Government Intervention in Public Sector Bargaining
Workshop: Queen’s Centre for Law in the Contemporary Workplace

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OSGOODE | YORK
Drouin & Trudeau (2016)

FOUND

Quebec – most intervention: impose terms & conditions

Ontario – med/arb – sometimes factors

Federal – med/arb – sometimes factors
OR
- final offer selection

WHY DIFFER AMONG JURISDICTIONS?

- Quebec – interventionist tradition (Ponak & Thompson)
- Worker characteristics
- Bargaining level
- Deviation from ‘classic’ collective bargaining structure
Ontario & BC Teacher Bargaining: 1993 to 2019

DIFFERENCES IN CONTEXT

- Local (ON) vs highly centralized (BC)
- Unfettered strike model (ON) vs essential service in periods (BC)
- Education Relations Commission: jeopardy advisements (ON)
Ontario: Interventionist Legislation
BC: Interventionist Legislation

[Bar chart showing interventionist legislation trends from 1993 to 2012. The chart includes two main categories, BC BTWL and BC Scope, with specific years where BC Scope is highlighted.]
Frequency of Interventionist Legislation, 1993-2012

ONTARIO

BRITISH COLUMBIA
Observations

(1) BC more common intervention
(2) BC more intrusive legislation
(3) Centralization is not enough for intervening governments
(4) Intermediary bodies as a means to limit excessive intervention