

THE ROLE OF PAY RESEARCH IN COLLECTIVE BARGAINING IN THE PUBLIC SERVICE

The desirability of the compilation and availability of precise, independent data on compensation and other conditions of employment outside the Public Service which can be used at the negotiation table is accepted by all. Nevertheless it remains necessary to distinguish between the general concept and any specific application of this concept in the context of negotiations and arbitration. Most witnesses acknowledged the good work of the Pay Research Bureau, but a number of important questions were raised:

(a) Should the Pay Research Bureau be detached from the Public Service Staff Relations Board?

(b) Can the existing reports of the Bureau be made available to bargaining agents in other public service jurisdictions, and the private sector as they are now generally available to employers in these jurisdictions?

(c) Should the Bureau expand its survey activities into occupational areas not required by the federal Public Service?

(d) Should the Pay Research Bureau or other agency undertake research in the criteria enunciated under Section 68 of the PSSRA?

Neither the Director of the Pay Research Bureau nor Mr. Finkelman favoured detaching the Bureau from the Public Service Staff Relations Board at this time. Both anticipated a changing and expanding (more "national") role for the Bureau but stressed the need for time during which the role would evolve and also time for the interested parties, both within and outside the Public Service, to work out the necessary details. Evidence given by the Director of the Bureau suggests that most of the participating employers would not object to the release of Pay Research Bureau reports to bargaining agents in the public sector. A letter received by your Committee from the Canadian Manufacturers' Association indicated the Association's willingness to support wider distribution of Pay Research Bureau reports in the public sector.

The Canadian Manufacturers' Association, the Canadian Chamber of Commerce and the Toronto Board of Trade, the Canadian Labour Congress and the Canadian Union of Public Employees all supported the Bureau's present surveys and reports, the idea of expanding the Bureau's area of research and wider distribution of its reports to all areas of collective bargaining where disputes are resolved by arbitration, (essentially the public sector).

Representations were made urging action which would enshrine the principle of "fair comparison" and which would place a statutory obligation on the employer, and on the Public Service Staff Relations Board in its role as arbitrator, to establish terms and conditions of employment comparable to those paid in Canada by "good employers". Some witnesses saw this kind of statutory commitment as a guarantee which would be granted to Public Service employees in exchange for withdrawal of the right to strike.

The principle of fair comparison with good employers in the private sector would provide public servants with total incomes, benefits and working conditions equivalent to those provided by jointly selected good employers.

In its examination of this principle your Committee noted that if there is merit in the principle, it is in the potential effect on reducing the power struggle inherent in the adversary process. Your Committee rejected the notion of using this principle as the basis of a model of compulsory arbitration and the removal of the right to strike.

After lengthy consideration, your Committee observed that the principle of fair comparison shifts the power struggle from specific wage issues to disputed over the "good employers" to be jointly selected. The unions' interest in selection would be toward the "best employer", while the Government's position would be toward the average employer. The Government, as employer, it is argued, would base its posture on the idea that anything more would be both inflationary and unfair to the Canadian taxpayer. It was also noted that the Government, as employer, believes that its present pay policy results in equitable pay scales, benefits and job security. The employer's substantiation of this is its ability to attract and retain the employees it requires. These factors as well as productivity, profitability and regional disparities would need to be recognized in any definition of good employer.

Your Committee concludes that although opposing positions are inherent in the fair comparison model, such a model may be useful in contributing to a more cooperative mood between the parties based on fair treatment and communication. Albeit that a change in collective bargaining style cannot be legislated, your Committee concludes that mechanisms such as communication and pay research techniques which assist in the resolution of disputes should be improved and enhanced.

Development of a climate of trust and confidence requires effort, time, information, and a willingness to communicate. We applaud the efforts which have been made in the Public Service to establish and facilitate the work of Labour Management Committees and we recommend that more resources be committed by both parties to extend the coverage of these committees and to make them more effective. We support the continuing work of the National Joint Council and its impressive record of accomplishment in dealing with service-wide issues. We are encouraged by the work of the Advisory Committee on Pay Research, but were discouraged to learn that some of the bargaining agents in the Public Service system have refused to participate in the Advisory Committee and by so doing have neither contributed to nor profited from the Bureau's research. Evidence given to your Committee by the Director-General of the Bureau indicates that the Advisory Committee, composed of representatives of the employer and bargaining agents, provides a satisfactory structure for determining the Bureau's program and balancing program priorities. Technical problems arising in connection with surveys which relate to particular negotiations are dealt with in sub-committees whose membership is determined by the particular survey activity