

COLLECTIVE BARGAINING IN THE PUBLIC SERVICE

by J.D. Love,

Assistant Secretary (Personnel) Treasury Board

Note: In view of the fact that Bill C-170 (the Public Service Staff Relations Act) was introduced into the House of Commons just two days after Mr. Love spoke to the Seminar, the following text is based on a talk given more recently, and reflecting the provisions in the proposed Act. In other respects the text reflects what was said at the Seminar.

On April 25, the Prime Minister of Canada introduced into the House of Commons in Ottawa a measure, known as Bill C-170, the purpose of which is to provide the Public Service of Canada with a system of collective bargaining. The Bill represents some kind of milestone in the development of Canadian legislation governing the relationship between public servants and their employers. My purpose this morning is to sketch in the background, describe the principal characteristics of the proposed system, and offer a few observations along the way.

Employee organization in the Public Service began in the 1880's. It started in the Post Office and gradually spread to other departments. Its basic structure was discernible shortly after the First World War. The three Service-wide organizations that now occupy the field — the Civil Service Federation of Canada, the Civil Service Association of Canada, and the Professional Institute of the Public Service of Canada — all had their genesis in the period from 1908 to 1920. These organizations, with their affiliates, can today claim a total membership of about 125,000.

The relationship between the Government and organizations of its employees was slow to develop. Until the Second World War, it was essentially a relationship between the Crown and a group of petitioners, a relationship characterized by the occasional presentation of briefs. There was no doubt about who made the decisions. The employee organizations were weak and divided, and the Government as employer was richly clothed in the doctrine of sovereignty.

The character of the relationship remained unchanged for a long time, although ideas planted by a wide variety of people, including Mackenzie King, led to a growing demand for forms of joint consultation. Successive administrations managed to ignore this demand until the growth of the labour movement, the struggle for union recognition and the need to win a war led