children of workers who benefit from these structures. The benefits of representation and voice are experienced in household wealth as well as current incomes (Weller, Madland, and Powell 2016), with resulting benefits for household financial stability, home ownership, and retirement incomes. In North America there is a strong racial dimension to the equality benefits of workers' collective voice and power: improvements in wages and job security are especially visible among Black, Indigenous, and people of colour (Rosenfeld and Klaykamop 2012; Weller and Madland 2018). Fascinating research from the U.S. suggests that the existence of unions (and associated channels of workplace dialogue) helps to reduce racial resentment among white workers, and improve internal solidarity and cohesiveness in workplaces (Frymer and Grumbach 2020).

### **MACROECONOMIC PERFORMANCE**

Paid work is the most important source of personal income in Canada, and personal consumption spending is the largest component (by expenditure) of GDP.<sup>21</sup> So by lifting total incomes, strong voice and empowerment for workers also strengthen aggregate demand conditions, economic growth, and job-creation. A more equal distribution of income has an additional, secondary effect on aggregate demand: by shifting more income toward those at the lower end of the distribution ladder, who have a higher propensity to spend (rather than save) that income, total spending is boosted. Lavoie and Stockhammer (2012) report that most industrial countries experience a net boost to demand and growth from redistributive policies. Mitchell and Erickson (2005) show that by offsetting the unilateral “monopsony” power<sup>22</sup> exercised by very large employers (such as Wal-Mart or Amazon), mechanisms of

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<sup>21</sup> In 2019, before the onset of the COVID-19 pandemic, household consumption spending accounted for 56% of Canada's total GDP by expenditure; authors' calculations from Statistics Canada Table 36-10-0104-01.

<sup>22</sup> Monopsony refers to a situation where a market is unduly controlled by one or a few dominant purchasers; a monopsony for labour thus exists when the labour market is dominated by a few very large employers.

workers' voice and representation can guide the labour market to a more efficient outcome characterized by both higher wages and higher employment.

### QUALITY OF CARE AND SERVICE

Workers who have a greater say in working conditions and work organization, are also more likely to be able to deliver higher-quality output. This is especially clear in various service occupations, where quality is at least as important as quantity in measuring productivity. In human and public service jobs, for example, workers who are empowered with voice, representation, and job security are better able to demand practices and improvements that facilitate better quality service delivery — benefiting both the workers and the clients they service. A timely example of this effect was provided during the COVID-19 pandemic. It is well-established that rates of mortality in privately-run long term care facilities were much higher than in non-profit or publicly-owned centres (Stall *et al.* 2020; Armstrong and Cohen 2020). A key factor behind this correlation is the stronger presence of unions in non-profit and public

## VOICE IN ACTION:

## Speaking Out for Safer Long-Term Care



**Sadly, long term care (LTC) homes were the epicentre of COVID-19 contagion and death during the pandemic: some 80% of Canada's total COVID-related deaths occurred in LTC**

**facilities. Incidence of contagion and death was especially high in privately-owned LTC homes, due to poorer staff-patient ratios, training, and safety protocols. In addition to being terribly dangerous places to live, LTC facilities are also dangerous places to work: hundreds of long-term care workers were infected with COVID through their jobs, and scores died.**

**Confronting the risk of life-threatening contagion in their jobs, LTC workers found many ways to speak out for better protection and standards – both for themselves, and for the residents they care for. One innovative action was a joint strategy by three unions in Ontario (CUPE, SEIU, and Unifor) to improve protocols governing access to higher-quality N95 masks. An initial government guideline (called Directive 5) gave only regulated health-care professionals access to this protective equipment – which was in espe-**

**cially short supply early in the pandemic. Care aides and other unlicensed workers could not access these better masks through the same point-of-care assessment process. So the unions gathered first-hand evidence from members at numerous facilities, and filed a court challenge to the protocol. As the judicial process commenced, the Ontario government eventually agreed to change the practice so that all LTC workers could access this PPE when they judged it necessary.**

**The three unions continued advocating for other measures to protect workers and residents as the pandemic progressed. In November 2020 they won a commitment from the Ontario government to phase in a long-demanded standard: a minimum of 4 hours of care per resident per day. The ability of unions to marshal the voices and experiences of LTC workers, formulate specific demands, and advocate for them, clearly helped to improve safety for workers and residents alike.**

**Sources: Armstrong and Cohen (2020), Canadian Institute for Health Information (2020), Canadian Labour Congress (2020a), Jeffords (2020).**



homes, who were able to monitor safe working practices, demand appropriate protocols and PPE, and empower workers to improve safety – for the benefit of both themselves and LTC residents. Evidence from the U.S. (Dean *et al.* 2020) and Australia (Davey 2020) further attests to the positive impact of unions and representation on safety and mortality in long-term care through the pandemic. Long-standing research in other human service industries (such as health care and child care) also confirms the positive relationship between voice and representation, and the quality and safety of care.<sup>23</sup>

## **OTHER BENEFITS**

Research shows that many other spin-off benefits flow from workplaces, and a labour market, where workers have genuine voice and power. Better wages, more stable jobs, and the provision of supplementary benefits means that workers in better jobs pay more taxes, and have less need to rely on public programs and income supports; the net fiscal effect of better jobs is thus strongly positive (Sojourner and Pacas 2019). Empirical evidence indicates that workers with more control over their working hours have better sleep patterns, better mental and physical health, less use of prescriptions, and stronger family relationships (Peetz 2019, pp. 185-186). U.S. research has found that workers with better-paid, more meaningful, and secure jobs are also less likely to die from suicide or overdose (Eisenberg-Guyot 2020). Organized worker voice even translates into stronger democracy: research suggests that when politicians face organized worker voices in their constituencies, they are less likely to be

*It is clear that when workers have a strong, effective voice in their workplaces, society as a whole is strengthened.*

swayed by the concerted influence of wealthy elites; this advances the democratic principle of “equal responsiveness” (Becher and Stegmüller 2020). The skills and experience that workers learn through participation in workplace systems of voice and representation enhance their confidence and capacity to participate in broader democratic processes outside of the workplace (Patmore 2020).

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In so many ways, therefore, it is clear that when workers have a strong, effective voice in their workplaces, which they use to leverage change and improve the quality and satisfaction of their jobs, society as a whole is strengthened. This correlation is now recognized by mainstream institutions. For example, after an exhaustive review of empirical data from industrial countries, the Organization for Economic Cooperation and Development recently concluded that measures to strengthen channels of workers’ voice and bargaining power, both within individual workplaces and at the sectoral and macroeconomic levels, produces better workplaces and stronger economic outcomes:

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<sup>23</sup> See, for example, Baines, Cunningham and Fraser (2010); Aronson and Smith (2010); and Whitebook and Sakai (2003).

“ Both direct and mixed forms of voice (where workers’ representatives coexist with direct dialogue between workers and managers) are associated with a higher quality of the working environment.” (OECD, 2019, p.18)

In short, many employers, governments, and even international institutions now recognize that empowering workers to express opinions and demands, negotiate the terms and conditions of work, and win desired changes in workplaces is vital for all-round economic and social success.

# III. Understanding Worker Voice

**W**HY DOES WORKER VOICE MATTER? And if workers' voice does indeed improve so many economic and social outcomes (from improved staff retention and productivity, to greater fairness and equality), why don't all employers institute ways to give workers more say? To answer these questions, we need an economic theory to explain how voice works, how it generates those effects, and why — despite its benefits — voice is only partially available in our economy. This section reviews the different ways economists, from various streams of thought, have tried to understand voice and its effects.

## Neoclassical Economics and the Irrelevance of Voice

The dominant tradition in economic thought is called neoclassical economics; it is predicated on faith in the efficient and autonomous operation of competitive market forces. The neoclassical approach to labour markets (like other commodities) focuses on the interaction of supply (workers) and demand (employers) in a competitive market; automatic adjustments in the price of labour (the wage) should ensure that supply equals demand. Labour supply reflects workers' willingness to work, affected by various factors like age, gender, preference for leisure versus material consumption, and government policies like taxes and income benefits. Labour demand depends on the revenue that can be obtained by an employer by selling the output of one extra worker (their so-called "marginal productivity"). The wage is determined where those two quantities (supply and demand) are equal — guided there by competition and flexible prices. Ideally, unemployment will only exist if governments mess

## VOICE IN ACTION:

## Janitors Speak Out for Better Protections in a Pandemic



Janitors and cleaners are among the most insecure, poorly-paid workers in Canada's economy - but the COVID-19 pandemic highlighted how vital their jobs are to public health and safety. Token appreciation of the bravery of these "essential service" workers expressed by political and business leaders is no replacement for concrete protections and improvements in their jobs. So janitors are organizing to demand more job security, better pay, and health protections as they confront the pandemic face-to-face.

Local 2 of the Service Employees International Union (SEIU) represents cleaners and other workers in five Canadian provinces. It has been organizing new members for several years through its JUSTICE FOR JANITORS campaign - using innovative community-based outreach and organizing efforts to connect with janitors, most of whom are immigrants.

One successful J4J campaign last year in Vancouver showed the potential for community-

based organizing to give these essential but undervalued workers concrete say in their jobs and their lives. An ongoing campaign to unionize workers at Bee-Clean (one of Canada's largest private cleaning contractors) gained extra momentum during the pandemic, as workers worried how COVID could affect their health and their jobs. Janitors at eight different sites voted to strike in October, in support of an initial collective agreement. It worked, and a new contract was ratified with several important provisions to protect these workers through the pandemic, and beyond:

- 3 paid sick days per year
- Extended health benefits for workers and their families
- Stronger PPE and OHS protocols
- Job security in case of changes or "flipping" of Bee-Clean's contracts with buildings.

Sources: SEIU Local 2 (2020a, 2020b).

up this perfect equilibrium with well-intentioned but ultimately destructive policies - like imposing a minimum wage.<sup>24</sup>

In this conventional view of the labour market, the concept of "voice" doesn't even show up on the radar screen. There is no consideration of motivation, job satisfaction, or other subjective elements of human labour: workers, in effect, are like machines, fundamentally no different than other productive inputs hired and applied in the production process. Thus there is no room in this theory for workers' emotions or agency ... and no need for mechanisms of workers' voice. If a worker was dissatisfied with some aspect of their current job (inadequate pay, unpleasant conditions, bad management) they could simply leave that job and immediately find another paying exactly the same wage - since the self-adjusting competitive market assumes all willing workers are employed, and all are paid a uniform wage that reflects their inherent productivity.

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<sup>24</sup> For critiques of the core assumptions of neoclassical labour market theory, and discussion of the broad features of alternative, more realistic approaches, see Spencer (2009), Stanford (2015, Chapters 8 and 13), and Cockshott (2019).

Apart from its rather unrealistic portrayal of the real-world labour market, this conventional understanding simply ignores some of the most challenging and crucial aspects of running a real-world workplace. In reality, managers are obsessed with recruiting, retaining, supervising, motivating, and — when necessary — disciplining and discharging workers. But in the neoclassical theory, none of these problems even appear. Moreover, the neoclassical theory also assumes a condition of ‘perfect information’: whereby all participants (both employers and workers) have full knowledge about technology, workers’ capacities, and even the business strategies of competing firms. In this approach, the idea that workers need a “voice” in the workplace simply seems irrelevant. But this approach obviously bears little relationship to the real-world tasks of human resources management and industrial relations.

## **Tweaking the Neoclassical Model: Voice versus Exit**

Trying to understand observed real-world phenomenon – like staff turnover, worker attitudes, and management supervisory strategies – led some labour economists to delve deeper into how workplaces actually function. They found ways to adapt the core neoclassical theory to explain why an inherently social, subjective factor like “voice” could be so important in determining how workplaces operate.

A lasting landmark in this research was the work of Freeman and Medoff (1984). These authors were influenced by earlier work of Hirschman (1970), who theorized about different ways individual consumers respond to unsatisfactory outcomes in a market environment. Hirschman argued that consumers could simply “exit” their relationship with an underperforming firm, and reallocate their business to another supplier. This is what is assumed to happen under the intense, atomistic competition usually assumed in neoclassical models. However, what if there are costs and barriers to shifting to another supplier? Or what if the market’s structure deviates from “pure” competition, and there are no better suppliers immediately available to offer better price or service? Hirschman explained why, in real-world (rather than idealized) markets, consumers may instead choose to use their “voice”: finding ways to communicate with companies to urge them to improve their service, without simply abandoning the relationship and seeking another supplier.

*The risks and hassles of changing jobs restrain workers from leaving unsatisfactory situations – even if more appealing opportunities are available elsewhere.*

A simple example is why a dissatisfied telephone customer bothers to phone their provider (likely requiring long periods on hold!) to complain about service or charges, rather than just canceling their contract and moving to another supplier. There are barriers (or “transactions” costs) associated with exiting the relationship — including sizeable cancellation fees imposed on the customer. And it isn’t clear that other suppliers (among the tiny club of huge corporations which provide this service in Canada) would provide better service, anyway.

Freeman and Medoff applied Hirschman’s contrast between voice and exit to traditional neoclassical models of labour markets (Kaufman 2007a: 521-4). They were trying to understand the more complex motivations for behaviour of employees and managers in real-world workplaces, but still within a fundamentally neoclassical theoretical framework. If labour market outcomes are determined by perfectly competitive forces of supply and demand, then an employer must offer wages and conditions that exactly match those offered by other employers. Otherwise, all their workers would instantly quit (“exit”), and move immediately and costlessly to other employers who live up to that market-determined benchmark. Of course, that is not at all how labour markets function in the real world. Jobs are scarce; quitting your job over low pay or poor conditions usually implies a period of costly unemployment. This is especially true for groups of workers (including women; Black, Indigenous, and people of colour; migrants; and youth) who tend to be allocated into labour market segments with inferior wages and conditions. They are not likely to improve their prospects simply by exiting and seeking a better offer (as neoclassical theories imply<sup>25</sup>). And the risks and hassles of changing jobs restrain workers from leaving unsatisfactory situations — even if more appealing opportunities are available elsewhere.<sup>26</sup>

Freeman and Medoff argued the existence of these frictions makes it difficult for workers to respond to unacceptable situations by simply changing jobs:

“ In a world in which workers could find employment at the same wages immediately, the market would offer adequate protection for the individual, but that is not the world we live in.” (Freeman and Medoff 1984: 9)

Given those transactions costs, Freeman and Medoff suggested that workers could use their “inside voice” to try to improve wages, working conditions, and work practices from within — rather than simply quitting their jobs and looking elsewhere. Moreover, given the frictions that inhibit real-world competitive adjustments (including transaction costs of making a change, lack of perfect information about alternative jobs, and other factors), giving workers an opportunity to contribute to positive change within a workplace, rather than just leaving it, is economically efficient. It pushes workplaces to function more effectively, and ensure workers receive the same broad compensation and working conditions experienced elsewhere, but avoiding the churn, cost, and uncertainty associated with the “exit” option. Freeman and Medoff thus argued that both managers and workers have an interest in fostering and utilizing mechanisms of internal worker voice in workplaces, and explained why those mechanisms could be economically beneficial.

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<sup>25</sup> Indeed, neoclassical labour theorists conventionally argued that labour market discrimination cannot exist in a competitive equilibrium, on grounds that competition among employers will drive up wages for discriminated-against workers to a market-determined, equal benchmark.

<sup>26</sup> And if labour market conditions deviate from the neoclassical assumption of competitive, market-clearing wages, then it cannot be assumed that better opportunities would exist with other employers.

The Freeman-Medoff work contributed to a more nuanced understanding of trade unions among economists. Neoclassical theorists had generally viewed unions as a monopolistic “distortion” in the operation of labour markets: inflating wages above their assumed market-clearing level on the basis of their power to control labour supply. From this perspective, unions cause harm by raising wages above their efficient level (at least for unionized workers), and impeding the exit and entry of workers (including mobility from one firm to another). Unions were thus believed to cause resource misallocation and weaker production, employment, capital investment, and productivity growth. Strangely, unions were also seen to exacerbate income inequality, as workers displaced by this monopolistic behaviour from unionized firms unduly depress wages in the non-unionized sector of the economy (Kaufman 2007b). This negative view of unions was invoked to justify restrictions on union activity – denigrated as a “barrier to trade” – that have been imposed by governments throughout the history of capitalism.

In contrast, the exit/voice model proposed by Freeman and Medoff suggested that unions have another category of impacts. They do not only exert monopoly bargain-

## VOICE IN ACTION:

## Doing God’s Work ... and Getting a Decent Pension



Ministers working for the United Church of Canada have undertaken an unusual and creative effort to build organized voice for employees of the church. They have

formed a group called Unifaith, which aims to provide representation and advocacy services for United Church ministers. The group is not a traditionally certified union. Rather, it represents individual ministers and other church staff who choose to affiliate. Unifaith operates as a Community Chapter within the structure of Unifor – which allows non-certified groups of workers to affiliate, receive logistical support, and participate in union affairs.

Unifaith’s mission is centred on providing ministers with an organized, safe ‘say’ in church decisions that affect them. Trained advocates support individual church workers to:

- “Have their voice heard on issues that are important to them.

- Defend and safeguard their rights.
- Have their views and wishes genuinely considered when decisions are being made about their lives.” (Unifaith, 2020).

One concrete outcome of Unifaith’s advocacy efforts in 2020 was winning important changes to the United Church’s pension plan for retired ministers. Pension benefits (modest to begin with) had not been increased by the church in a decade, causing a steady erosion of the living standard of retired staff. Unifaith launched a special Pension Team to collect information about the hardship caused by this freeze, raise awareness among church officials, and press for benefit improvements. The church then agreed to two increases in benefit levels (4% in 2020 and another 2% in 2021) for both currently working and retired ministers. This is an example of how organized voice can win better compensation practices for workers even outside the structures of a traditional union setting.

Source: Unifaith (2020).

ing power to raise wages (a power which Freeman and Medoff implicitly agreed was distortionary). They also provided an institutional channel for workers' voice. By ensuring a collective voice for workers' preferences and concerns at the workplace, unions help to reduce exit and turnover (and their associated costs), and thus improve retention, productivity, and performance of the firm. Under certain conditions, the authors contended, these benefits of voice could offset the negative effects of union monopoly power on wages, and thus have a net positive impact on overall welfare (Freeman and Medoff 1984: 19-20).

*By ensuring a collective voice for workers' preferences and concerns at the workplace, unions help to reduce exit and turnover, and thus improve retention, productivity, and performance of the firm.*

Freeman and Medoff argued further that collective rather than individual bargaining is necessary for effective voice at the workplace. The effort to establish improved labour standards and practices – in areas such as wages and compensation, employment conditions and stability, safety and health, and grievance procedures – embodies substantial “public good” aspects. This is because the resulting benefits are enjoyed by the entire workforce, irrespective of whether any individual worker personally did anything to bring about these positive changes. This promotes a “free rider” logic which undermines the collective effort to obtain these benefits. Similar forces explain why

other public goods (such as defence and public safety, infrastructure, environmental protection, etc.<sup>27</sup>) also require some form of collective organization or government intervention. The same economic reasoning therefore justifies measures to facilitate the efficiency-enhancing operation of workers' collective voice – like majoritarian union certification and automatic union dues deduction.

Despite its important influence on the economic theory of workplaces, the Freeman-Medoff model is a very cautious and incremental analysis of the economic impacts of workers' voice and unions (the main way, in their view, that workers' voice is operationalized). They accepted the general applicability of competitive economic theory to labour markets, albeit with the addition of incremental “frictions” or “imperfections”: namely, the imperfect information and transactions costs that inhibit perfectly competitive labour market turnover. This opens a channel through which organized voice (and unions in particular) can boost productivity, at the same time as they (artificially) raise wages.<sup>28</sup>

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<sup>27</sup> For the classic arguments on market failure and public goods, see Stiglitz (2000), Chapters 6-7.

<sup>28</sup> Like other neoclassical theorists, Freeman and Medoff viewed the wage-boosting power of unions to be a damaging distortion in the working of the labour market. They proposed several measures (such as deregulation or globalization) to weaken the wage-setting power of unions; in their view, by thus reducing the 'costs' of unions, the net benefit of union voice would become clearer to employers, who would then be more receptive to unionization.



Why, then, do employers and managers resist unionization so vociferously? They suggest this is because while unions can boost productivity, these gains do not offset associated increases in labour costs. The net impact of unions on the financial profitability of unionized firms and sectors is thus generally negative.<sup>29</sup> Freeman and Medoff concluded that this explains management opposition to unions, as well as the ambivalence of public policy towards unions (Freeman and Medoff 1984: 22, 183-90; Freeman 2007: 622).

Even as Freeman and Medoff penned their seminal work, union density in the U.S. economy was already falling dramatically: from over one employee in three in 1955, to under one in five at the time of their work. Freeman and Medoff believed that the continued decline in unionization (and consequent erosion of reliable mechanisms of collective voice for workers) was harmful not only for unions and their members, but ultimately for society as a whole:

“While we are not sure what the optimal degree of unionization is in this country, we are convinced that current trends have brought the union density below the optimal level. In a well-functioning labour market, there should be a sufficient number of union and of non-union firms to offer alternative work environments to workers, innovation in workplace rules and conditions, and competition in the market.” (1984, pp. 250-1)

Needless to say, the continued erosion of U.S. union representation since their seminal 1984 book<sup>30</sup> makes this concern over the erosion of worker voice all the more relevant today.<sup>31</sup> Unionization has fallen most rapidly in the private sector: unions covered just 6.3% of U.S. private sector employees in 2020 (about one-fifth the unionization rate for public sector workers; BLS 2021). Even harsher restrictions on union organizing and activity have been imposed, including through so-called “right to work” laws prohibiting collective dues arrangements (like closed shops or the Rand formula), which now apply in over half of U.S. states. The erosion of organized voice mechanisms in private businesses in Canada has not been as dramatic, but similar trends are certainly visible — highlighting the urgent need to stabilize and rebuild workers’ voice through both union and non-union channels.

## Other Theories of Voice

The Freeman-Medoff exit/voice framework has been highly influential in economic and labour relations research for a generation.<sup>32</sup> It starts from a fundamentally neo-

<sup>29</sup> This finding is consistent with other research, such as Barth *et al.* (2020), Hirsch (2004), and Clark (1984), suggesting that in addition to raising the level of wages, unionization also increases the labour share of value-added.

<sup>30</sup> Since the publication of their book in 1984, U.S. union density has fallen by almost half again: by 2020, just 10.8% of U.S. employees were members of a union, and 12.1% were covered by a union contract (Bureau of Labor Statistics, 2021).

<sup>31</sup> The significance of declining unionization for the Freeman-Medoff model is considered by Rosenfeld (2014, 2021).

<sup>32</sup> The legacy of the Freeman-Medoff model is discussed by Hirsch (2007), Addison and Belfield (2007), Verma (2007), and Peetz (2019), among many others.

## VOICE IN ACTION:

### Far From Home, But Not Silenced



Employers regularly take advantage of temporary and migrant workers who come from other countries to work in Canadian farms, stores, factories, and hotels. These

workers are far from their homes and communities, and often do not speak English or French. As migrant workers they have limited legal rights in Canada – and often lack the knowledge or power to ensure that even those rights are respected.

Several campaigns are underway in Canada to provide an organized voice for migrant workers facing exploitation, terrible working and living conditions, and risk of deportation. These issues became especially acute during the COVID-19 pandemic. Migrant farm workers faced severe risks of contagion, made worse by sub-standard living arrangements. But fear of discharge and removal from Canada limited their ability to speak out about these problems. Several migrant workers died of COVID in Canada. In Ontario, the **MIGRANT WORKERS ALLIANCE FOR CHANGE** – a community-based coalition of migrant workers and allies – worked to expose the extent of COVID infection in farm labour camps, pressing employers and governments for better health care and preventative measures. The Alliance

also advocated for a Mexican migrant worker, Luis Gabriel Flores, who was fired from his job for speaking publicly about workplace COVID infections. The Ontario labour board granted Flores precedent-setting compensation for unfair discharge; the Alliance is now fighting to ensure he can stay in Canada.

Another important initiative occurred in British Columbia, where migrant labour is a critical input to agriculture in the Fraser Valley. The UFCW has certified bargaining units among migrant workers at several farms (after confirming the legal right of migrants to unionize). The union then successfully challenged unfair recall practices of employers under the federal government's Seasonal Agricultural Worker Program (SAWP). Many employers would refuse to bring back union-supporting workers to Canada for the next season, despite seniority provisions in the collective agreement that required work be offered to senior workers. The union won court rulings requiring the companies to re-hire union members. This important victory strengthened the freedom of migrant workers to speak about unfair practices or conditions, without fear of being excluded from Canada.

Sources: Dubinsky (2020), Migrant Workers Alliance for Change (2020), Hastie (2019), Klassen *et al.* (2018), and Faraday (2014).

classical vision of competitive labour market operation, but extends the model to include frictions inhibiting what would otherwise be efficient market outcomes. Freeman and Medoff identified two distinct effects of strong workers' voice (operationalized mainly through unions), that operate at cross-purposes: 'artificially' lifting wages, while also promoting better retention, satisfaction, and productivity. Under certain circumstances, they argued, the benefits of the latter more than offset the costs of the former. The authors were not oblivious to deeper critiques of neoclassical labour market theory, and its failure to explain real-world phenomenon: like monopsony power (whereby large employers exert anti-competitive influence to suppress wages), anti-union activities by managers, the presence of involuntary unemployment as a normal labour market outcome, and other observed realities fundamentally at odds with the neoclassical framework. Nevertheless, their theoretical and empirical

analysis of the effects of worker voice and unions largely omits consideration of these deeper structural economic and social factors – and in particular, the obvious imbalance in power between workers and employers that exists in the absence of unions and collective voice. So while the exit/voice framework was a welcome and innovative analytical advance, its one-sided analysis of power (worrying that unions exercise monopoly power over wages, but ignoring the many manifestations of day-to-day power exerted by employers) ultimately prevented a fuller description of workplace reality.

What if the operation of labour markets in the absence of collective interventions by workers (through a union, or some other avenue of voice) is not optimal in the first place? What if wages are not determined by productivity? And what if labour supply does not normally equal labour demand? In these conditions, labour market outcomes in the absence of strong workers' voice cannot be interpreted as efficient or ideal – and the net impact of workers' efforts to build and mobilize collective voice must be re-evaluated accordingly.

Not all economists accept that competitive market forces, in the absence of frictions or distortions, will achieve an efficient, fully-employed outcome in which workers are paid according to their productivity. In alternative theories of labour markets and wage determination, wages throughout the economy (not just in unionized workplaces) are not seen as the outcome of automatic market-clearing processes. Rather, wages and working conditions are determined by the relative bargaining power of employers and employees. Labour market outcomes thus reflect a wide range of determinants, felt through their impact on the relative bargaining power of employers and workers. These include institutions (like collective bargaining and other mechanisms of organized voice), labour laws (like minimum wages), productivity and profitability (which enhance employers' ability to pay higher wages), technology (through both its effects on productivity, and its impact on production processes and management control), the intensity of competition between firms, social norms and expectations, and more.<sup>33</sup> Workers' collective voice and power affect many of those factors, micro-, meso-, and macro — even in non-union firms.

*There is no reason at all to assume that an unregulated, competitive labour market is “optimal” in any way.*

Therefore, in a broader theoretical understanding, there is no reason at all to assume that an unregulated, competitive labour market is “optimal” in any way. Consideration of structural factors like power, mobility, and institutions should not be bolted on to a framework in which markets are assumed to operate effectively in the absence of

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<sup>33</sup> See, for example, the heterodox theories of wage determination outlined in Bowles, Edwards, and Roosevelt (2005); Fine (1998); and Stanford (2015), Chapter 8.

such real-world phenomenon. Instead, they should be integrated into the core of labour market analysis.

For example, there is growing interest in the problem of monopsony: the ability of large purchasers to suppress the price of products or services they buy. In the case of labour, recent research<sup>34</sup> has found that very large employers (including firms like Amazon, Wal-Mart, and McDonald's) have monopsony power that suppresses wages, due to the unavailability of alternative job prospects for workers in certain regions or segments of the labour market.<sup>35</sup> This produces many negative consequences experienced throughout the labour market and broader society, including:

- Reducing employment levels below optimal levels, because maintaining higher unemployment reinforces monopsonists' power to suppress wages.
- Undermining wage norms in broader society, thus weakening wages at other employers.
- Negative social and fiscal costs from the impacts of low wages on family incomes, health, and other social outcomes.

*There is normally a fundamental imbalance of power between employers and workers.*

If the labour market is fundamentally shaped by the power of large employers in the first place, then the economic impacts of organized worker voice need to be considered very differently. No longer is it a matter of weighing the positive benefits of voice, against its supposedly negative impacts on normal competitive wage outcomes. To the contrary, stronger

workers' voice could then drive economic benefits through both channels: facilitating inside voice to reduce turnover and improve productivity, while also exerting countervailing influence against the otherwise dominant power of large employers over wages and other aspects of employment relations.<sup>36</sup>

Even in the absence of pure monopsony effects, it can be argued that there is normally a fundamental imbalance of power between employers and workers. Limiting and countering this power imbalance is a clear motive for building strong structures of worker voice, representation, and collective agency. After all, it is employers who decide whether to open a business, what to produce, what technologies and machines to use, and how many workers they need. In short, they control the workplace,

<sup>34</sup> See Mitchell and Erickson (2007, p. 384); Posner *et al.* (2018); Naidu *et al.* (2018); Council of Economic Advisers (2016).

<sup>35</sup> Ubiquitous non-competition clauses that appear in many employment contracts further limit the ability of workers to move to other employers in search of better wages and conditions (exactly contrary to the perfect mobility assumed in neoclassical theories); see Competition Bureau of Canada (2020) for discussion of some implications of these practices in Canada.

<sup>36</sup> Long before Freeman and Medoff, non-neoclassical economists such as Veblen (1904) and Galbraith (1952, 1969) discussed the economic, political, and cultural power of large corporations, and highlighted the need for the development of countervailing power to balance that undue influence.

and hence the future of those who work there, and this gives them immense power over their staff. True, employers need workers, just as workers depend on their employers: their enterprises cannot function without the labour of workers. But employers rarely depend on the work of any individual worker. Unless they have some very unique skill or irreplaceable attribute, almost all workers are individually replaceable in the eyes of the employer. This is especially true in conditions of unemployment or underemployment, when employers can be confident there are many willing workers available to fill any particular vacancy. If a worker then attempts to individually negotiate better wages and conditions with his or her employer, the cost of disagreement to that worker (potentially losing their job and entering unemployment) are far greater proportionately than the cost of disagreement to the employer. In that scenario, workers have little power to improve the terms of their engagement.

This fundamental imbalance of power between workers and employers (even employers of modest size, let alone giants like Amazon) explains why wages will tend to fall to minimum levels in the absence of organized structures of workers' voice — with negative impacts for workers, communities, and the broader economy. This asymmetry and its consequences were described aptly in the preamble to the U.S. Wagner Act of 1935, which set the stage for the expansion of unionization and collective bargaining (under a majoritarian system that eventually spread to Canada). The Act explained why balancing the otherwise dominant power of employers would benefit the working of the overall macroeconomy:

“ The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries. (U.S. National Labor Relations Act of 1935 Section 1)

A similar acknowledgment of the inherent imbalance of power between employers and workers is reflected in notable decisions of the Supreme Court of Canada regarding the importance of workers' Charter rights to organize and operate unions.<sup>37</sup> For example, in a precedent-setting 2013 case affirming the right of a union to communicate with prospective members, the Court wrote of “the presumptive imbalance between the employer's economic power and the relative vulnerability of the individual worker.”<sup>38</sup> And a 2015 decision affirming the right of police officers to unionize concluded similarly that “individual employees typically lack the power to bargain and pursue workplace goals with their more powerful employers.”<sup>39</sup> In this light, building

<sup>37</sup> The following cases are cited by Mitchell and Murray (2016, Ch. 2).

<sup>38</sup> *Alberta (Information and Privacy Commissioner) v. United Food and Commercial Workers Local 401* (2013) SCC 62, 3 SCR 733, para 32.

<sup>39</sup> *Mounted Police Association of Ontario v. Canada (Attorney General)*, (2015) 1 SCR 3, para 70.

workers' collective voice and power to alter the terms of their employment is not a "distortion": it promotes a better balance of power between workers and employers, and helps the whole economy achieve a more vibrant and inclusive outcome.

Economic theories that take account of the institutional and power relationships that shape employment patterns in the real world (as opposed to the idealized world of perfectly competitive markets) thus come to very different conclusions regarding the value of organized worker voice. Supporting the development of channels to express and mobilize workers' collective voice is now seen as a normal, healthy, and legitimate goal.

Workers' voice does not interfere with autonomous, market-directed processes that would otherwise be optimal. To the contrary, in the absence of organized voice, workers will have little ability to win improvements in their wages and conditions over time. The consequences of this power imbalance will be felt in lower living standards, greater inequality, and sub-optimal macroeconomic performance. A labour market that does not build in strong, regular structures for workers' voice and agency will tend to be unbalanced, highly unequal, and in many ways inefficient. In this understanding, organized worker voice is not something to be tolerated because of incremental productivity benefits that offset other "distortionary" effects. Rather, voice should be encouraged and promoted: all of its effects (including both facilitating better communication and empowering workers to improve wages and conditions) are beneficial within a labour market that would otherwise be dominated by the unchallenged power of employers. In sum, organized workers' voice and bargaining power is a precondition for the achievement of a more balanced and prosperous economy.

*Organized workers' voice and bargaining power is a precondition for the achievement of a more balanced and prosperous economy.*

Appreciating the power imbalance that is a normal feature of an unregulated employer-dominated labour market, also helps understand management resistance to the expansion of workers' voice mechanisms. Yes, employers receive some benefits from improved retention, productivity, and information flows resulting from stronger workers' voice. But they fear the challenge to their unilateral authority (including over compensation) that is posed by workers with organized, genuine voice. So they often prefer to stick with old-fashioned command-and-control management processes — or at most will experiment with incomplete, management-controlled systems of voice that allow them to have their cake (gathering information through management-controlled systems of internal voice) and eat it (avoiding challenges to their authority and upward pressure on labour costs). In this understanding, it is clear that extending and strengthening genuine channels of worker voice will, in most cases, require pressure or compulsion on employers (arising from unionization, statutory requirements, or outside community pressure).

## IV. Operationalizing Worker Voice

**T**HE PREVIOUS SECTIONS HAVE CONSIDERED WHY INDIVIDUAL WORKPLACES, and the economy as a whole, function better when the voices of workers are amplified, listened to, and acted upon. But mechanisms for organizing and channeling worker voice do not arise spontaneously. As we have seen, the forces of private competition, if left on their own, are more likely to produce workplaces in which employers and managers exercise unchallenged power over all aspects of work life: including compensation, working conditions, work organization, and innovation. Aggrieved workers are always free to exercise their power to “exit”: that is, to quit and seek a better job elsewhere. But the realities of the real-world labour market (as opposed to the idealized perfect competition of neoclassical economic theory) make that prospect unlikely: workers face huge costs and risks of quitting their jobs, and few have access to appealing alternatives. Even where more “enlightened” HR managers are willing to listen to workers — through simple strategies like suggestion boxes and informal open door policies, or through more organized employer-directed systems — worker voice is still likely to be constrained and underdeveloped. Of their own accord, managers welcome workers’ voice only if it helps to meet their own production and profit objectives.

To develop more genuine and impactful mechanisms of workers’ voice requires a willingness by all stakeholders (employers, workers, and governments) to recognize the wider public benefits of collective voice, and then participate in strengthening it. Broadly speaking, this will need to involve challenging the unilateral power of employers over their workers, and deploying a broad set of policy measures to directly and indirectly strengthen workers’ voice, agency, and power. In their recent review of the erosion of worker power and its impact on U.S. macroeconomic performance,

Stansbury and Summers put it this way:

“ If the decline in worker power has been a major cause of increases in inequality and lack of progress in labor incomes, if policy-makers wish to reverse these trends, and if these problems cannot be addressed by making markets more competitive, this raises questions about capitalist institutions. In particular, it raises issues about the effects of corporate governance arrangements that promote the interests of shareholders only versus a broader set of stakeholders... And it suggests that institutions that share rents with workers are likely to be necessary as a form of countervailing power, of the sort initially proposed by Galbraith (1952). (Stansbury and Summers, 2020, p. 65)

## VOICE IN ACTION:

## If They're Heroes, Pay Them Like Heroes



During the COVID-19 pandemic, Canadians were deeply appreciative of the extraordinary efforts and bravery shown by front-line workers in health care and other jobs (like cleaners, carers, food retail, and delivery workers). By continuing to do their jobs, despite the risks, these workers helped maintain vital services and get us through the lockdowns.

Banging pots and pans at 7:00 pm is one way to show appreciation. Another is to ensure that front-line workers are given fair compensation for their dedication. The idea of 'pandemic pay' - a supplement to normal earnings to recognize the risks and challenges of working during a pandemic - is one way to recognize essential service workers. Early in the pandemic, some employers (such as large grocery chains) offered bonuses of \$2 per hour to their workers: partly to retain staff at a time when many workers were afraid to come to work. But those voluntary bonuses were quickly cancelled when the pandemic receded, and employers felt less pressure to retain staff.

In Newfoundland and Labrador, members of Unifor at Dominion food stores (part of the Loblaws chain) demanded the return of the \$2 premium in a strike that lasted 12 weeks. In the end, the company settled for a \$1.35 wage in-

crease. That was a step forward for the workers, but still left most earning below a living wage. Meanwhile Loblaws generated record revenues during the pandemic.

In some public services, such as health care and long term care, special federal funds were issued to support premium wage payments for essential workers. But even that was no guarantee the heroes would be rewarded, unless workers raised their voices loudly and collectively. One example was a group of personal support workers and registered practical nurses employed by a private contractor at the Hillcrest Reactivation Centre (a rehabilitation hospital in Toronto). They had recently organized a new bargaining unit through CUPE, but had yet to negotiate a first contract. Nevertheless, as the number of COVID infections in the hospital grew, they organized a silent protest inside the workplace in May 2020 to demand a \$4 per hour pandemic bonus - the same amount promised to other health care workers in Ontario. Their employer agreed on the spot.

If essential workers want to be truly and materially recognized for their services, it seems they have to raise their voices. Because the often-taken verbal commendations of employers and politicians won't buy them many groceries.

Sources: Bursey and Gindin (2020), Chase (2020), Wall (2020).



This section delves into the specific ways in which workers’ voice can be operationalized in the modern economy. We consider four potential channels to facilitate and strengthen workers’ collective voice: union-led voice regimes, employer- or management-led voice regimes, statutory voice regimes, and other strategies. All hold potential for strengthening worker voice in Canada — and then using that voice to improve workplaces in the future.

## Union-led Voice Regimes

About 30% of Canadian workers belong to a union. A slightly higher share is covered by a union-negotiated collective agreement.<sup>40</sup> Unionization provides a clear and reliable structure within which workers can exercise their voice – and mobilize pressure on employers to ensure their voice is “heard.” In Canada today, unions are the most important channel for building stable, genuine systems of worker voice.

Union membership and bargaining power has been under pressure in most industrial countries over the past generation, for a range of economic, political, and cultural reasons. The shift to services industries and smaller workplaces has made union organizing more challenging. Managers of most private companies have become more actively hostile to unionization, routinely using an array of union avoidance techniques (some legal, some less so) to defeat union drives. Labour laws in most jurisdictions (including most Canadian provinces) have erected numerous hurdles to forming unions, and more tightly restrict and regulate the actions of unions once they are established. Economic changes like deregulation, privatization, and globalization have intensified competitive pressures – thus reducing the economic space for unions to negotiate gains when they are formed.

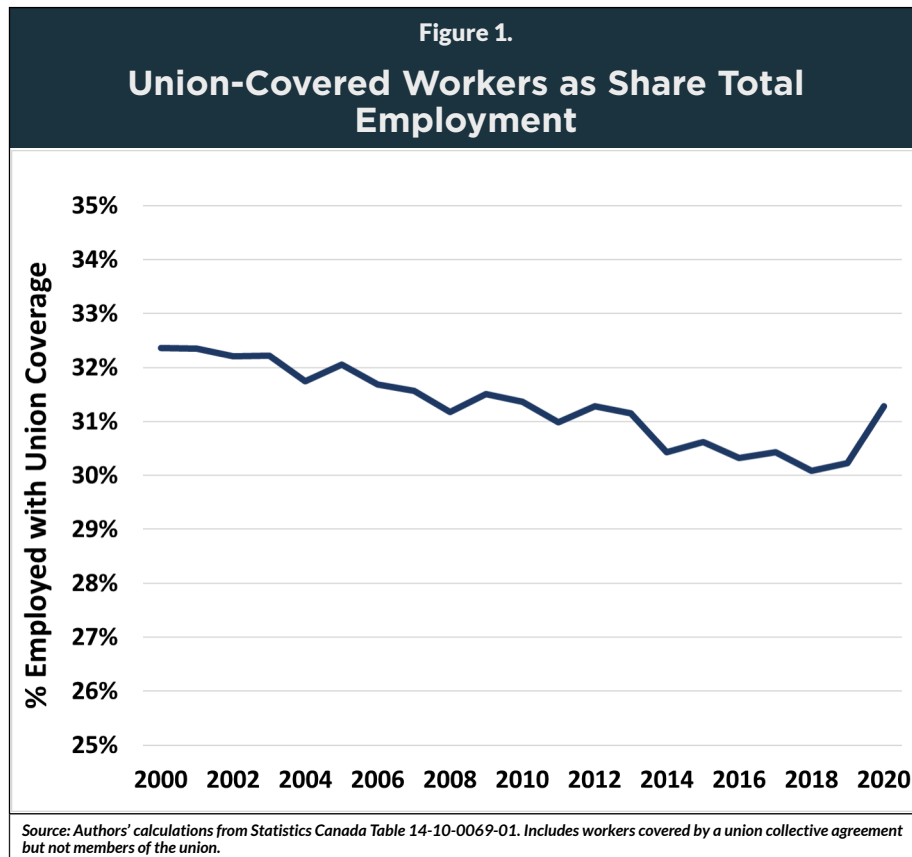
Despite these hurdles, union membership in Canada has been more stable than in most other industrial countries. This attests to a somewhat more receptive legal climate here (especially compared to the U.S., where hostile labour law has contributed to widespread deunionization in recent decades). Overall union density (including those who are not members but covered by a union contract) has edged down since the turn of the century, falling from around 32% of all workers in 2000 to 30% by 2019 (Figure 1). Interestingly, union density rebounded somewhat during the COVID-19 pandemic. This was due to the faster rate of job loss experienced among non-unionized workers, as well as to growth in the relative importance of public sector work (which is more highly unionized) during the pandemic. Whether that uptick in union density will be sustained after the pandemic remains to be seen. Among major industrial countries, Canada has recorded among the smallest declines in average unionization over the last decade.<sup>41</sup>

However, this relatively stable foothold for union representation in Canada is somewhat misleading. It is largely supported by high union density in public sector work-  
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<sup>40</sup> A small proportion of Canadian workers, about 1-2%, are covered by a contract without belonging to the union that negotiated it.

<sup>41</sup> Stanford (2020c) reports that the decline in Canadian union density since 2011 (down less than one percentage point) was the 3rd smallest among OECD countries, behind only France and South Korea.

places: 78% of public sector workers were covered by a union contract in 2020, up from 74% in 2000. In the private sector, where employer opposition is more intense and competitive pressures more binding, just 16% of workers were covered by a union contract in 2019, down from over 20% at the turn of the century. So in private sector workplaces (which account for three-quarters of all Canadian employment), the benefits of union voice and representation are increasingly rare.



Despite the decline in unionization in past decades (concentrated in the private sector), there is no doubt that union certification, representation, and collective bargaining are still the most important and powerful channels through which workers' voice is organized and mobilized in Canada. Union-led structures offer the most formal, stable, and ultimately effective means for workers to express their goals and concerns, and exert pressure on employers to respond to them.

In Canada, union-led voice mechanisms operate under a “majoritarian” system that was inspired by the U.S. Wagner Act of 1935. It is an ‘all-or-nothing’ arrangement in which a union must show majority support within a defined group workers to form a certified bargaining unit. If this hurdle is overcome, the union is certified and gains statutory status as the sole collective bargaining agent for that group, as well as other rights - such as recourse to government-supported dispute arbitration procedures, protection from unfair labour practices by the employer, and (under certain

**Table 2.**  
**Channels for Worker Voice in a Unionized Setting**

Category	Specific Applications
Workplace Representation	<ul style="list-style-type: none"> <li>• Share information (up and down)</li> <li>• Select workplace stewards and representatives</li> <li>• Participate in joint committees</li> <li>• Advance and resolve grievances</li> <li>• Protection in discipline &amp; dismissal</li> </ul>
Collective Bargaining	<ul style="list-style-type: none"> <li>• Compile and formulate bargaining demands</li> <li>• Election of bargaining committee</li> <li>• Collectively set priorities</li> <li>• Exert leverage in support of demands</li> <li>• Ratification of agreement</li> <li>• Oversee implementation and compliance</li> </ul>
Occupational Health & Safety	<ul style="list-style-type: none"> <li>• Share information (up and down) on hazards and practices</li> <li>• Participate in joint committees</li> <li>• Oversee compliance</li> <li>• Representation for workers compensation</li> </ul>
Work Organization	<ul style="list-style-type: none"> <li>• Input to production targets &amp; standards</li> <li>• Input to schedules and shifts</li> <li>• Monitoring pace and ergonomics</li> <li>• Collective voice and oversight of teams</li> <li>• Oversee compliance</li> </ul>
Employment Standards	<ul style="list-style-type: none"> <li>• Share information on legal rights and minimum standards</li> <li>• Oversee compliance</li> </ul>
Other Workplace Issues	<ul style="list-style-type: none"> <li>• Employment insurance processing and representation</li> <li>• Restructuring and lay-offs</li> <li>• Input on technological change</li> <li>• Training and apprentices, skilled trades issues</li> <li>• Workplace fairness and anti-harassment</li> <li>• Women's issues in the workplace</li> <li>• Anti-racism and support for Black, Indigenous, and people of colour</li> <li>• Other equity-seeking workers' issues</li> </ul>
Meso- and Macro-Affairs	<ul style="list-style-type: none"> <li>• Represent workers in industry-level initiatives: training, clusters, industry policy, technology, infrastructure, environmental policies, pattern or sector bargaining</li> <li>• Represent workers' interests in macro-level policy formulation: macroeconomic, social, labour law, trade and industrial policy</li> </ul>
Union Life & Governance	<ul style="list-style-type: none"> <li>• Local union meetings</li> <li>• Local union committees (OHS; technology; women; Black, Indigenous and people of colour; youth; LGBTQ; training &amp; apprenticeships)</li> <li>• Local union elections &amp; leadership</li> <li>• Union events and activities (Labour Day, solidarity &amp; strike support, coalitions, social / sport / cultural events)</li> <li>• Workplace charity initiatives / United Way</li> <li>• Delegates to broader union conferences &amp; conventions</li> <li>• Broader union elections</li> <li>• Participation in broader union events &amp; campaigns</li> </ul>

*Source: Authors' compilation.*

conditions) the right to strike (Kaufman and Taras 2000; Doorey 2013; Gomez 2016; Wells 1995). In Canada, collective dues payment systems (usually arranged according to the ‘Rand formula’<sup>42</sup>) then ensure that effectively all workers who benefit from the resulting collective agreement pay proportionately toward its implementation and eventual renegotiation – thus preventing the ‘free rider’ problem that Freeman and Medoff highlighted as a barrier to collective voice.

*The formalized structures of a fully developed unionized workplace thus provide a panoply of opportunities for workers to express their concerns and priorities, and become personally involved in advocating and negotiating change.*

In a fully developed union-represented workplace, a wide variety of channels exist through which workers’ voice can be expressed and mobilized, potentially reaching all of the levels discussed above (micro, meso, and macro). Table 2 summarizes these various channels through which union members can speak out, build solidarity, and take action. Not every unionized workplace features all of these channels, but some do — and all union workplaces will embody core elements of voice listed in the table. This list is a catalogue of the various ways in which voice can be operationalized in a union setting.

The formalized structures of a fully developed unionized workplace thus provide a panoply of opportunities for workers to express their concerns and priorities, and become personally in-

involved in advocating and negotiating change, across a wide variety of subject matters. And the protections against reprisal that exist in a union workplace (including just-cause discipline and dismissal procedures) reinforce the safety and confidence with which workers can speak out.

In the realm of day-to-day representation, voice is obvious and protected in a unionized workplace. Workers can usually elect their stewards or area representatives. Those representatives facilitate two-way flows of information within the workplace (from management to workers, and vice versa). Elected reps and other workers can participate in joint committees and other bipartite structures within the workplace. Where workers have concerns or grievances, there are established procedures for handling them: including representation and advocacy for the aggrieved member. Workers are afforded protections and support in meetings with management and disciplinary processes, and this enhances the safety and integrity of all voice mechanisms.

Collective bargaining is another vital realm for workers’ voice in a unionized setting. Through this process, workers advance suggestions for improved compensation,

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<sup>42</sup> See Kaplan (2011) for a summary of the history and significance of the Rand formula.

working conditions, work organization and production practices, and virtually any other matter. Elected members of bargaining committees are charged with compiling, reconciling, and prioritizing these demands. Through the bargaining process, workers are typically asked to express support for the final list of bargaining demands in various ways — up to and including, where possible and necessary, participating in collective action (such as a work stoppage). Ratification of the eventual collective agreement is a crucial step which ensures the final deal has support of members. The task of implementing and overseeing compliance with the agreement (including settlement of interest disputes where necessary) is another task for which the organized voice of unionized workers is essential and effective.

Many other workplace issues are addressed through specialized structures and channels for workers' voice in a unionized setting. Workplace health and safety has always been a priority for union representatives, and there are numerous channels through which workers' voice on OHS issues is realized: including information sharing, participation in joint OHS committees, and ensuring compliance with agreed practices and protocols. Union reps assist and represent injured workers in dealing with the workers' compensation system. In the extreme, union stewards can organize immediate work stoppages in event of imminent safety risks.<sup>43</sup> Similar opportunities for voice can address other workplace matters: such as production standards and work organization, and ensuring compliance with minimum standards set out in employment law (such as minimum wages, maximum and minimum hours of work, scheduling, and other issues). Indeed, an often-overlooked advantage of union representation is the ability of unions to ensure compliance with minimum standards that should apply to all workplaces — but which in practice are often violated in non-union settings. At the same time, the exercise of workers' voice is always constrained, even in unionized settings, by management rights clauses in collective agreements which cede control over most day-to-day decisions to employers.

Unionization can facilitate stronger and effective voice and input to other issues which are becoming more important as workplaces evolve. Union representatives can support workers in negotiating the complex processes and rules governing the Employment Insurance system, and provide advocacy services when needed to challenge unfair outcomes and decisions. In cases of workplace downsizing or closure, unionized workplaces have processes for managing their effects: including clear rules regarding lay-off by seniority, access to severance benefits, and provision of transition services, counselling, and other supports. Challenges related to technological change, skills, and training can be addressed more fulsomely when workers have organized and regular input into those decisions. Union engagement in standards and practices for skilled trades work (including apprentices) is a particular example of organized worker voice in the realm of skills and training. Efforts to combat harassment, sexism and racism, and other forms of prejudice and inequality in workplaces are also

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<sup>43</sup> Workers in non-union workplaces also have the legal right to refuse unsafe work in most jurisdictions in Canada, although most workers are hesitant to exercise that right without union support and protection against potential employer reprisal.

## VOICE IN ACTION:

## Representation and Advocacy on the High Seas



The global shipping industry is notorious for its abuse of seafarers and other workers. This abuse is facilitated by the fact that ships in international waters are not governed by normal domestic labour laws. Ship owners use 'flags of convenience' to evade legal restrictions (including labour rules, taxes, and other regulations). And seafarers are often invisible to the broader community, given their distance from home, their language, and their vulnerability.

In freight shipping most seafarers come from lower-income countries (like the Philippines, China, or Indonesia). Most support entire families at home with hard-saved remittances, working on voyages that take them away from home for several months at a time. Fear of being fired and losing this income, essential for their families, discourages workers from speaking out about intolerable conditions.

A unique effort by global transportation unions through the INTERNATIONAL TRANSPORT WORKERS' FEDERATION (ITF, a global union federation) aims to provide voice, representation, and advocacy for seafarers. The ITF negotiates with large shipping companies for them to accept the terms of a basic global collective agreement covering

wages and conditions for seafarers. Then, through a program called the INTERNATIONAL ASSISTANCE, WELFARE AND PROTECTION FUND, the ITF collects payments from those companies to support an international network of inspectors and advocates. They work to support seafarers in covered companies who need assistance or representation.

In Canada, advocates are usually seconded from Canadian unions affiliated to the ITF. They are based in Canadian ports, and respond to calls from affected seafarers for advice, advocacy, or even rescue. They work to enforce the terms of the global collective agreement, and other international standards - like the Maritime Labour Convention under the ILO. Canada has ratified this Convention, but the federal government does little to police it.

The COVID pandemic created many new challenges for seafarers. These include entry restrictions in port countries, which prevent sailors from disembarking to travel home after their shifts end - effectively stranding them at sea. ITF inspectors in Vancouver and Halifax have helped rescue sailors from badly-managed freighters in recent months, facilitating permission for them to exit from a Canadian airport, and then arranging their travel home.

Source: Seafarer's Trust (2020).

strengthened by the ability of unions to establish and utilize workers' input and influence. This may include through specialized committees and opportunities for women; Black, Indigenous and people of colour; youth; LGBTQ workers; and other equity-seeking groups.

Thanks to the infrastructure and reach of trade unions, their members also have opportunities to project their voices into higher-level decision-making and policy formulation at the meso and macro levels of the economy (Kaine 2020, Tapia *et al.* 2015, Wills and Simms 2004). Unions often hold formal status to participate in industry- or sector-wide structures and programs: including training and apprenticeship programs, industry policy bodies and "clusters," and technology and

innovation initiatives. Similarly, by virtue of the voice and influence which large unions can leverage in broader economic and social policy debates, unionized workers also wield their collective voice to influence macroeconomic and fiscal policies, income supports and social policies, labour laws, and other macro-level policy that directly influences workers' experiences.

A final arena in which workers' voice is facilitated within unionized workplaces is within the union itself. Democratic unions provide a rich array of opportunities for individual members to express their views, elect representatives, and participate in union activities: both around specific workplace issues, and around broader economic, social, and political matters. Within the immediate workplace, union members have voice through the selection of workplace representatives (such as stewards, committee reps, and others), the election of local leaders and bargaining committees, their support (or not) for collective action (such as work stoppages), and their ratification of collective agreements. In the broader activities and governance of unions, union members should be able to participate actively in all union affairs - including elections, conventions, policy development, and campaigns.

It is vital for unions to nurture and respect these internal mechanisms of voice and democracy. If unions are not experienced as a reflection of the genuine voice and agency of workers, but rather as some kind of outside structure imposed on the workplace, then the full potential of workers' voice in unionized workplaces will not be achieved. Worse yet, workers may come to resent or oppose a union they perceive as distant or unresponsive, despite its capacity to improve wages, working conditions, and representation. For this reason, democratic and effective unions work constantly to engage more rank-and-file members in the activities and governance of the union itself.

*The goal of strengthening and expanding meaningful worker voice in Canada is inextricably associated with the future of trade unionism.*

In summary, formal and credible mechanisms of worker voice in Canada are most fully realized within unionized workplaces. The structures and processes of formal representation and negotiation, combined with superior protections against reprisal or dismissal, ensure that workers' voices are expressed, heard, and acted upon. Given this correlation between strong voice and unionization, the goal of strengthening and expanding meaningful worker voice in Canada is inextricably associated with the future of trade unionism. If union representation continues to erode, particularly in private sector workplaces, then the prospects for engaged and effective workers' voice will be inevitably diminished.

## Employer-Led Voice Regimes

While workers' voice is stronger and more reliable in unionized settings, it is possible to operationalize workers' voice in non-union workplaces, too. Indeed, one response to the erosion of unionization in many industrial countries has been to explore non-union forms of voice and representation (Kaufman and Taras 2000; Gollan and Lewin 2013; Kochan *et al.* 2018). Since the 1980s, there has been a proliferation of many shapes and sizes of non-union employee representation. Non-union voice structures and strategies reflect a diverse and complex range of forms, functions, topics, representational modes, extent of power, and degree of permanence (Taras and Kaufman 2006; Donaghey *et al.* 2012; Campolieti *et al.* 2013; Barry and Wilkinson 2016).

Employer-led voice regimes are usually created, structured, and operated by management as part of a company's overall system of human resource management. These mechanisms are initiated and terminated at the employer's discretion, and require neither the formal approval of the firm's employees nor any certification process through government or a labour board. Employer-led voice systems can include direct or indirect mechanisms (as discussed earlier), or a mixture of both. Direct voice usually consists of small-scale face-to-face and decentralized interactions

*Employer-led voice regimes are usually created, structured, and operated by management as part of a company's overall system of human resource management.*

between workers and management, typically within narrowly-defined work areas or departments. These include quality circles, self-managed work teams, goal-setting committees, performance appraisal or peer review panels, or information-sharing and safety committees. These mechanisms are usually focused on promoting a spirit of 'partnership' between employers and workers that (managers hope) will boost productivity, but without the challenges to management control that would also arise under union-led voice regimes.<sup>44</sup> Indirect voice, in contrast, involves elected employees acting on behalf of a larger group of workers.

These representatives engage with management on selected issues related to working conditions, usually at the plant-level or company-level (Kaufman and Taras 2000: 8-9; Marsden 2013: 222, 230-2; Peetz 2019: 181). Indirect mechanisms are rare in employer-led voice systems.

Crucially, in non-union workplaces (even those with relatively formalized voice structures), the operation of voice systems always depends on the voluntary willingness of employers to permit, ratify, and participate. There is no external compulsion or oversight of these internal mechanisms, which are ultimately motivated by employers' judgment that they can improve productive and financial performance. Workers have

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<sup>44</sup> Parker and Slaughter (1994) discuss these motivations for management-led participation and team initiatives, and offer suggestions for union responses.



no guarantees, in other words, that these systems, which operate at the pleasure of their employers, will provide genuine and reliable channels of input and influence into workplace decisions and conditions. And their applicability to higher-level meso and macro issues is minimal to non-existent: employers generally participate in industry-wide venues and higher-level policy debates and advocacy in their own name, guided by their own interests, with no independent seat at the table for the workers.

Table 3 summarizes some of the more common topics and channels through which worker voice can be expressed and managed in non-union, employer-led settings. The scope of issues for which input is allowed is clearly constrained, compared to the possibilities in more independent union-led settings. And in all cases the integrity and transparency of these systems is dependent on their voluntary acceptance by employers.

<b>Table 3.</b> <b>Channels for Worker Voice in Employer-Led Settings</b>	
Category	Specific Applications
Information Flow	<ul style="list-style-type: none"> <li>• Share information down (bulletins, meetings, social media)</li> <li>• Gather information up (performance reporting and data, suggestions)</li> </ul>
Workplace Representation	<ul style="list-style-type: none"> <li>• Possible worker reps on joint committees</li> </ul>
Occupational Health & Safety	<ul style="list-style-type: none"> <li>• Share information (up and down) on hazards and practices</li> <li>• Participate in joint committees (where mandated)</li> </ul>
Work Organization	<ul style="list-style-type: none"> <li>• Participation in teams and quality circles</li> <li>• Possible input to production targets &amp; standards</li> </ul>
Other Workplace Issues	<ul style="list-style-type: none"> <li>• Possible input to technological change</li> <li>• Possible input to training and apprentice issues</li> <li>• Possible fairness and anti-harassment systems</li> <li>• Participate in corporate events and charities</li> </ul>
Source: Authors' compilation.	

More rarely, non-union employers will permit the development of more formally structured forms of workers' voice. An important historical example is the idea of joint industrial councils (JIC). These councils mirror some aspects of the voice role performed by unions, but are subject to significant management constraints and limitations (Taras and Kaufman 2006: 517). A typical JIC convenes regular meetings of selected managers and worker representatives (sometimes elected by their peers) to discuss issues such as health, sanitation, safety and accidents, recreation, education, and dispute resolution (Taras and Copping 1998). A risk of this approach is their potential use by employers as a strategy to avoid unionization. Indeed, JICs were a com-

mon feature of so-called “company unions” in the U.S.,<sup>45</sup> until they were made illegal under the Wagner Act in 1935. In Canada, labour law does not prohibit non-union representative structures like JICs, although they cannot legally be used to block formal unionization. In some cases they may evolve into formally certified unions, especially if workers become dissatisfied with the limited scope and effectiveness of the JIC model (Taras and Copping, 1998).

Beginning in the 1920s, JICs were formed at several locations of Imperial Oil, a Canadian subsidiary majority-owned by the Standard Oil Co., now ExxonMobil (Taras and Copping 1998; Taras 2000). Imperial’s JIC model was relatively formalized and complex, with a two-tiered organizational structure. Local JICs were established at individual operating sites, focusing on local issues, and comprised of an equal number of elected worker delegates and selected management staff. Worker delegates could raise concerns over new policies (Taras 2000: 238). However, while Imperial’s JICs constituted “an elaborate system of employee voice,” they had “no formal bargaining relationship with management” (Taras and Copping 1998: 30). Major company-wide decisions on key issues of wages, benefits, job stability and layoffs remained the sole domain of management. The JIC system allowed for workers’ voice in the form of comment, advice, protest or praise, but workers had no direct power to oppose or initiate major corporate decisions. For this reason, several local JICs were eventually replaced by formally certified unions.

Another example of a formal, highly structured employer-led voice mechanism in Canada is Magna International, one of the world’s largest automotive parts manufacturers. Early in its growth, Magna adopted a workplace representation system called “Fair Enterprise,” which features limited forms of both direct and indirect worker representation. The system includes various forms of information sharing (including regular meetings of teams and entire workplaces), a limited form of elected representation (whereby workers at each plant choose an “Employee Advocate” to represent them with plant management), and a modified system of grievance handling. The company also makes wide use of work groups to set and monitor production targets and standards. Within the context of its decentralized business unit structure, this process is shaped and constrained by the ongoing need for each plant to compete for new work allocated from headquarters. Magna also uses “Communication Centres” throughout its plants, featuring employee suggestion boxes, information about job postings, plant performance data, and notices of company events and activities (Lewchuk and Wells 2007: 116-7).

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<sup>45</sup> An early JIC was formed at the Colorado Fuel and Iron Co. (a division of the Rockefeller empire) in 1915, with an interesting Canadian connection. William Lyon Mackenzie King was at the time head of the department of industrial research at the Rockefeller Foundation. He proposed a JIC as a response to public outrage over an infamous Rockefeller-led attack (known as the Ludlow Massacre) that killed 21 miners and family members during a campaign to unionize with the United Mine Workers (Taras and Copping 1998: 28; Debicki 2001). King had earlier served for 2 years as Canada’s first minister of labour (from 1909 until losing his seat in the 1911 election); after working for the Rockefellers, he re-entered politics to become Canada’s longest-serving Prime Minister, including overseeing the introduction of Wagner Act-like labour laws in Canada during and after World War II.

As with Imperial Oil's JICs, Magna has faced pressure to formalize these representation practices within the structure of unionization. In 2007, Magna reached agreement with the then-Canadian Auto Workers (now Unifor) on a new process for union certification within Magna plants. After several years of union organizing campaigns (which unionized three of Magna's 40 Canadian plants), Magna agreed in 2007 to a neutrality and voluntary recognition agreement covering its remaining facilities in Canada (Sova 2007, Burkett 2008). The deal was tied to a new vision of representation and bargaining that combined aspects of traditional unionism with Magna's Fair Enterprise practices. Under this "Framework of Fairness Agreement," Magna and the union negotiated a pattern agreement to cover all unionized plants (excluding one previously certified plant in Windsor), modified by plant-specific wage rates and other details. This agreement facilitated unionization of a few additional Magna plants over the coming decade — although most of the company's Canadian plants remain union-free.

These relatively structured systems of employee voice in non-union workplaces are the exception. In most cases, employer-led voice mechanisms are closely controlled by management, focused narrowly on productivity and related issues, and avoid genuine dialogue or bargaining over the broader range of workplace issues and concerns. These non-union systems may improve communication, work effort, and job satisfaction. However, in the absence of codified rights in collective agreements, they remain constrained by management discretion over what issues are considered "fair game" in the voice process – and by fear among workers that expressing views that are unpopular with management may harm their job security or career prospects. The result is a contradictory situation: voice mechanisms are designed and controlled in hopes of aligning worker attitudes with corporate goals, but the narrow scope given to these channels may reinforce workers' fears of reprisal. This limits the quality and sincerity of workers' communication with management in addressing core concerns, and ultimately prevents the full benefits of more genuine voice systems from being realized.

*In the absence of codified rights in collective agreements, they remain constrained by management discretion over what issues are considered "fair game".*

## **Statutory Voice Regimes**

Another way to achieve strong, reliable voice is through statutory mechanisms which compel employers to establish formal voice systems, in some cases dealing with particular topics. Public policy may conclude that the benefits of worker voice justify this statutory intrusion into the otherwise private realm of worker-management relations. In this case, the mandated formation and operation of voice regimes becomes a condition of doing business.

Statutory requirements for workers' voice are rare in the North American context (with some exceptions, discussed below). But there is a strong tradition in Western

Europe of statutory requirements for the establishment of workers' voice systems and structures. These systems include detailed and institutionalized mechanisms of 'co-determination' that bestow well-defined statutory rights (and responsibilities) to employers, worker representatives, and unions. These statutory systems combine some elements of both employer-led and union-led voice regimes (Kaufman and Taras 2000: 10).

The most important example of a statutory approach to voice is the system of works councils found in many European countries – and also codified at the continental level since 1994 through the European Works Council system.<sup>46</sup> The specific requirements and structures of works councils vary from country to country. They are especially strong in Germany (Jirjahn and Smith 2017, Mueller-Jentsch 1995); other countries with strong works councils include Austria, Switzerland, France, and Italy. In Germany, workers in any enterprise with more than 5 employees have a protected right to elect a works council, free from employer interference or opposition. In practice, works councils are more common in large workplaces: 87 per cent of large workplaces with more than 500 employees have one, but only a minority of smaller workplaces (Fulton 2020). While works councils in Germany are treated as institutionally distinct from unions, in practice there are clear links between them. The majority of elected works council representatives are union members, unions can nominate members to works councils, and work council chairs in the country's largest companies are usually key figures in their own unions (Haipeter, forthcoming). That said, unlike union officials, works council members are obligated to engage with the employer "in a spirit of mutual trust," and discussions with management are usually focused on day-to-day operations (Fulton 2020).

The representation and dialogue rights granted to works councils in Germany fall into four main categories:

- **INFORMATION RIGHTS:** the works council must be informed of the employer's position and actions and, in some cases, future plans.
- **CONSULTATION RIGHTS:** the works council has a right to be "heard," and in some cases make recommendations.
- **OBJECTION AND REFUSAL OF CONSENT RIGHTS:** the works council, in certain circumstances, can block planned actions of the employer by refusing to give its consent (thus exercising "prohibitive" voice, as defined above).
- **CODETERMINATION RIGHTS:** for certain issues, the works council participates directly in joint decision-making.

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<sup>46</sup> Companies employing at least 1,000 employees, and with at least 150 workers in at least two different EU-member countries, are required to establish European Works Councils; see Eurofound (2019).

Running parallel to the works councils in Germany and some other European countries is a broader system of codetermination that provides additional channels for worker voice and influence over the entire direction of a company. Workers' voice is enshrined at company supervisory boards, which are equivalent to boards of directors in North American companies (Jager *et al.* 2019; Gold 2011). Board-level codetermination ensures a certain proportion of board members are elected by employees, depending on the size of the firm. For companies with more than 2,000 employees, half of the board (not counting the chair) must be elected employee representatives. Board-level employee representatives have the same rights, duties, and length of term, as board members nominated by shareholders. The worker representatives on their own cannot control board-level decisions: if necessary the chair (who usually represents shareholders) casts a deciding vote (Fulton 2020). Nonetheless, these representatives reinforce the voice and influence of workers in company decision-

**Well-embedded forms of worker voice and codetermination have helped achieve a more inclusive and equal form of economic development.**

making at all levels (Jager *et al.* 2019: 3-4). These well-embedded forms of worker voice and codetermination have ensured that European businesses operate with more attention to the long-term interests of their workers, and have helped achieve a more inclusive and equal form of economic development.

In contrast to these well-developed and legally enshrined structures, statutory mechanisms of worker voice are rare in Canada. Governments here have traditionally been reluctant to intervene in the internal management practices and strategies of private businesses. The implicit as-

sumption is that decisions about how to manage workplace communication and decision-making are a private matter, to be settled between the owners of a business and their partners and suppliers (including their workers). This assumption of non-interference contrasts with the European tradition, which views the right to express voice and participate in workplace decisions as a fundamental democratic principle protected in legislation.

However, there are a few important exceptions to this general Canadian pattern — where the right of workers to speak out, and be heard, is acknowledged as essential, even if that interferes with private business autonomy. A crucial example is the case of occupational health and safety (OHS). Because of the intolerable consequences of inadequate health and safety practices and standards (including preventable injury, illness, and death), OHS rules create rights for workers to be informed, and regularly express their views and concerns, on these matters. Every province in Canada (and federal labour law, as well) mandates the creation of joint employer-worker health and safety committees in certain businesses, in most provinces in any workplace with

over 20 employees.<sup>47</sup> They may also be required in other circumstances: for example, Ontario requires joint committees in workplaces of any size which deal with dangerous materials like lead or asbestos. Committees are composed equally of management and worker representatives, who meet regularly to discuss health and safety issues and how to consider improved practices. Other OHS rules mandate various other channels of direct voice and decision-making authority for workers. These include the requirement to share information on workplace hazards through WHMIS training and communication, and the right for workers to refuse to work in unsafe situations without reprisal from their employers.<sup>48</sup>

Though still a far cry from European-style works councils and co-determination, these mandated joint OHS committees provide a rare North American instance of a statutory requirement for worker voice — and OHS experts agree they have been important in reducing workplace accidents and disease (Bernard 1995; Lewchuk 2013). This experience confirms that the private interests of employers cannot be trusted, of their own accord, to provide adequate opportunities for worker voice on matters of critical importance. Instead, employers must be pushed to acknowledge the benefits of worker voice, and provide adequate opportunities for it.

*The private interests of employers cannot be trusted, of their own accord, to provide adequate opportunities for worker voice.*

Moreover, the OHS example could readily be extended to other areas of work life where the public interest justifies a regulatory requirement on employers to facilitate — and listen to — the voices of workers. Issues for which similar logic could justify a statutory requirement for worker voice include training and skills, anti-harassment and equity concerns, or enforcement of minimum labour standards. Indeed, Sass argues that extending statutory protection for worker voice into these broader areas is essential to fully meet the goal of achieving safer workplaces:

“ Existing worker rights (to know, participate and refuse) should be extended and deepened to legally permit workers in industry to deal with work organization (as a social concept) and job design (individual relation to machine) matters, including pace of work, monotony, scheduling, sexual harassment, job cycle, etc., as well as those work environment matters which are important to workers (i.e. daily punishments and humiliations)... The extension of present-day limited or partial worker rights in occupational health and safety

<sup>47</sup> In Newfoundland and Saskatchewan the threshold is 10 employees. A helpful summary of legislation regarding joint OHS committees in each jurisdiction is provided by Canadian Centre for Occupational Health and Safety (2021).

<sup>48</sup> Sass (1986) provides a classic statement of the importance of workers' rights to know, to participate in workplace OHS discussions, and to refuse unsafe work.

statutes and regulations ought to be 'stretched' to deal with greater worker control over work environment matters and the work process. (1986, p. 129)

For all these reasons, it can be argued the public has an interest in ensuring that workers' concerns are heard and acted upon – and hence public policy has a legitimate motive to compel private employers to provide these opportunities, beyond the existing statutory requirements for voice around issues of workplace health and safety. Some of these possibilities are considered further in the conclusion of this paper.

Another example of the application of statutory voice mechanisms in the Canada is the 'decree' system in Quebec. The system dates back to the 1930s. It provides a method for defining minimum standards through a basic 'no-frills' collective agreement, that is then extended to all workplaces in a particular industry in a defined region of the province. It was intended to lift labour standards in industries characterized by many small firms. Traditional workplace-level collective bargaining is often unsuccessful in these settings: due to competitive pressures between firms, sub-contracting, contract 'flipping,' and other challenges. So the decree system is an alternative method to ensure that minimum standards can apply evenly to all workers in a sector,<sup>49</sup> regardless of their union status. It also facilitates communication and negotiation among stakeholders in the sector to adapt to consumer changes, new technologies, and other challenges.

There are presently 14 decrees in effect, covering 9,000 workplaces and around 75,000 workers. Three specific industries account for most of the decrees: security, building services and cleaning, and motor vehicle maintenance shops (see box). All three are highly decentralized, competitive sectors where efforts to raise standards and stabilize jobs would normally be undercut by competitive pressures and resistance from individual employers. Québec's system for managing industrial relations in the construction industry also evolved from the decree system, and retains many similar features: it sets wages and basic conditions for another 250,000 workers dispersed across many smaller businesses. In these industries, the fragmented and hyper-competitive nature of business would normally defeat efforts to improve working conditions through conventional mechanisms of voice, representation, and unionization. Similar concerns could motivate the application of sector-level initiatives to strengthen worker voice in other highly decentralized industries (like restaurants, home care, or courier and delivery services).

Ultimately, discussions over the importance of workers' voice in Canada, and the obligation on employers to facilitate and ratify these voices, could even extend to the possibility of European-style structures of worker representation or co-determination. While these practices are relatively unknown in Canada, the broader economic and

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<sup>49</sup> The system is thus a good example of workers' voice being applied at the meso level.

democratic benefits of ensuring secure and effective channels of worker voice merit an open-minded examination of all the options.

## Other Strategies for Building Worker Voice

So far we have reviewed union-led, employer-led, and statutory mechanisms for establishing channels for workers' voice in Canadian workplaces. Pressure to establish voice structures may also arise from other sources. For example, non-governmental organizations may mobilize information and pressure regarding workplace hazards or unfair treatment of workers. Public campaigns have been undertaken by organizations concerned with labour abuses, discrimination, or unsafe working conditions aimed at high-profile brand-names and selected global companies. Ideally, those campaigns include efforts to enlist and amplify the direct voices of affected workers. In this way, external pressure and campaigns can prod employers into permitting and acknowledging workers' voice.

Similarly, advances in environmental and social governance (ESG) have sparked some employers, often in partnership with NGOs, to make specific commitments to minimum labour standards and ratification of worker representation and organization (among other ESG goals, like environmental targets). These ESG initiatives commonly extend to the global supply chains operated by large brand-name firms, seeking to ensure compliance by suppliers with minimum legal and ethical standards (Anner 2012, Short *et al.* 2016, Anderson and Skjoett-Larsen 2009). The effectiveness of these voluntary monitoring and compliance programs varies with the type of industry,<sup>50</sup> the

### VOICE IN ACTION:

### Having a Say in Your Sector



**A strong example of the decree system in practice is the one covering motor vehicle shops in the greater Montréal area: the DÉCRET SUR L'INDUSTRIE DES SERVICES AUTOMOBILES**

**DE LA RÉGION DE MONTRÉAL.** It covers 13,000 workers at auto shops across the metropolitan area. A joint worker-employer committee, called the Parity Committee (Comité paritaire de l'industrie des services automobiles de la région de Montréal), negotiates changes to the base collective agreement, and oversees compliance and enforcement across the industry. The parity committee consists of 6 worker representatives (elected through two participating unions,

**SNEGQ and Unifor) and 6 employers.**

**During the COVID-19 pandemic, the Parity Committee undertook numerous actions to coordinate health and safety responses in auto shops: including advice and sourcing for PPE, coordinating closures of non-essential workplaces (in line with provincial government directives), and distributing other information and resources. Québec's decree system thus provides a channel through which workers can participate directly in determining industry-level policies, standards, and practices.**

**Sources: Tanguay-Lavallée *et al.* (2012), Comité paritaire de l'industrie des services automobiles de la région de Montréal (2020), and Unifor (2015), pp. 106-108.**



issues involved, the level of external and non-governmental engagement, and the extent to which workers themselves (rather than outside monitors) have carriage of processes established to set and achieve particular standards and benchmarks.

However, these voluntary governance and monitoring initiatives often suffer from the same shortcomings as other employer-led mechanisms of worker voice, explored above: they are intended to meet specific corporate goals (in this case, trying to avoid reputational damage from publicized violations of minimum standards), and so companies typically limit their scope and reach. Employers' main motivation is to avoid bad publicity from violations of minimum standards. So these monitoring systems are often focused narrowly on ensuring that operations (including affiliated suppliers) are compliant with minimum benchmarks established in labour law, environmental standards, and other business standards in each jurisdiction where the company operates. In contrast, there is less emphasis on promoting or protecting structures of representation (including unionization) that would be harder for the firms to control. Anner notes that monitoring initiatives tend not to delve into areas of voice and representation:

““ These [monitoring] programs are less likely to emphasize workers' rights to form democratic and independent unions, bargain, and strike because these rights are perceived as lessening managerial control without providing firms with significant reputational value. (Anner 2012: 609)

Other researchers argue further that without the 'enabling' power of embedded workers' voice, representation, and unionization, supply chain monitoring and codes of conduct will be inconsistent and subject to management cooptation or neglect (Heery and Williams 2020). In order to ensure that specific benchmarks (such as minimum wages, labour law compliance, and fair treatment) are consistently achieved, these informal strategies must be reinforced with stable and more lasting status, preferably that provided by unionization:

““ Ultimately, ongoing, effective, and cost-effective monitoring will require collective agreements negotiated by independent unions possessing strong workplace representation. This is why the 'enabling rights' of freedom of association and collective bargaining are so critical to raising labour standards. (Wells 2004: 377)

Another strategy for building worker voice across global production networks is the development of global framework agreements. These are similar to simple collective agreements, signed between major global companies and international coalitions of

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<sup>50</sup> Companies in industries with high brand awareness, such as clothing and other consumer products, are more vulnerable to reputational damage arising from violations of environmental and labour standards than other less "visible" industries, and thus more open to systems of supply chain monitoring and ESG compliance. Monitoring and compliance efforts also work better when top-tier firms have more control over the actions and standards of their suppliers. See Tampe (2018) for discussion.

unions (often working through one of the global union federations, such as the International Transport Workers' Federation or Industriall). They specify minimum standards for compensation, safety practices, and other core goals. It is not typically possible to specify such details for operations in far-flung countries, given differences in local economic and social condition (Niforou 2012). Therefore, these framework agreements often focus on demands that global companies respect freedom of association and engage in fair negotiations with their employees in different locations. In other words, the goal is to facilitate the mechanisms of workers' voice, rather than to specify specific outcomes of the exercise of that voice.

Community justice and equality movements (including those fighting for racial, gender, and other dimensions of equality) may also target workplace reforms as part of their overall equity-promoting strategy. This effort to inject broader equity demands into the workplace can thus encourage and empower workers to advance their own

*Worker and labour centres have worked to raise awareness of unacceptable working conditions, support specific groups of workers in particular campaigns and struggles, and advocate for broader reform of labour laws and social policies.*

demands for voice and recognition. For example, the Black Lives Matter movement has sparked a range of demands for improvements in workplace racial equity practices (Dowell and Jackson 2020, Valderrama 2020). These initiatives include strengthening some dimensions of workers' voice and representation – like gathering data on racial diversity and attitudes, efforts to improve equity in hiring and promotions, and internal dialogue and education initiatives to address racism. The real impact of these initiatives (especially employer-led measures not concretized within collective agreements or other formal structures) depends on management attitudes, compliance measures, and other factors.

Other forms of community advocacy and activism can also play an important role in legitimating and amplifying worker voice, within individual workplaces and in meso- and macro-level policy debates (Heckscher and McCarthy 2014).

For example, community-based worker and labour centres have worked to raise awareness of unacceptable working conditions, support specific groups of workers in particular campaigns and struggles, and advocate for broader reform of labour laws and social policies (see box). These centres may be located in the general community and address a full slate of labour concerns; in some cases they specialize in serving particular industries or groups of workers. Some labour centres are based at universities. These multi-issue organizations can mobilize educational, communications, and advocacy capacities to support workers – particularly those who do not have the protection of a union. In some cases, worker centres will campaign jointly alongside a

## VOICE IN ACTION:

## From Micro to Macro: Community Campaigns for Workers' Rights



An outstanding initiative to amplify workers' concerns and demands at all levels – from violations of rights at specific workplaces, to the macroeconomic and social policy decisions of governments – is provided by the **WORKERS' ACTION CENTRE** in Toronto. The Centre has been active for over a decade campaigning to address problems of precarious work, wage theft, and inadequate labour and income protections. Through an emergency hotline (that operates in seven languages), organizers support workers facing immediate workplace problems; the Centre also offers worker rights training classes in libraries, community centres and apartment buildings. The Centre's multi-racial membership comes from regions across the city hit hard by temporary, contract, casual and part-time work.

The Centre challenges individual employers who violate the basic rights of their workers – with direct action, public awareness, social media campaigns, demonstrations, and other tactics. For example, in March, 2020 the Centre helped win \$8,000 in back wages for two hair-

dressers at a glitzy hipster barber shop. The employer had been ordered 2 years earlier by the Ministry of Labour to pay the former staff, but government did little to enforce the ruling – so the Centre organized direct pressure, with much better results. The Centre also campaigns for stronger enforcement measures, recognizing that individual direct action campaigns cannot be a reliable replacement for systematic enforcement. This campaigning has resulted in hundreds of new Employment Standards Officers being hired by the Ontario Ministry of Labour, and implementation of a more proactive workplace inspection strategy.

The Centre tries to link these micro-level fights with demands for policy changes at the macro level. A priority during the pandemic was to escalate the fight for paid sick days for workers, including for workers in precarious and non-standard positions, so they can follow health advice (for everyone's benefit) and stay home from work when needed. The campaign for paid sick days in Ontario gathered momentum through the year, receiving endorsements from health, community, and policy leaders.

Sources: Mojtehadzede (2021), Workers' Action Centre (2020).

union, supplementing the union's efforts with broader, community-based communication and advocacy.

All of these external channels for supporting workers in airing concerns and winning better treatment have potential to strengthen workers' voice, and push employers to respond fairly and respectfully to the needs and concerns of their employees. However, unless they are codified within lasting institutional or legal structures (such as a union collective agreement or a statutory obligation), with ongoing resources and attention to ensure a steady presence and adequate enforcement, the impact of these external and informal efforts to build worker voice is often fleeting and inconsistent. For these reasons, they are best viewed as a stepping stone: building worker activism and public awareness around specific issues and concerns, with an aim to eventually achieving more permanent statutory or union-protected channels for regular worker voice and agency.

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This review of varying methods for operationalizing worker voice indicates that it is possible to build genuine, worker-led, and effective channels of voice in a range of different institutional and legal settings. There is no doubt, however, that workers' voice is most extensive and powerful when embedded within the formal structures of union representation and collective bargaining. That is where voice can be applied to the greatest range of topics, potentially engaging workers in many different aspects of work life (including the internal life of their union). It is also the setting in which workers are best protected against reprisal (including dismissal) for using their voice, and where employers face more pressure to listen to workers' voices, and act on them. So while efforts to promote and strengthen reliable and authentic channels of voice are needed in all parts of the economy (and some suggestions in this regard are provided in the conclusion of this paper), stabilizing and extending union representation must play a central role in any vision of an economy with stronger workers' voice.

*There is no doubt that workers' voice is most extensive and powerful when embedded within the formal structures of union representation and collective bargaining.*

## V. Voice in the Future of Work

**T**HERE HAS BEEN GREAT PUBLIC INTEREST AND CONCERN in recent years about the future of work and employment, given dramatic developments in technology (such as automation, robots, and artificial intelligence), business models (the rise of giant internet companies, digital on-demand work platforms, and others), the environment (including climate change and decarbonization), and other challenges to work. Some fear that work as we know it will disappear: perhaps because workers have been replaced *en masse* by machines, perhaps because environmental breakdown will prevent continued economic growth. Others predict that traditional jobs will be replaced by independent activity organized through gigs and apps. Some of these predictions are pessimistic and dystopian; others interpret these changes in a more optimistic or utopian light. But all seem to agree that dramatic change is coming in the world of work – and that it is driven largely by the inexorable forces of technology and innovation.

There are many reasons to be cautious about these predictions of cataclysmic change in work and employment.<sup>51</sup> In applied real-world uses, robots and automation are being deployed more gradually than predicted by many. Digitized gigs are certainly a very insecure, often exploitive model of sub-contracting – but the core employment practices utilized in those businesses are hundreds of years old, and concrete economic factors prevent the spread of these practices to most jobs and occupations. Waged employment will remain the dominant form of productive labour.

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<sup>51</sup> For a counter-view see Stanford (2019), who argues that changes wrought by new technology and new business models are more incremental.

And while the nature, sector, and location of jobs will change for many reasons (including environmental transitions), the total quantity of employment will continue to grow.

In short, paid work will not disappear, but it will change. And how it changes will depend on the balance of power between competing economic stakeholders: their respective ability to advance their own interests and preferences. In that context, worker voice will be as important as ever, if not more so, as the world of work continues to evolve. Without sustained and effective channels through which workers can advance their interests and priorities, future change will be shaped by others who call

*Worker voice will be as important as ever, if not more so, as the world of work continues to evolve.*

the shots: especially employers and financial investors, who can wield concerted economic and political influence to shape the future of employment relations in their interests. The fundamental importance of effective and organized workers' voice as a countervailing force to this concerted power will be all the more critical in the future, given the disruptive and fragmenting impacts of technological and business changes.

This section considers ten key challenges and changes that are affecting Canadian work and workplaces, now and into the future. In each case, workers will need strong voices, and the power to make sure their voices are heard, to ensure that both the benefits and the costs of economic and workplace changes are fairly shared:

## **Influencing the Course of Technology**

The impact of technology on work and workers is hardly a new phenomenon: work has been transformed for centuries by new inventions, machinery, and techniques, and this always creates both risks and opportunities for workers. It is not even clear that the impact of technological change on workplaces has truly accelerated in recent years. For example, business investment in tangible capital and machinery has slowed down, not sped up, measured relative to economic growth and the size of the workforce.<sup>52</sup>

Nevertheless, ongoing technological change will have huge impacts on Canadian workers and workplaces. Every innovation in products and processes raises implications for workers: Will there be an impact on labour demand? Will workers require new skills? Will technology be used to make jobs safer and more pleasant, or more intense and repetitive? Will workers receive notice of changes in technology, opportunity to participate in decisions related to technology, and incentives or compensation if their jobs change because of technology?

Technological change is an issue where respecting and facilitating genuine workers' voice can clearly improve outcomes for employers, not just the workers themselves.

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<sup>52</sup> Some evidence on this score for Canada and other industrial countries is presented by Stanford (2020a).

Innovations and technologies that look promising on a drawing board typically require major adjustments or revisions, informed by the experience of the workers who use them. It is better to marshal and mobilize that knowledge early in the innovation process, rather than encountering surprises and failures after new machinery has been purchased and installed.

Modern digital technologies also raise important issues of rights, respect, and safety for workers, which can also be better identified, understood, and negotiated when workers have consistent channels of voice. For example, automated technology can affect safety, ergonomic design, pace of work, and work environment. Workers need information and advocacy to effectively monitor these challenges, and respond constructively.

One insidious dimension of modern digital technologies is their use to monitor the performance, whereabouts, and productivity of workers in an intrusive, real-time manner – with major consequences for stress, privacy, and dignity. Employers now routinely use technologies like GPS tracking, keystroke counters, video monitoring, and webcam monitors to scrutinize their workers and intensify work effort. These technologies threaten workers’ health and privacy, and are not productive in any genuine sense (that is, by lifting the true value-adding capacity of the enterprise and its workforce). Workers will need information on the uses (and abuses) of these technologies, advice on how to regulate their application, and the capacity to effectively advocate for limits and protections.

In short, there is a long and diverse agenda of technology-related issues which workers will need to confront in their workplaces in coming years: including impacts on the quantity and quality of jobs, provisions for input and negotiation over technological change, support for training and adjustment, and protections against the use of technology in ways that undermine health, safety, and dignity.<sup>53</sup> These are not new challenges: workers have been confronting them since the invention of the steam engine and the spinning jenny. But the pace and diversity of technological change certainly demands a stronger ability for workers to engage in shaping and improving those processes. And for that they need an organized, effective voice.

## **Workplace Health, Post-Pandemic**

Workers’ voice has always been a vital factor in the establishment and enforcement of workplace health and safety policies and protections. Indeed, fighting for safer workplaces, and to reduce the incidence of injury, disease and death stemming from work, has been one of the most potent motivations for workers to organize and speak out — pushing employers and governments alike to ensure better health and safety on the job. The experience of the COVID-19 pandemic, however, has injected new urgency into this enduring concern with making work safer. Given the challenges of occupational health and safety (OHS) during a pandemic, this will be a central

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<sup>53</sup> A future publication in the **PowerShare** series will discuss these challenges in more depth, and provide examples of collective bargaining strategies to regulate the effects of technological change in Canadian workplaces.

topic for workers' voice for years to come — even after the immediate threat of this pandemic has abated.

OHS is one of the few areas in Canadian workplace practice where statutory mechanisms of worker voice have been implemented, to ensure that workers have at least some ability to monitor and respond to workplace dangers. As described above, joint health and safety committees mandated in all Canadian jurisdictions require employers to discuss and negotiate OHS issues with worker representatives. Requirements for training and information sharing around WHMIS and other OHS protocols also provide for compulsory flows of communication. The right to refuse unsafe work, enshrined in most provinces, gives workers power to stop work without reprisal if they fear a genuine risk from an unsafe situation. Labour law provides these statutory provisions in the OHS area in hopes of reducing the catastrophic consequences of accidents and occupational disease.

Of course, like any other statutory protections, these health and safety rules are enforced more consistently and effectively when workers have trained, accessible representatives to monitor workplaces, educate workers and managers about hazards, and organize action when required to ensure safety. This is obviously more feasible in a unionized setting.

Workplaces were a major source of COVID-19 transmission during the pandemic in Canada. Tens of thousands of workers were infected with COVID through their work. The risks were especially severe in industries like health care, long-term care, retail trade, food processing, warehouses, mail and courier plants, and transportation. Hundreds of these workers died. Employers were inconsistent and often inadequate in their responses to the risks of infection. Often their efforts amounted to little more than 'COVID theatre': providing visible but token measures (like omnipresent bottles of hand sanitizer) without undertaking more serious (and expensive) responses like spacing, capacity limits, improved ventilation, and comprehensive PPE. Public health guidelines for workplace infection control were also unclear and inconsistent.

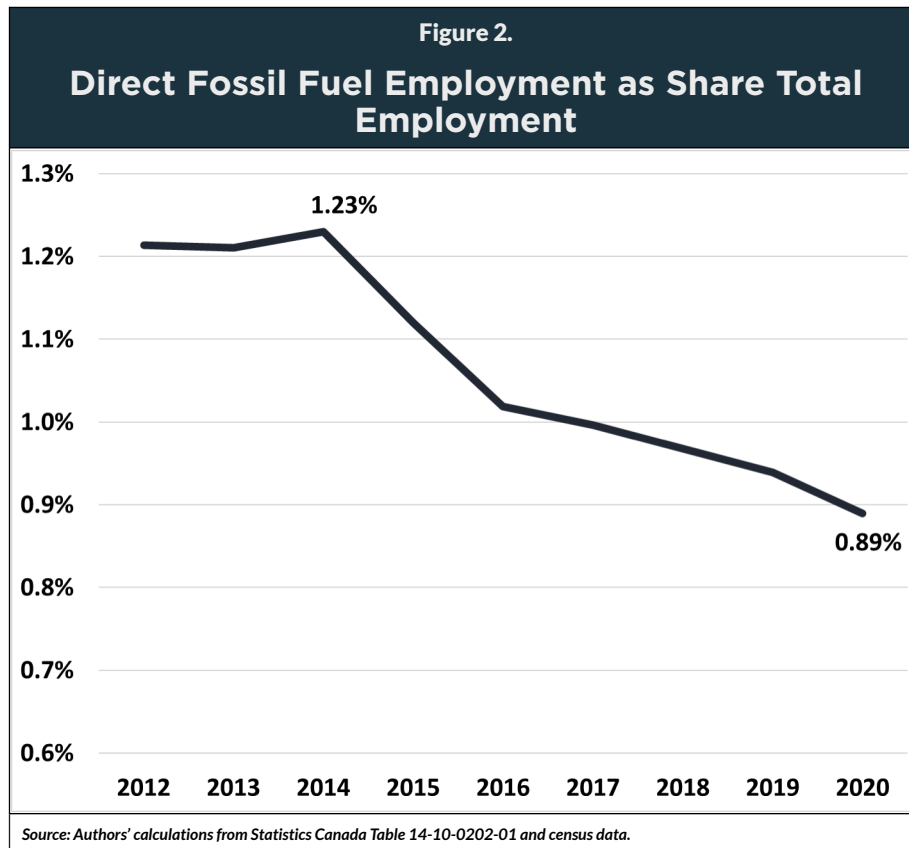
Workers need knowledgeable, empowered representatives to oversee workplace safety protocols, educate workers about risks and best practices, and organize immediate action in response to imminent workplace dangers. That protection was not available to most Canadian workers during the pandemic; unfortunately it was not always available even in some unionized workplaces. Hopefully the COVID-19 pandemic will end in coming months, after mass vaccinations. Even if that occurs, however, issues of infection control, PPE, training, and emergency response will not disappear from the OHS agenda. Longer-term reconsideration of workplace practices (including providing more space and privacy in workplaces, ventilation, shift scheduling, transportation and elevator systems, capacity limits, and more) will take years of research, negotiation, and implementation. And unfortunately, we know this will not be the last pandemic: clearly, we need to prepare for the next one. An educated, confident, empowered workers' voice on these issues will be a powerful stimulus to meaningful, lasting prevention.



## Environmental Transitions

Canada's economy, like other industrial countries, is well into a historic transformation of its use of energy. The production and use of fossil fuels is declining around the world: not just because of policy measures to limit greenhouse gas pollution and climate change, but also because new renewable energy technologies are becoming less expensive and more reliable than fossil fuels. As one of the world's largest producers and exporters of fossil fuel energy, this transition poses a major challenge to Canada's future growth and prosperity — but also a historic opportunity.

This transition is well under way in Canada, but so far has been experienced in a chaotic, unplanned, and unsupported manner — with painful economic, social, and political consequences. Some 50,000 direct jobs in fossil fuel industries have disappeared since 2014 – one-third of those during the COVID-19 pandemic, which ruptured fossil fuel markets due to falling demand and a price war between beleaguered oil exporters (Stanford, 2021). The share of direct fossil fuel jobs in total employment in Canada is small and shrinking: slumping from 1.23% in 2014 to 0.89% today (Figure 2). And the future outlook for fossil fuel jobs is not encouraging, regardless of specific climate policies adopted in Canada, and even if oil prices rebound somewhat from their pandemic lows. Fossil fuel companies have announced numerous permanent lay-offs and restructurings; and petroleum companies are responding to the gloomy



long-run outlook for their industry by shifting strategy to maximize cash flow (rather than expansion) in anticipation of their industry’s eventual disappearance.

It may seem like an enormous challenge to contemplate the eventual disappearance of work in fossil fuel industries. But if the transition is planned, implemented gradually over a long period, and supported with active adjustment measures (including early retirement, retraining opportunities, relocation incentives, income insurance benefits, and more), it can be accomplished without dramatic dislocation for fossil fuel workers and their communities. Indeed, if remaining fossil fuel employment was phased out over a 20-year period (as part of achieving net zero carbon emissions by 2050), this implies an annual reduction in fossil fuel employment of just 8000 jobs per year — most of which would be absorbed through normal retirements (since fossil fuel workers are older than average Canadian workers).<sup>54</sup>

So the transition away from fossil fuel production and use can occur without undue dislocation or hardship — but only if it is managed in a pro-active, supported manner. The unemployment and hardship which has accompanied oil industry downsizing since 2014 foreshadows what will happen if this transition is left to market forces and private business decisions alone. Adopting a more pro-active, interventionist approach would prevent involuntary lay-offs and sharp shocks. International and historical precedents confirm that a managed phase-out is possible.<sup>55</sup> But a critical component of this strategy is strong channels for workers’ input into the timelines, support programs, and other dimensions of the transition plan.

There are numerous real-world examples of how workers’ voice can contribute to successful energy transitions. The phase-out of coal-fired electricity plants in Ontario over a 10-year period beginning in 2005 was accomplished without involuntary lay-offs; negotiations between Ontario Hydro and its unions (on issues like the timeline for plant closures, early retirement incentives, and relocation) were essential to this success.<sup>56</sup> The joint federal-provincial task force established to develop a best-practice plan for phasing-out coal-fired electricity generation, designed with strong union input, is another good example of the importance of workers’ voice in transition planning; so is the process undertaken in Alberta after 2015 to implement the phase-out of coal-fired power there.<sup>57</sup>

Workers’ voice is vital to effective environmental transitions at the micro, meso, and macro levels of discussion and decision. Workers need to be well represented in the formulation of overall policy targets and timetables. They need a seat at the table to design industry-level measures: like skills initiatives, timetables for phased closures,

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<sup>54</sup> Stanford (2021) discusses the key elements of an effective, planned transition in more detail.

<sup>55</sup> The German experience in completely phasing-out its black coal mining industry over a 20-year period, reducing employment by 80,000 positions without a single involuntary lay-off, is an outstanding example of the potential of active planning to achieve positive results. For more details on the German transition, see Sheldon *et al.* (2018) and O’Malley (2019).

<sup>56</sup> For more details on the Ontario experience, see Ministry of Energy, Ontario (2015), and Harris *et al.* (2015).

<sup>57</sup> See Task Force on Just Transition (2019), Coal Transition Coalition (2017), and Hussey and Jackson (2019) for details.

and mobility between locations.<sup>58</sup> In individual companies and workplaces, workers need strong voice to push for generous protections and incentives as transitions occur. Climate and energy transitions are not the only environmental challenges that will force important changes in Canadian workplaces, but they are the most important, and in every case, allowing workers to have meaningful input into the design and implementation of transition strategies will be vital to engaging them actively and positively in those transitions (rather than resisting them, or pretending that transitions can be avoided). Effective workers' voice in transition planning can thus prevent needless hardship and dislocation as the energy transformation accelerates.<sup>59</sup>

## Workplace Diversity and Racial Equality

The composition of Canada's workforce has changed markedly in recent decades, reflecting a growing racial, ethnic, and linguistic diversity. According to the 2016 Census, what Statistics Canada describes as "visible minorities" accounted for 22% of the Canadian labour force — or over 4 million workers in total. In addition, there were another 750,000 workers that year who reported Indigenous identity (representing another 4% of the labour force). Black, Indigenous, and people of colour thus accounted for over one-quarter of all Canadian workers in 2016.<sup>60</sup> That proportion has been increasing steadily: the number of visible minority workers in Canada doubled between the 2001 and 2016 censuses, and the share of visible minority workers in the labour force grew by 6 percentage points. Black workers and workers of colour have higher labour force participation than white Canadians (in part because they are younger), but they experience higher unemployment and lower wages. The presence of Black, Indigenous, and people of colour in the overall Canadian labour market will continue to expand for several reasons, including immigration, differential fertility rates, and differentials in labour force participation.

*Demands for better access to decent jobs, equal pay, and protection against racism and discrimination in workplaces have been important elements of campaigns for racial equality.*

At the same time, Canadians' concern with racial justice issues (including within workplaces) has never been more intense and visible. The Black Lives Matter and Idle No More movements, for example, highlighted the all-round inequality and oppression faced by Black, Indigenous, and people of colour in Canada. Demands for better access to decent jobs, equal pay, and protection against racism and discrimination in

<sup>58</sup> This mobility is especially vital for younger workers, who could keep working for longer if they are allowed to relocate to other still-producing locations as senior workers across the industry retire.

<sup>59</sup> A future research paper in the **PowerShare** series will further elaborate the importance of worker voice in negotiating and implementing energy and environmental transitions, drawing on original interviews and data collection from four energy-producing regions in Canada.

<sup>60</sup> Data in this section are authors' calculations from Statistics Canada catalogues 97F0012XCB2001002, 98-400-X2016175, and 98-400-X2016286.


workplaces have been important elements of these campaigns for racial equality (see box).

Canadian unions have been active and outspoken in taking on these issues as part of their broader economic and social agenda.<sup>61</sup> Unions themselves, however, must become more representative of the changing racial make-up of their membership and the overall labour force. They must also continue to improve and expand their outreach to Black, Indigenous, and people of colour, to fully engage them in union movement activities.

Racial justice and workplace diversity is thus an increasingly important subject area for the application of workers' voice, in many different ways. Black, Indigenous, and people of colour are demanding safer, more equal workplaces. They are organizing and raising their voices, hopefully joined by other workers, to oppose racist behaviour and harassment in workplaces, to demand equal pay and employment equity opportunities, and to fight for more representative and diverse workplaces at all levels.

## VOICE IN ACTION:

## Speaking Against Racism on the Shop Floor



**2020 saw much greater attention and awareness about racial inequality and injustice, spurred by the Black Lives Matter movement and other campaigns. Of course, racial prejudice, harassment, and inequality are often experienced in workplaces, with great ramifications for the quality of worklife for Black, Indigenous, and people of colour, their income and job security, and their safety.**

**An innovative strategy for addressing workplace concerns about racial injustice, and preventing racism through education and problem-solving, was achieved by Unifor in its 2020 round of auto negotiations with major Canadian automakers (including Ford, Fiat-Chrysler, and General Motors). The new contracts settled at all three firms include a new provision for WORKPLACE RACIAL JUSTICE ADVOCATES.**

**The advocates will be rank-and-file Black, Indigenous, and people of colour who receive**

**special paid training in identifying racist practices and problems, resolving them (through representation, dialogue, conciliation, and arbitration if necessary), and preventing them. They receive paid release from their normal jobs when necessary to fulfil these duties. Advocates will also work with colleagues and management to develop a Racial Justice Action Plan in each workplace, involving additional measures to ensure safer, more inclusive, more equal workplaces.**

**Unifor's Secretary-Treasurer Lana Payne described the motive for the new program this way: "You have to use the places where you have influence and power to not just change the conditions of work, but to change to conditions of the world."**

**Unifor plans to negotiate similar Racial Justice Advocates at workplaces in other industries in coming years.**

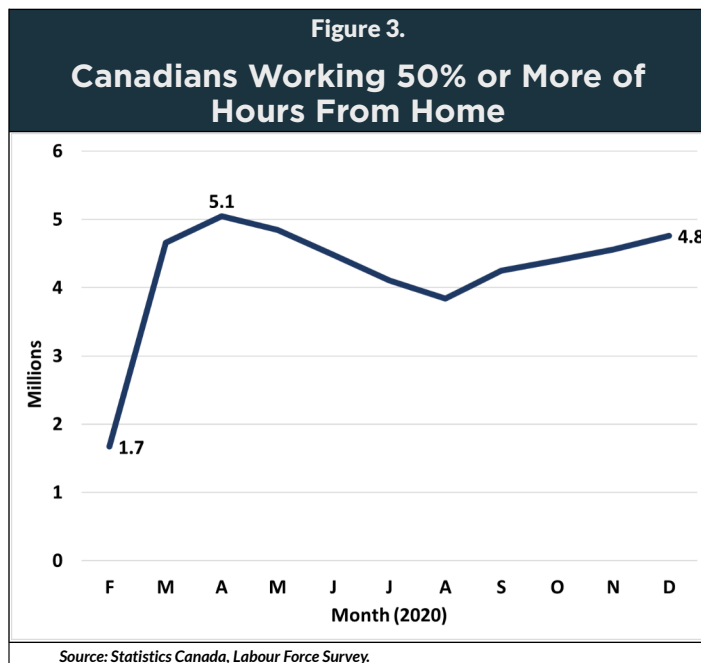
**Sources: Sidhu (2020), Unifor (2020a, 2020b).**

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<sup>61</sup> See, for example, Canadian Labour Congress (2020b).

Those efforts are conducted through unions where they exist, but through many other channels, too: including racial justice organizations, community alliances, and more spontaneous networks of Black, Indigenous, and people of colour. By developing targeted channels of voice, representation, and participation for Black, Indigenous, and people of colour, the development of ‘diversity voice’ in workplaces can facilitate more equal, safer workplaces (Syed, 2020). At the same time, where they are members of unions, Black, Indigenous, and people of colour continue to struggle to make sure their voices are heard fully and proportionately within those organizations, and that the union movement fulfils its responsibility to integrate campaigns for racial justice into its overall agenda.

An interesting and promising context in which workplace voice for Indigenous workers could be framed and operationalized is the reconciliation process in Canada. In its historic final report, Canada’s Truth and Reconciliation Commission (TRC) urged employers to meaningfully implement principles of the U.N. Declaration on the Rights of Indigenous Persons, including consultation and informed consent, within their businesses. The TRC said these principles should be applied throughout employers’ “core operational activities,” and specifically mentioned employment and training decisions (TRC 2015, p. 10). This is a strong call to enhance the voice of Indigenous workers in their workplaces — and more broadly than only in resource projects on Indigenous lands (which have attracted most attention regarding UNDRIP obligations). Recognizing the importance of voice for Indigenous workers provides a unique and urgent motivation for strengthening our awareness and respect for workers’ voice more generally.<sup>62</sup>

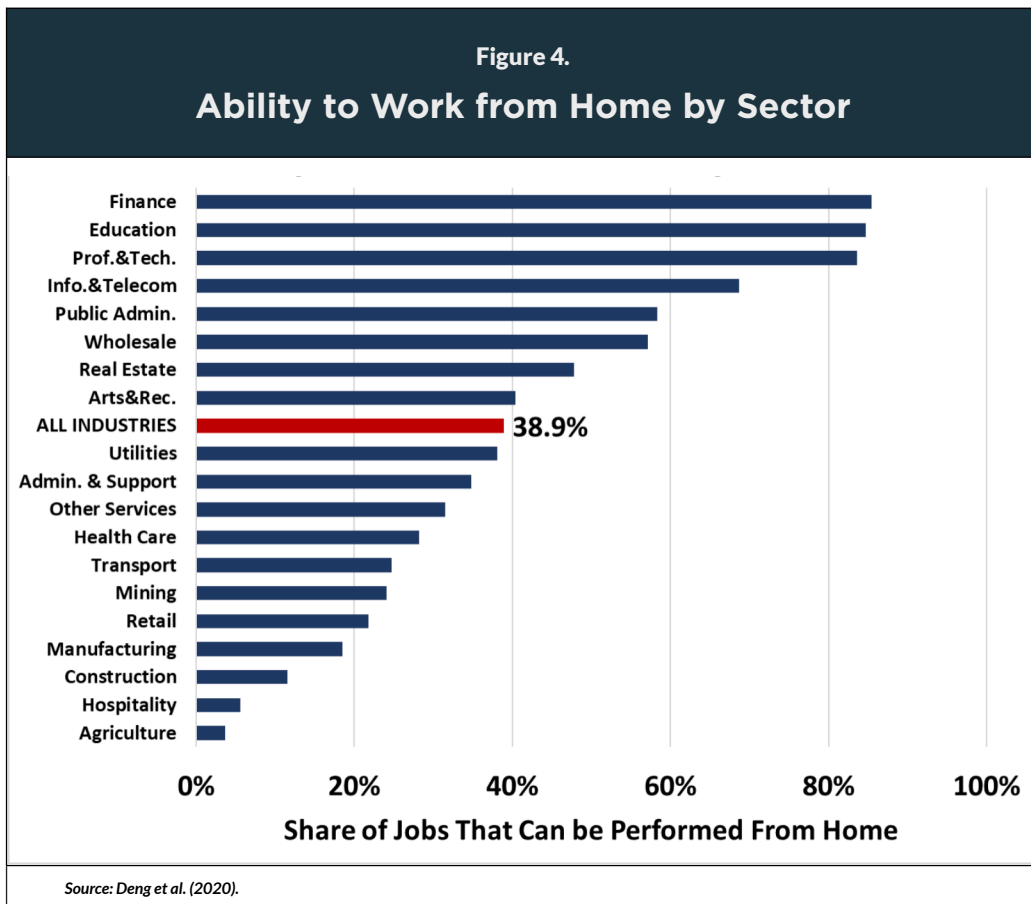
## Working From Home



The surge in working from home (WFH) during the COVID-19 pandemic provided a vital cushion for millions of Canadian households, and the whole economy, as many workplaces were shut down to limit contagion. The number of Canadians performing most or all of their work from their homes tripled in the first months of the pandemic, reaching over 5 million workers by April 2020 (Figure 3). There was a modest return to formal workplaces in the summer of 2020 as infection rates slowed down, but that was reversed later as the second COVID wave hit Canada. By December, WFH was back to nearly 5 million workers – over one-quarter of all employment that month.

<sup>62</sup> The authors are grateful to Saku Pinta for suggesting this point.

Of course, not all workers are able to shift their work home: many have jobs requiring their presence at specified locations (to deal with customers, utilize specialized equipment, or perform work on particular objects or structures). And the ability to work from home is not distributed evenly across the workforce. Most professionals and managers could shift their work home, while retail, manufacturing, construction, and personal service workers could not (Figure 4). This divergence in WFH capacities contributed to the significant growth in income inequality during the pandemic (Tal, 2021). Nevertheless, by allowing millions of Canadians to keep working during the COVID shutdowns, the shift to WFH supported output and incomes, vital to offsetting some of the economic losses from the pandemic. And survey data indicate that many Canadians prefer WFH, and would like to continue doing so even after the pandemic ends.<sup>63</sup>



<sup>63</sup> See, for example, Benefits Canada (2020).

WFH will likely diminish somewhat once it is safer to return to formal workplaces. Many employers and some employees have reasons to prefer working in traditional workplaces: including concerns about productivity, teamwork, and the challenges of balancing paid work with unpaid care work within the home. However, it seems certain that thanks to both changes in attitudes and the continuing development of remote communications technology, work from home (and other remote locations) will remain higher than pre-pandemic levels. While there are many advantages of WFH for workers, there are challenges and risks, as well. These include:

- Respecting normal hours of work, and placing limits on expectations of informal (and usually unpaid) overtime outside of normal hours.
- Fair compensation for costs associated with home work, including space, utilities, and machinery.
- Information and protections regarding health and safety risks in home work, including ergonomics, electrical or fall hazards, and domestic violence.
- Support for workers juggling home and family care responsibilities with paid WFH, including support for child care.

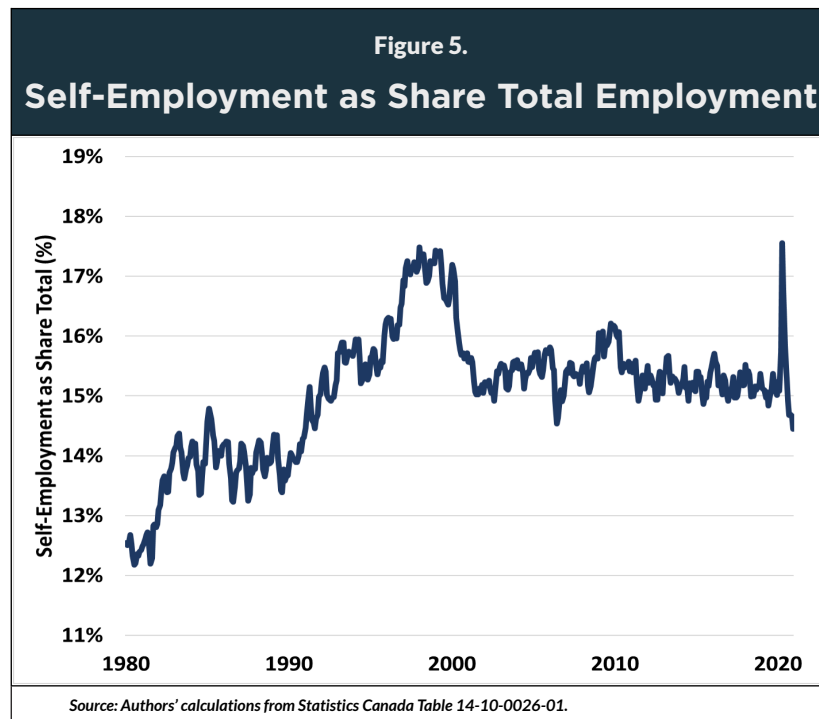
Working from home is not a new phenomenon: workers in many industries (often including women in low-wage industries like clothing, child care, and food preparation) have performed paid work from their homes for centuries. But the combination of

***Workers will need the support of organized voice and representation to learn about the risks and costs of working from home, and demand fair responses.***

new communication technology and desires to avoid contagion has dramatically expanded the scope of home work. Effectively addressing the risks and challenges associated with home work will be important in making it safe, sustainable, and fair. But how will home-based workers be able to negotiate these emerging issues with their employers? If they are left to understand and deal with WFH challenges individually, most of these concerns will never even be raised, let alone adequately addressed. Workers will need the support of organized voice and representation to learn about the risks and costs of WFH, and demand fair responses. This constitutes a new and important terrain for the exercise of workers' voice.

## Voice for Self-Employed Canadians

Despite exaggerated rhetoric from some quarters about the virtues of entrepreneurship and individual initiative, the overall proportion of working Canadians who are self-employed has been stable since the turn of the century – at about 15% of total employment (Figure 5).<sup>64</sup> However, there has been a marked change in the composition of self-employment, with a clear shift toward more vulnerable and precarious undertakings.<sup>65</sup> The proportion of self-employed who operate ‘own-account’ enterprises, with no employees other than themselves, has grown steadily: from 50% of self-employed in the mid-1980s to 73% (an all-time record) in 2020. And less than half of self-employed people have incorporated their businesses. This indicates a growth in marginal and unstable forms of self-employment, leaving self-employed workers with few resources to fall back on in the event of business disruption, sickness, or retirement.



It might seem counter-intuitive to imagine self-employed workers expressing voice, and using that voice to effect workplace change. After all, on one level these workers are in charge of their own jobs. Indeed, the “joy of being your own boss” is supposedly what inspired them to set up shop in the first place.<sup>66</sup> At the same time, however,

<sup>64</sup> The self-employment share spiked temporarily during the pandemic, reaching 17.5% in April 2020 as waged workers initially lost work faster than self-employed. Even bigger job losses then hit self-employed workers in subsequent months, however, and the self-employment share fell quickly – to the lowest point in 30 years by the end of 2020.

<sup>65</sup> Data in this section authors' calculations from Statistics Canada, Table 14-10-0026-01.

<sup>66</sup> In reality, many self-employed are “pushed” into their businesses by a lack of waged work opportunities, rather than by the “pull” of independence and autonomy; see Moore and Mueller (2002) for a discussion of these factors in the Canadian context.



## VOICE IN ACTION:

### Collective Voice for Solo Freelancers



'Collective voice' may seem like an oxymoron for people who work on their own. But even independent workers benefit from collective channels for expressing concerns and

resolving grievances, reflecting their common situation and challenges. An example is provided by the Canadian Freelance Union (CFU), which represents independent freelancers in writing, journalism, media arts, and related professions.

The CFU is not a duly certified trade union - in part because its members are not 'employees' according to labour law. It represents close to two hundred independent workers in journalism, media, and information technology occupations. The CFU operates as a Community Chapter within Unifor - a union which welcomes

membership from groups of workers who organize collectively but without forming a traditional bargaining unit.

In addition to concrete services (such as access to group health and insurance benefits, advice on freelance contracts and rates, and training opportunities), the CFU also provides back-up for members dealing with recalcitrant customers, or publications and websites that use members' content without copyright authorization or payment. In many cases, a simple warning letter from their union to the offending customer or publication is enough to bring payment or remedial action. When companies realize a freelancer is part of an organized community, not an isolated individual, they treat them with more respect.

Source: Canadian Freelance Union (2016).

self-employed workers are never fully masters of their destiny: they face many pressures and constraints arising from the market environment in which their businesses operate, they must deal with suppliers and/or customers who are far more powerful than they are, and they have an obvious interest in regulatory and policy settings of government. Forming organizations to express their shared interests and concerns, and deal more effectively with these other actors, can enhance the quality and stability of their work immensely.

In fact, there is a long history of efforts to build union-like organizations of self-employed workers in Canada, to facilitate more equal relationships — in some cases including explicit collective bargaining — with major buyers, suppliers, or governments. Self-employed fish workers, farmers, owner-operators in the transportation industry, and forestry workers are examples of self-employed workers (sometimes deemed 'dependent contractors' under Canadian labour law) who have organized collective voice and won important changes. The application of similar strategies to emerging communities of self-employed workers (in the technology, arts, or professional sectors, for example) offers great prospects for improving the viability and stability of this work.

## Voice for Gig Workers

An extreme example of precarious self-employment is provided by the growing number of Canadians performing contract work through digital on-demand platforms. This form of employment first became widely-known through the growth of app-based ride-share services, for companies such as Uber or Lyft. The model is spreading to other businesses, including food and package delivery, information and computer work, and home care and other personal and health-related services. As many as 8% of adult Canadians earn at least some of their work-related income through various digital platforms and similar businesses (Jeon *et al.* 2019). The gig business model is heralded as a revolutionary innovation in work, but in fact its core features – on-demand employment, piece work compensation, workers’ provision of tools and capital equipment, and the positioning of an intermediary between producer and end-user — are hundreds of years old (Stanford 2017).

Gig workers face extreme insecurity, and often are compensated well below prevailing minimum wages; other basic employment benefits (such as workers’ compensation, paid sick leave and holidays, and retirement benefits) are also lacking. They have been deliberately and artificially positioned as ‘contractors’ by their respective platforms, which carefully avoid typical trappings of an employment relationship (such as

### VOICE IN ACTION:

### Gig Workers Speak Out



**The expansion of on-demand digital platforms is transforming the nature of work in many industries in Canada – including ride-share, delivery and courier, and technology services. Platform businesses artificially constitute their workers as independent contractors, hence evading normal obligations like minimum wages, workers’ compensation, and paid vacations. Gig workers are organizing to demand basic rights, and to fight for improvements in pay and working conditions.**

**In 2020, app-based food delivery workers at Foodora in Toronto won two crucial victories in their effort to form a union: the first was a legal judgment that they were indeed entitled to collective bargaining rights (contrary to employer claims that as ‘independent’ contractors they had no such rights), followed by an 89% vote in favour of joining CUPW. Foodora subsequently**

**closed its Canadian operations (citing the negative effects of the pandemic). The new union nevertheless won an important victory: Foodora was ordered to pay \$3.5 million in severance to affected Canadian workers.**

**Veterans of the Foodora organizing drive and other gig workers in Toronto have since formed a new organization, GIG WORKERS UNITED, to carry on the campaign for better protections and conditions for app-based workers. Gig Workers United is a community union, working in partnership with CUPW, to raise concerns over poor working conditions in the industry (including scheduling issues, safety concerns, access to washrooms, and more). The group will also advocate for legal reforms to protect gig workers and ensure they are covered by normal minimum standards.**

**Sources: Gig Workers United (2021), Canadian Union of Postal Workers (2020, 2021), Mojtehdzadeh (2020a, 2020b).**

regular shifts or requiring workers to wear uniforms) in order to evade normal employer obligations and costs. Determined and creative efforts to organize voice, representation, and collective bargaining among gig and independent workers are underway around the world, including in Canada (see box).<sup>67</sup> Platform businesses are resisting these demands fiercely, knowing full well that being required to compensate gig workers in line with prevailing employment standards would destroy their business model.<sup>68</sup>

Many of these battles have focused on seeking legal recognition that gig workers are effectively employees, or at least are entitled to some of the basic rights (including the right to unionize) as other workers. Regardless of the outcome of those battles over classification, however, it is clear that workers in gig platforms would benefit from the ability to formulate and advance collective concerns and proposals. In other words, an organized system of voice would help them to develop bonds amongst gig workers; gather data on hours, pay, and working conditions; raise awareness among their employers, regulators, and the public about working conditions in the sector; and press platform businesses for fairer practices. Even if the core business model of on-demand platforms is retained, incremental changes (regarding unit pay rates, compensation for expenses, limits on over-supply of workers, insurance, paid leave, and others) would make these jobs safer and more tolerable. As this model of employment continues to spread to other sectors and occupations, therefore, it will be vital that workers develop this capacity to marshal, communicate, and address their concerns.

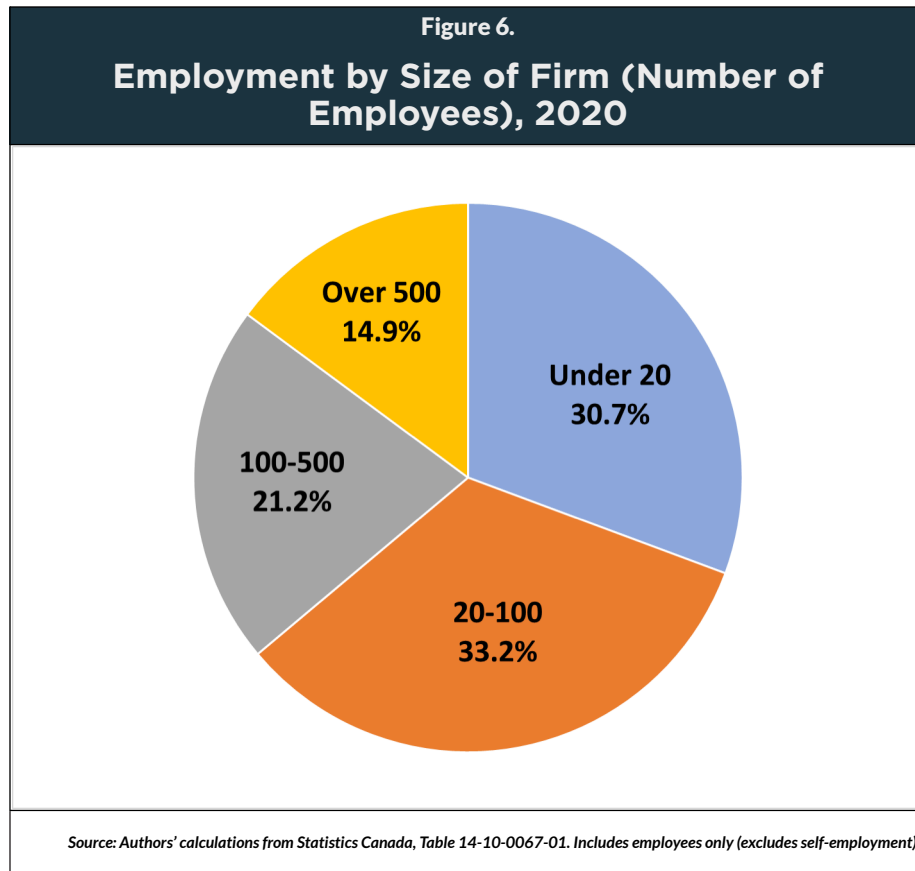
*Workers in gig platforms would benefit from the ability to formulate and advance collective concerns and proposals.*

## **Workers' Voice in Smaller Businesses**

Beyond the growth of marginal self-employment (including gig work), another key factor affecting workers' ability to exercise effective voice at work is the preponderance of employment in smaller businesses. Close to two-thirds of Canadian employees work at establishments (firms or public agencies) with less than 100 employees; 30% work at establishments with less than 20 employees (Figure 6). Management strategies to subcontract or outsource various input and supply functions to smaller suppliers, and the growth of small start-ups in technology-intensive industries, mean that smaller workplaces will account for a substantial share of new job creation in coming years.

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<sup>67</sup> Aloisi (2019) and Peetz (2019) survey some of these initiatives.

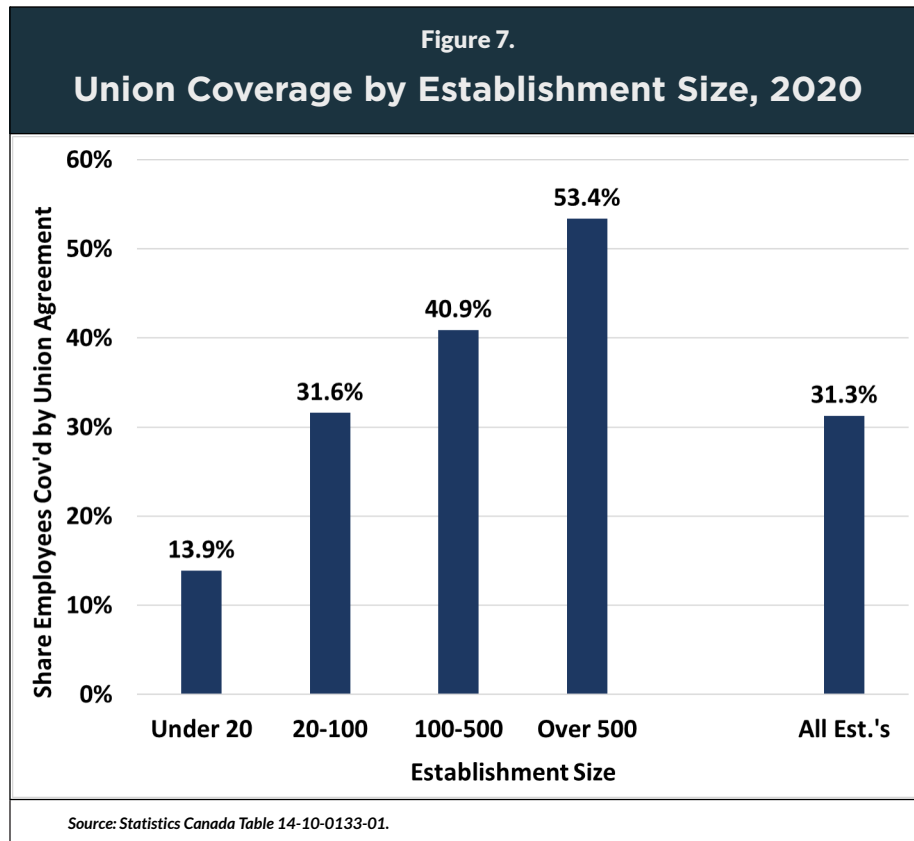
<sup>68</sup> Profit margins for Uber and other on-demand apps depend on workers not being paid for waiting and travel time to or from jobs, and on workers covering costs of vehicle ownership and operation. See Reich (2020) and Stanford (2018) on the importance of unpaid labour time in these businesses.



Systems of worker voice and representation have a complicated and contradictory relationship to the size of the workplaces where they are employed. On one hand, workers in smaller establishments generally have closer relationships with their managers and ultimate owners or employers. Small businesses have smaller workforces, and their owners may treat their workers like “members of the family.” Smaller firms may have strong if informal practices of voice and communication. Often, however, these relationships are very paternalistic, and small business owners may be especially reluctant to cede authority over any aspects of the enterprise.

On the other hand, smaller businesses are much less likely to implement formalized processes of voice, communication, and representation than larger workplaces. For example, union representation is very uncommon in small businesses: just 13.9% of employees in very small establishments (with less than 20 employees) are covered by a union collective agreement, compared to over half of employees in large establishments (Figure 7). Almost three-quarters of Canadian workers who are not covered by a union contract are employed in establishments with less than 100 employees.

A similar pattern exists with respect to formalized employer-led mechanisms of voice. Owners and managers of small firms are much less likely to establish clear structures of input, feedback, and negotiation with their workers – relying instead on informal



communication and closer (often paternalistic) personal relationships to monitor production and track workers' attitudes. In the hands of skilled and fair owners and managers, these informal strategies can provide genuine opportunities for workers to raise ideas and concerns. In the hands of less skilled, 'old school' small business owners, however, relying on informal voice mechanisms to communicate workers' interests may be ineffective at best, and dangerous for the workers' job security at worst.

So to extend more reliable and effective mechanisms for workers' voice, and make a positive difference in smaller workplaces, the challenge of building workers' voice in small business will have to be tackled head on. This will require innovation and creativity on the part of workers, unions, regulators, and employers to devise and implement structures of voice and representation that are appropriate for the realities of small businesses. Given the large number and fragmented structure of the small business sector, these efforts must enlist the advocacy capacity of workers in small businesses themselves: encouraging and coaching them to know their rights, and develop skills of representation and advocacy. Relying on outsiders (like paid union reps) to 'service' these small workplaces will be financially and operationally challenging. Therefore, efforts to foster the emergence of leadership and advocacy capacity among workers in small businesses (through training, resources, on-line tools, and other methods) will be crucial in solving the challenges of voice within small firms.

## Social Media and Workers' Voices

In the era of social media, everyone has a 'voice.' Indeed, our flow of information and news has been radically diversified and decentralized thanks to the explosive growth of social media. This has been associated with a corresponding decline in the reach and impact of conventional media (Public Policy Forum, 2017). Does easier access to digital communication and personal 'broadcasting' mean that workers' voice is stronger and more effective? The answer to that question is far from clear.

To be sure, the rise of social media implies many new opportunities for workers to organize themselves, and project their voices, regarding workplace issues. But it also opens many new challenges and threats for workers. And confronting those challenges (like any other challenge in the workplace) will be more successful for workers if they have organized voice and representation. For that reason, social media as a workplace issue, not just as a means of communication and networking, is promising terrain for the application of workers' voice.

Social media obviously facilitates immediate and accessible channels for workers to express their opinions and experiences regarding work. This happens spontaneously and informally through individual social media posts: complaining about or complimenting their employers, reporting on achievements or barriers in their work, and other personal perspectives. For reasons discussed above, however, this simple ability to speak (and vent) should not be confused with genuine workers' voice. Recognized, reliable channels of voice, with mechanisms that require engagement and response from employers, must go far beyond simply allowing workers to sound off on their personal social media feeds.

Many employers have enlisted social media technologies to facilitate communications with employees, but generally in rather superficial and employer-controlled ways. Top-down communication from managers to workers can occur via social media and other digital channels. Many companies have also set up social media-based feedback mechanisms, whereby workers can submit ideas and feedback (perhaps anonymously) – but with no guarantee it will be taken seriously or responded to. These methods amount to little more than digital "suggestion boxes." Thornthwaite *et al.* (2020) conclude that these employer-driven strategies, with both the method and content of communication tightly controlled by management, have not fulfilled the potential of social media to facilitate more genuine workplace exchanges. Some employers encourage staff to be active on social media, to promote the profile of the company or agency, or engage with customers and clients; but that further blurs the line between personal and professional expression, and opens many risks that workers' social media interactions will be subject to employer oversight and even discipline.

Indeed, many employers have been rigorous in trying to constrain and police the social media activity of their employees. Their power to do so depends on specific legal arrangements in various jurisdictions. In unionized workplaces in Canada, precedents

are still being set, but the broad direction of arbitration rulings to date generally protects workers' rights to free expression outside of work hours, unless that speech materially damages the reputation or business of their employer or work colleagues (Keeler 2019). But in non-union workplaces, since any worker in Canada can be dismissed with notice (or pay in lieu of notice) for almost any reason (other than reasons that explicitly contravene human rights law), workers' social media use can very much result in punishment or dismissal at work. As labour law professor David Doorey explains, "If an employee posts on their Facebook page that they're a Toronto Maple Leafs fan, and the boss is an Ottawa Senators fan, they can be fired for that... The only issue is how much notice are they entitled to" (cited in Davison 2012). Another contested practice is the growing trend of employers to review social media content of job applicants as a means of evaluating personality and lifestyle. This creates huge risks of bias, censorship, and violation of privacy in hiring practices.

More promising is the capacity of social media to serve as a meeting place or organizing tool for workers anxious to join with others in similar situations. Social media pages and chat rooms allow workers to share their experiences, gather data, and plan

*Social media provides a productive but fraught medium through which workers can build and express voice.*

advocacy and action. Most unions actively utilize social media channels to distribute information to members and prospective members, plan events and campaigns, and marshal support for their demands.<sup>69</sup> Chat rooms, Facebook groups, and other on-line meeting places have been important venues for establishing communities of interest among workers who would otherwise have more difficulty connecting; many of these initiatives have sprung up outside of traditional

union structures and activities. The ability of social media to quickly amplify individuals' experiences and concerns, and build a broader community of concern, has been demonstrated in numerous recent controversies and campaigns. These platforms are especially important among young workers, and those working in dispersed, digitally-mediated settings (like gig workers).

In summary, then, social media provides a productive but fraught medium through which workers can build and express voice. It is also a contested area of tension between workers and employers. Having strong voice and representation will thus be important to protect workers' rights to free speech, privacy, and assembly in the realm of social media.

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<sup>69</sup> Barnes et al. (2019) provide a survey and evaluation of several examples.

## Designing Income Security

Earlier we identified macro-level policy formation as a critical venue for the exercise of effective workers' voice. So many aspects of work life depend on the direction of economy-wide labour, economic, social, and fiscal policy. Workers need the ability to intervene in those discussions, advocate for their interests, and bring influence to bear on policy-making. Otherwise those decisions will be dominated by the concerted influence of those with economic wealth and power — who always ensure their priorities are brought to the attention of policy-makers.

This general importance of workers' voice in the milieu of macro policy will be all the more important as Canada's economy strives to regain its footing and momentum after the momentous events of the COVID-19 pandemic. One macro policy area experiencing historic flux is the income security system. Canada's income safety net was fraying badly long before the arrival of the coronavirus. Less than half of unemployed Canadians could qualify for

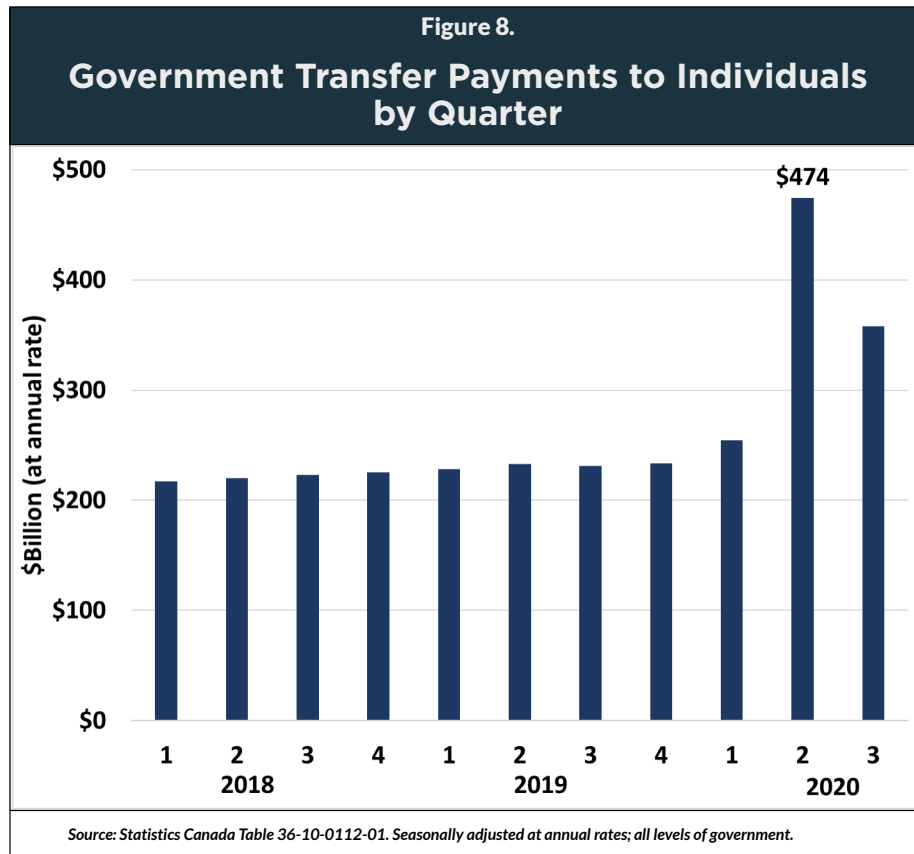
Employment Insurance, for example, due to harsh qualifying rules. Other income security programs for working-age people (like provincial welfare, disability benefits, and others) were meagre and punitive, leaving participating individuals far below poverty benchmarks. However, the sudden collapse in employment during the COVID-19 pandemic, and the need to quickly provide millions of Canadians with income support to survive (not to mention prevent a broader macroeconomic meltdown), sparked an unprecedented outbreak of policy creativity on the part of the federal government (complemented, in some cases, by provincial actions). The government quickly rolled out a spate of new income supports, including the Canadian

Emergency Response Benefit (CERB), wage subsidies, and targeted benefits for particular groups. More workers in precarious and non-standard jobs (including self-employed, contractors, and many gig workers) were covered by the new benefits — unlike the EI system, which was generally inaccessible to these groups. As a result of this quick action, government transfer payments to individuals expanded dramatically. In fact, the boost in income security payments more than offset (in aggregate<sup>70</sup>) the total drop in personal incomes resulting from lower employment (Figure 8).

*This general importance of workers' voice in the milieu of macro policy will be all the more important as Canada's economy strives to regain its footing and momentum after the momentous events of the COVID-19 pandemic.*

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<sup>70</sup> Many Canadians nevertheless experienced net declines in personal income during the pandemic despite these extraordinary income supports, particularly those in lower-wage and precarious jobs who bore the brunt of job losses. In aggregate, however, the expansion of transfer payments exceeded the decline in employment income, with the unexpected result that overall personal incomes grew during the pandemic.





After that initial rush to develop emergency income supports, the federal government later restored the traditional structure of income security programs. In particular, the CERB was cancelled in favour of an expanded EI benefit system, with radically relaxed qualifying requirements (reduced from up to 700 hours work per year required before the pandemic, depending on region, to a harmonized threshold of 120 hours across the country). Other benefits (including the Canada Recovery Benefit, Canada Recovery Caregiving Benefit, and Canada Recovery Sickness Benefit) will support some Canadians (including self-employed and gig workers) who still won't qualify for EI benefits even with relaxed qualifying rules.<sup>71</sup> Income protection under this system is not quite as extensive as under the CERB,<sup>72</sup> but it is a vast improvement over the pre-COVID EI program. However, the government describes these measures as a temporary response to the COVID emergency; the future shape of Canada's income security programs will be determined in the course of policy and political debates in coming years.

The expansion of income protections was incredibly important to protecting Canadian workers through the pandemic, and in preventing a deeper, depression-

<sup>71</sup> Some of those new benefits are also available to EI-eligible workers.

<sup>72</sup> Macdonald (2020) provides a summary of changes in eligibility under the conversion from CERB to expanded EI and the other programs.

style downturn in the overall economy. As the economy continues to rebuild after COVID-19, it will be critical for workers to maintain those improvements, and improve the income security system in other ways. Other challenges to job and income security (such as technological change and energy restructuring) will put further pressure on the income security system.

Apart from being able to advocate for more worker-friendly income security programs at the macro level, organized systems of worker voice also play a critical and underappreciated role in helping workers navigate the complex and often punitive structure of program delivery. Some unions, for example, have trained EI specialists who assist laid-off members in accessing benefits, and advocating for them with EI officials if they are unfairly treated or denied. In many cases issues of interpretation depend on judgments from government officials; informed, expert representation in these decisions can make the difference between qualifying or not, for thousands of needy workers. And workers' EI representatives can also push for extraordinary or customized responses from the system to specific challenges and circumstances: for example, advocating for worksharing or training programs to provide partial EI benefits to people working reduced hours or being retrained. Canada's EI system retains a nominally tripartite structure (with a Worker's Commissioner and an Employer's Commissioner participating alongside government representatives to oversee the system).<sup>73</sup> For all of these reasons, therefore, it will be vital for workers to have strong voice and representation – at the micro and the macro level – as Canada's income security system continues to evolve in response to the pandemic, and other threats to workers incomes.

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<sup>73</sup> Those mechanisms of tripartite consultation and governance need to be stronger, however. Several pragmatic recommendations in this regard have been suggested by the Canadian Labour Congress (2020c).

# Conclusion and Policy Recommendations: Valuing and Building Voice

**T**HIS PAPER HAS REVIEWED THE MEANING AND THEORY of workers' voice, considering its multiple and sometimes conflicting interpretations and uses. Genuine voice involves the establishment of meaningful, stable, and safe channels of communication, that flow in both directions within workplaces: from top to bottom, and from bottom to top. Genuine voice must be more than 'venting': it has a constructive intent, aimed at changing workplaces for the better, and must be backed by the ability of workers to wield bargaining power in support of their ideas and priorities. Unlike a passive suggestion box, genuine voice implies an obligation on employers to listen, evaluate, and respond to what they hear from their workers. They may not agree with or implement every idea that is presented. But they cannot simply ignore or dispose of the input they receive.

Voice operates at multiple levels in the economy: at the micro level of individual workplaces; at the meso level of industries, sectors, and other multi-workplace institutions; and at the macro level of overall policy formulation. Workers need a strong, effective say in all those fora. And voice can be operationalized through several different channels. It is most secure and well-developed in the context of unionization and collective bargaining - where rights to voice, representation, and negotiation are codified and enforceable. But systems of voice can be operationalized in non-union settings, as well, although they face greater risk of constricted subject matter and management control. Statutory mechanisms for worker voice and agency, required by legislation or labour law, are another option for implementing meaningful channels of voice. This approach is more common in other countries (especially in Europe), but even in Canada there are important precedents (like mandated joint health and safety committees) that demonstrate the feasibility and value of legally

required channels of workers' voice. Finally, less formal but innovative mechanisms of workers' voice have been developed in other ways: including through the activism of community organizations and advocacy groups, non-governmental organizations, supply chain monitoring, environmental and social governance initiatives, and others.

Strong evidence attests to the significant economic and social benefits of effective mechanisms of employee voice. It can reduce turnover and boost employee retention, delivering huge cost savings for employers. It can improve productivity, improve workplace health and safety, enhance the availability and effectiveness of training, and facilitate more successful introduction of new technologies. Broader economic and social benefits, extending well beyond the workplace, are also notable: including

*Despite the rich range of benefits from more engaged, respected, influential worker voices, Canadian employers generally need a 'push' to get them to expand meaningful workers' voice.*

higher and more equal labour incomes (when workers have voice, and power, to bargain better compensation), improved health and social participation, and even better government budgets (thanks to higher wages, higher tax revenues, and reduced demands on social and income insurance programs).

Despite the rich range of benefits from more engaged, respected, influential worker voices — benefits that spread throughout the economy — Canadian employers generally need a 'push' to get them to expand meaningful workers' voice. Canada underinvests in the processes and structures of voice; most workplaces do not have regularized, safe channels through which Canadian workers can provide input and contribute to building better, fairer, safer workplaces. Manage-

ment disinterest or outright opposition is a key factor in the limited reach of effective workers' voice in Canada's economy today. Most employers have a reflexive tendency to centralize control in their own hands, with an eye to minimizing limits on their unilateral decision-making power; reducing the time and expense associated with genuine channels of consultation, participation, and codetermination; and above all preventing workers from exerting countervailing bargaining power over things like compensation, job quality, and work organization. The very idea of workers' voice, therefore, is contested. While there are some benefits captured by employers from well-designed channels of workers' voice, there are also perceived costs. And hence these processes will not, generally, arise through individual voluntary action by owners and managers. Rather, active measures are needed to promote and protect strong mechanisms of employee voice.

To this end, we conclude with several broad suggestions for policy and regulatory actions that could strengthen the presence and effectiveness of worker voice in Canada's economy. Further developing these proposals, and plans for their eventual

implementation, will require more research and consultation with unions, employers, workplace experts, and affected communities. But together these suggestions constitute an initial agenda for enhancing awareness of the importance and benefits of workers' voice among all stakeholders, and strengthening mechanisms of voice to help Canadian workplaces better confront the big changes that are coming in the world of work.

## 1. Support and expand union representation.

The most developed, secure, and powerful structures of workers' voice in Canada are those implemented through union representation and collective bargaining. Most collective agreements have core provisions ensuring voice, representation, and participation in decision-making: ranging from basic provisions like the right to representation in disciplinary meetings, committees for discussing various workplace practices, to the power to negotiate collectively over compensation, hours, benefits, and working conditions. Despite its benefits, this system covers less than one-third of Canadian workers (and just one-sixth of workers in the private sector). Anti-union shifts in labour law in many provinces, combined with aggressive employer opposition to unionization (especially in the private sector), have undermined union representation and voice. In some provinces, new policies are explicitly stripping unions and their members of the right to speak out collectively on specific issues: for example, new laws passed in Alberta in 2020 prohibit unions from undertaking lobbying and other activities outside the workplace without explicit 'opt in' by individual members, and also ban union activities (like picket lines or protests) held to interfere with vaguely-defined 'critical infrastructure' (see Littlewood, 2020). These authoritarian measures, if sustained, will impede expression and free assembly by workers through their unions.<sup>74</sup> Instead of viewing unions as an enemy to be controlled and suppressed, labour law would be more effective to ratify and support the development of workers' collective voice as expressed through union representation. Important changes which would authenticate workers' desire for collective representation, and help to stabilize and rebuild unionization in the private sector, include measures like extending freedom of association practices (giving union organizers better access to workplaces, staff lists, and contact

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<sup>74</sup> In supporting the legislation, Alberta's Labour and Immigration Minister Jason Copping took direct aim at unions who have spoken in favour of reducing carbon pollution and promoting the energy transition: "It is unacceptable that unions are campaigning against Alberta's key sectors that employ the workers they are supposed to represent" (see Joannou, 2020). This is an astounding attack on freedom of expression by Albertans that will surely spark strong challenge in the courts.

information); restoring certification of bargaining units on the basis of signed cards or petitions; arbitration systems to facilitate adoption of collective agreements in protracted disputes (including first contracts for new bargaining units); expansion of union certification procedures to include new technologies (such as on-line union cards and voting); and stronger protections against employer reprisals against union sympathizers. Based on historical trends, Legree *et al.* (2019) suggest that changes like these would boost union density by 6 percentage points (or about one-fifth, compared to current levels). Unions themselves can improve their growth prospects by adopting innovative organizing strategies, and better connecting with workers (including young people; Black, Indigenous, and people of colour; and other underrepresented groups) who would benefit greatly from union voice and representation.

## **2. Extend union-based voice structures to other workers.**

Another way to help more workers attain the voice and security that comes with union-led mechanisms of voice and representation is through the extension of union-negotiated provisions to workers across industries or regions. Sector-based or industry-wide bargaining arrangements provide an opportunity to replicate the features of a union collective agreement (including features dealing with voice and representation) across a broader group of workplaces. Advantages of this approach include the establishment of a ‘level playing field’ across competing firms, and the strengthening of social norms regarding compensation and conduct. Industry-wide or pattern bargaining already occurs in several Canadian sectors: including public services (like health care and education), and some private industries (like construction and auto manufacturing). Quebec’s decree system (discussed in Section IV above) is another example of extending basic standards (including channels for workers’ voice at the workplace and industry levels) to non-unionized workplaces. New strategies to establish sector-wide standards and voice mechanisms would be especially important in industries that are highly fragmented and decentralized; they could also be tailored to apply to specific sub-regions or economic clusters (such as pattern agreements applying to hotels or restaurant chains in a specific city, or to all firms working in and around a major airport).<sup>75</sup> Industry-wide bargaining is more developed in other countries (such as Western Europe), where unions push for common standards which are then applied to workplaces across an industry. The expansion of industry or sectoral bargaining would mark a significant change in Canadian industrial relations practice, but there are specific openings to expand the practice in particular sectors. For example, the catastrophic events experienced in Canada’s long-term care facilities during the COVID-19 pandemic highlighted the need for much stronger staffing, training, and safety protocols. The design and enforcement of better standards in these areas should cover all LTC homes, regardless of union status, and should also include appropriate systems for workers to identify and raise concerns, monitor OHS, and attain more stable (and safe) work schedules. An industry-wide approach to strengthening the voice of workers in all LTC homes would thus be a powerful tool in lifting indus-

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<sup>75</sup> The interim report of Ontario’s Changing Workplaces Review provided several examples of sector-based approaches to strengthening employment conditions, including voice mechanisms; see Mitchell and Murray (2016, section 4.6).

try-wide standards for the benefit of both LTC workers and their residents. Similar arguments could apply to the development of sector-wide agreements in other industries.

### **3. Develop stronger voice mechanisms within union workplaces.**

While unions in Canada offer the most extensive and reliable channels for workers to have influence over their workplaces and work lives, there are many ways in which union-facilitated voice mechanisms can be strengthened and modernized. Where appropriate, unions and employers should explore ways to extend participatory structures of consultation and codetermination in emerging areas of concern: such as technological change, skills and training, racial justice and diversity, and energy and environmental issues. For example, new joint committees could be established for any of these emerging topics and challenges. These broader topics should also be added to the agenda of collective bargaining. Unions must also strive to maximize opportunities for members to voice their ideas and concerns within their unions, too. If the union operates as a top-down institution in the workplace, rather than as the organized expression of workers' voices and interests, then unionization will not necessarily fulfil its potential for advancing voice, agency, and engagement. The best unions establish diverse opportunities for their members to speak out and participate in union initiatives and campaigns, through workplace committees, elections and conventions, and inclusive projects and events. Showing that union members control the destiny of their organizations, and are empowered within their unions as well as within their workplaces, will also stimulate the interest of non-union workers in joining.

### **4. Expand statutory consultation and codetermination.**

In many other countries, providing workers with secure and reliable channels of input, free from risks of reprisal, is enshrined in labour law and industrial relations practice. In Western Europe, the economic and social benefits of workers' voice are appreciated, and policy has evolved to require these systems in most workplaces. In Canada, this statutory approach is rare. A noteworthy exception is the successful experience of joint workplace health and safety committees mandated by workplace safety laws. There are other areas in which channels of worker voice and representation could also be mandated by legislation or policy, tied to specific issues or problems. For example, vocational education and apprenticeship programs, funded and regulated by governments, often involve government partnerships with private firms. A condition of those programs should be the creation and operation of joint workplace training committees. They would meet regularly to monitor training needs within the enterprise, inform workers of training and skilling opportunities, and establish and monitor credential systems. Many companies also receive government support for various kinds of innovation, commercialization of new technologies, and capital investments (including outright government subsidies for capital spending common in many sectors). Those partnerships, too, should feature a requirement for joint workplace tech-

nology committees: to discuss the roll-out of new equipment and processes, consider related issues (like safety, training, and ergonomics), and provide workers with regular input to the process of technological change.<sup>76</sup> In the extreme, Canada could consider mandating full-blown structures of worker representation as a normal feature of workplaces, on the European model. That would constitute a revolutionary change in Canadian business practice, and does not seem imminent. But incremental steps toward a situation in which worker voice is seen as normal, productive, and expected, could help to lay the economic and cultural groundwork for bigger visions of statutory worker voice in the future.

## **5. Establish organized voice mechanisms to protect and enforce statutory minimums.**

In theory, all workers in Canada — union or non-union, with organized channels of voice or without — are protected by the same set of basic labour standards and protections. These are supposed to include the minimum wage; rules on hours of work and overtime; paid holidays and minimum vacation; basic health and safety protections; severance and notice rights; and more. In practice, these rights are not universally provided or effectively enforced. This is partly because of efforts by employers to evade these requirements through artificial reclassification of workers as independent contractors or gig workers; this dangerous loophole needs to be closed with legislative and regulatory reforms to ensure that all workers receive these basic protections. But even for workers in standard employment relationships, the effective enforcement of minimum provisions is typically uneven and unreliable. This is especially true in non-union workplaces; ironically, one of the most important effects of unionization is improved monitoring and enforcement of minimum labour standards that are supposed to apply to all workers (union or non-union). Most governments have adopted employer-friendly ‘self-regulation’ approaches to enforcing minimum standards; enforcement is further undermined by lack of inspectors and resources. Workers need more information on their minimum rights, and more accessible and immediate remedies when those rights are not respected. Enforcement would be greatly enhanced by consciously developing the capacity of workers to understand their rights, monitor conditions and practices in their workplaces, and take immediate action to expose and correct violations of those minimums: in short, by strengthening workers’ voice over minimum standards violations and enforcement. Accessible agencies could be established and funded to train advocates, undertake know-your-rights education, and support workers pursuing complaints over violations. These agencies could operate in specific communities, industries, or occupations. Their cost could be partly offset through fines collected from offending employers. Non-union workers could also be provided with access to arbitral processes through existing labour boards, as a more accessible and affordable alternative to current remedies (which

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<sup>76</sup> Mazzucato (2021) argues that democratic governance structures providing workers with voice and participation in workplace and corporate decision-making should be a condition of government financial participation in innovation and investment projects by private firms. Mendelsohn and Zon (2021) also emphasize the importance of active participation from targeted communities and equity-seeking groups as a condition for inclusive industrial strategies.



## VOICE IN ACTION:

### Spreading the Benefits of Infrastructure



Governments at all levels have undertaken major new investments in physical and social infrastructure. These investments will be especially important as the economy rebuilds

after the COVID-19 pandemic. For example, to support job-creation and incomes in the wake of COVID, the federal government is accelerating its 10-year \$180 billion Invest in Canada infrastructure program. Provincial, municipal, and other government agencies are also accelerating investment projects.

Black, Indigenous, and people of colour, and low-income communities more generally, have not had equal access to the well-paying jobs associated with these projects. And there are other ways to amplify the net social benefits from these publicly-funded projects: by channeling procurement spending to businesses in local communities, linking procurement contracts to strong labour and environmental standards by supplying firms, and more.

To democratize procurement and infrastructure planning, and better share the benefits of those projects, a movement has developed in Canada to negotiate community benefit agreements (CBAs). These enforceable agreements are negotiated between project funders, construction and supply firms, trade unions, and relevant

communities and neighbourhoods. They typically specify benchmarks for hiring from local and disadvantaged communities, opportunities for training and apprenticeships, social procurement guidelines to support local and disadvantaged businesses, and other provisions.

This effort to regulate the social and economic effects of infrastructure projects can be understood as a meso-level form of collective voice. Workers and communities use CBAs to inject their concerns and goals into industry- and community-wide planning decisions. One encouraging initiative is the TORONTO COMMUNITY BENEFITS NETWORK: a coalition of 120 organizations (including 10 trade unions), that advocates for and negotiates CBAs. In 2019 it convinced the City of Toronto to adopt a comprehensive Community Benefits Framework to apply CBA principles to projects undertaken by the city, on city lands, and/or with city financial support. Then, in 2021, the Network mobilized to win a new commitment (supported unanimously by City Council) to at least 10% equity hiring in city infrastructure projects. Similar community benefit initiatives are underway in B.C. and elsewhere in Canada. They will be important in enhancing the net social benefits from the post-COVID surge in infrastructure spending.

Sources: Toronto Community Benefits Network (2016), City of Toronto (2019), Government of Canada (2020).

typically involve slow-moving complaints to government departments, or undertaking private legal action); union members already have access to these procedures.

## 6. Use public procurement to leverage stronger voice.

Canadian governments (at all levels) purchase close to \$300 billion per year in goods, services, and capital from outside enterprises,<sup>77</sup> and there is growing interest in using those procurement purchases to leverage stronger environmental and social outcomes from the firms which benefit from these taxpayer-funded purchases. The importance of public investment and procurement in leading Canada's economic recov-

<sup>77</sup> Authors' calculations from Statistics Canada Table 10-10-0015-01.

ery after the COVID-19 pandemic makes this opportunity all the more urgent. Policies like the federal government’s ethical procurement guidelines (Public Services and Procurement Canada 2020) already link government purchases to requirements for suppliers to improve their practices in several priority areas, including environmental standards, fair labour practices, racial and gender representation, and more.<sup>78</sup> A requirement to establish systems of genuine workers’ voice could be added to the list

*A requirement to establish systems of genuine workers’ voice could be added to the list of best practices for firms receiving government contracts.*

of best practices for firms receiving government contracts. Other core dimensions of fair labour practice (such as non-interference in union organizing campaigns) should also be added to the conditions for government procurement contracts. This strategy can build on progress made by the community benefits movement in Canada in demanding stronger linkages between government spending on infrastructure and higher standards of equity and representation in employment (see box).

## **7. Protect workers against arbitrary**

### **dismissal.**

An obvious reason why workers are reluctant to speak up about workplace concerns and suggestions is because they fear for their continued employment, should their employer or manager dislike the ideas being expressed. This fear of dismissal, non-renewal of contracts, or lost opportunities for promotion is not unfounded. With high levels of unemployment and underemployment, made worse by the COVID-19 recession, the risk and cost of job loss faced by workers is significant. The growing incidence of precarious work relationships (including irregular and temporary jobs and gigs) exacerbates this insecurity: in those cases workers don’t even have to be fired for using their voices in ways that managers dislike, they simply won’t be scheduled for more work. Canada has very few protections against arbitrary dismissal for workers in non-union workplaces. In theory they cannot be dismissed on explicit grounds which violate human rights law (such as race, gender, sexual preference, or gender identity). But even those violations are difficult to prove in court. Non-union employers can dismiss workers for virtually any other reason, so long as they provide appropriate notice or pay in lieu of notice.<sup>79</sup> This has an understandably chilling effect on worker voice, both inside and outside of the workplace. Laws regarding dismissal and severance, even in non-union workplaces, should be amended to require employers to show just cause for dismissal of individual workers for reasons unrelated to the course of the business. Decent employers already act this way; laws in other countries also require employers to show just cause for dismissal.<sup>80</sup> Implementing stronger pro-

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<sup>78</sup> See Buy Social Canada (2018) for a survey of environmental and social procurement initiatives.

<sup>79</sup> Most union contracts have protections against arbitrary dismissal, including requiring managers to show just cause in dismissing workers, stronger severance rights, and seniority-based job security.

tections against arbitrary dismissal would have a significant impact on workers' ability to safely express their opinions, suggestions, and grievances at work.

## 8. Protect employee speech outside of work.

A specific and increasingly important aspect of the general insecurity experienced by workers in non-union workplaces is the ability of employers to monitor and police workers' expression outside of work, including on social media platforms. As noted above, non-union employers can dismiss workers for almost any form of expression or communication, so long as minimum notice or severance is provided; in cases where workers' expression is judged to damage the employer's reputation or business, even those minimum protections can be waived. Screening prospective employees' social media communications is another intrusive practice which produces a less diverse and more compliant workforce. The right to free speech is a core principle of democratic society; it should not be constrained by the power of employers to hire and fire on the basis of expression outside of work, even though social media technologies broadcast those expressions more widely and accessibly than in the past. Constraining employers' policing and suppression of workers' outside speech (including on social media) is an ambitious and complex undertaking. But if we want workers to have genuine confidence to express their views about work, those fundamental rights must be better protected. After all, protection against racial, gender, and other forms of prejudice is considered a sufficiently vital human right to justify imposing legal constraints on employers' power to hire and fire. Protection of speech should be considered in a similar vein. Moreover, defending fundamental democratic rights (like basic free speech) in workplaces could also be a spark that inspires more interest in trade union activism among workers (Eidlin and Uetricht 2018).

*The right to free speech is a core principle of democratic society; it should not be constrained by the power of employers to hire and fire on the basis of expression outside of work.*

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This is a very preliminary list of actions by all stakeholders – employers, unions, governments, and educational institutions – to strengthen workers' voice in Canada. The goal is to build a culture of work that respects the opinions, suggestions, and demands of workers, as a normal, legitimate, and productive feature of any

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<sup>80</sup> Australia's Fair Work Act requires all employers to show just cause for dismissal, and provides for a universal arbitration system in which aggrieved workers can file complaints and win compensation. Firing someone without cause is very difficult in most European countries. Even in the U.S., where the power of employers to 'hire at will' has been largely unchallenged (outside of union workplaces), new reforms impose just cause restrictions on dismissals in some jurisdictions; see, for example, Colwin *et al.* (2020) on New York City's new law requiring just cause for dismissals in the fast food industry.

workplace. These proposals are informed by our analysis of the ways in which genuine workers' voice improves work and workplaces, and our investigation of the reasons why workers' voice is underdeveloped in Canada. Some employers and managers claim they respect their workers' voices already, and that doing these things is just 'common sense' for good managers. Unfortunately, that common sense is not nearly common enough. And the willingness of enlightened managers to maintain an 'open door' for their employees' input is no replacement for reliable, safe systems of genuine workers' voice - including an expectation that managers must listen and respond to what their workers tell them.

Canada's workplaces are entering an era of far-reaching change, experienced along many dimensions: new technologies, growing workforce diversity, energy transitions, new business models, and more. To confront those changes and challenges effectively, and adapt to them in ways that are inclusive, fair, and safe, workers must have a meaningful say in how workplace change occurs. That requires the establishment of strong, safe, and effective mechanisms for workers to make noise, be heard, and bring about change. And that will benefit them, their workplaces, and all of society.

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