

Government Intervention in Public Sector Bargaining

Workshop: Queen's Centre for Law in the
Contemporary Workplace

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KF 8816 Z44 C
to
KF 8840 F

57. TEXTS
KF - COMMON LAW NATIONS
Civil procedure
Pleadings and motions

KF 8841 C
to
KF 8842 C

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?

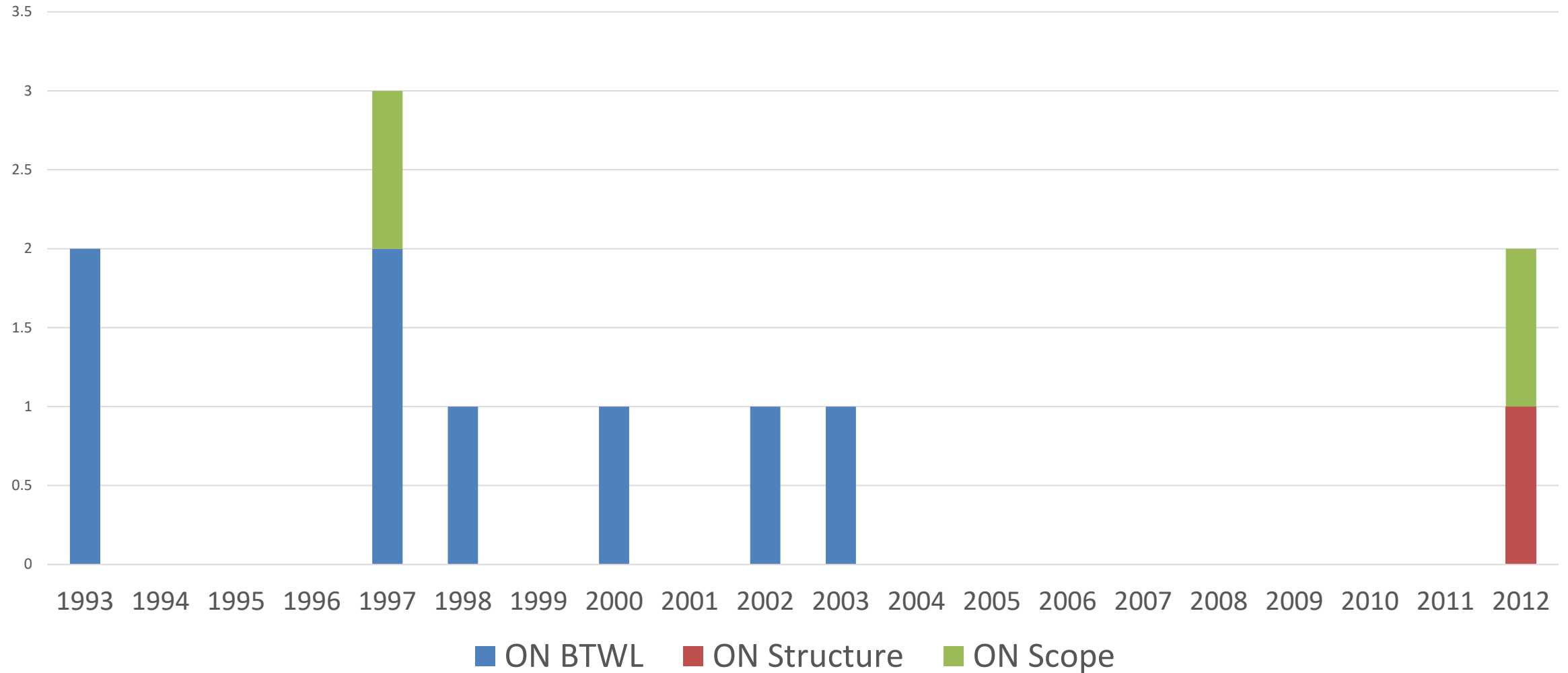
- Quebec – interventionist tradition (Ponak & Thompson)
- Worker characteristics
- Bargaining level
- Deviation from ‘classic’ collective bargaining structure

Ontario & BC Teacher Bargaining : 1993 to 2019

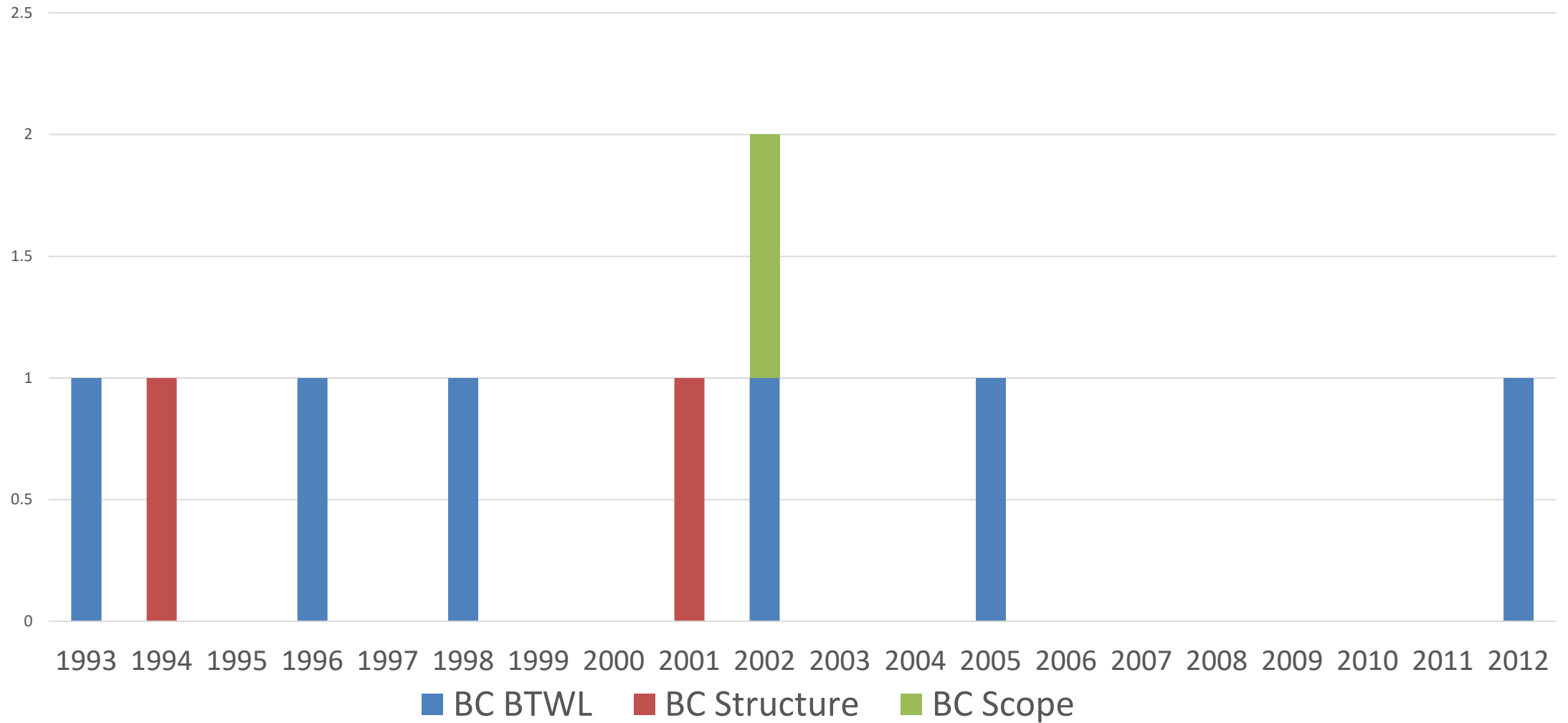
DIFFERENCES IN CONTEXT

- 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

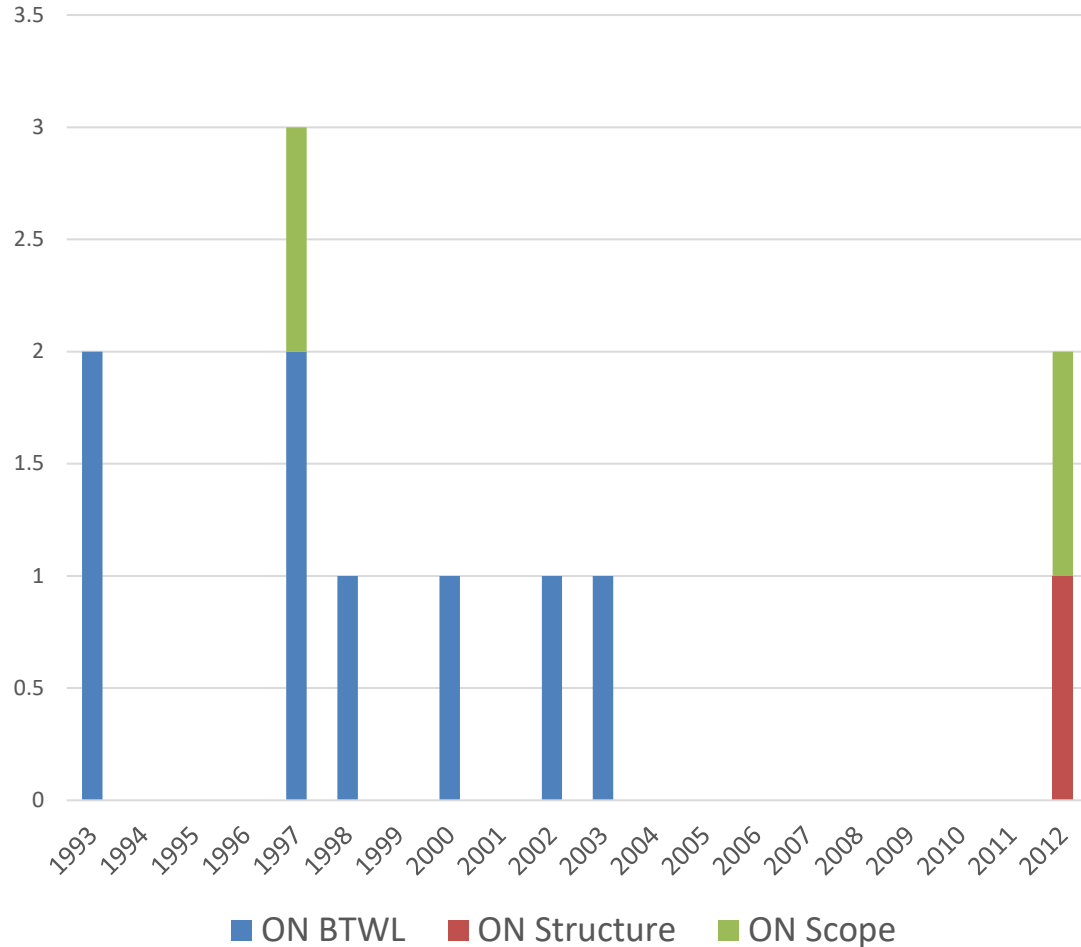


BC: Interventionist Legislation

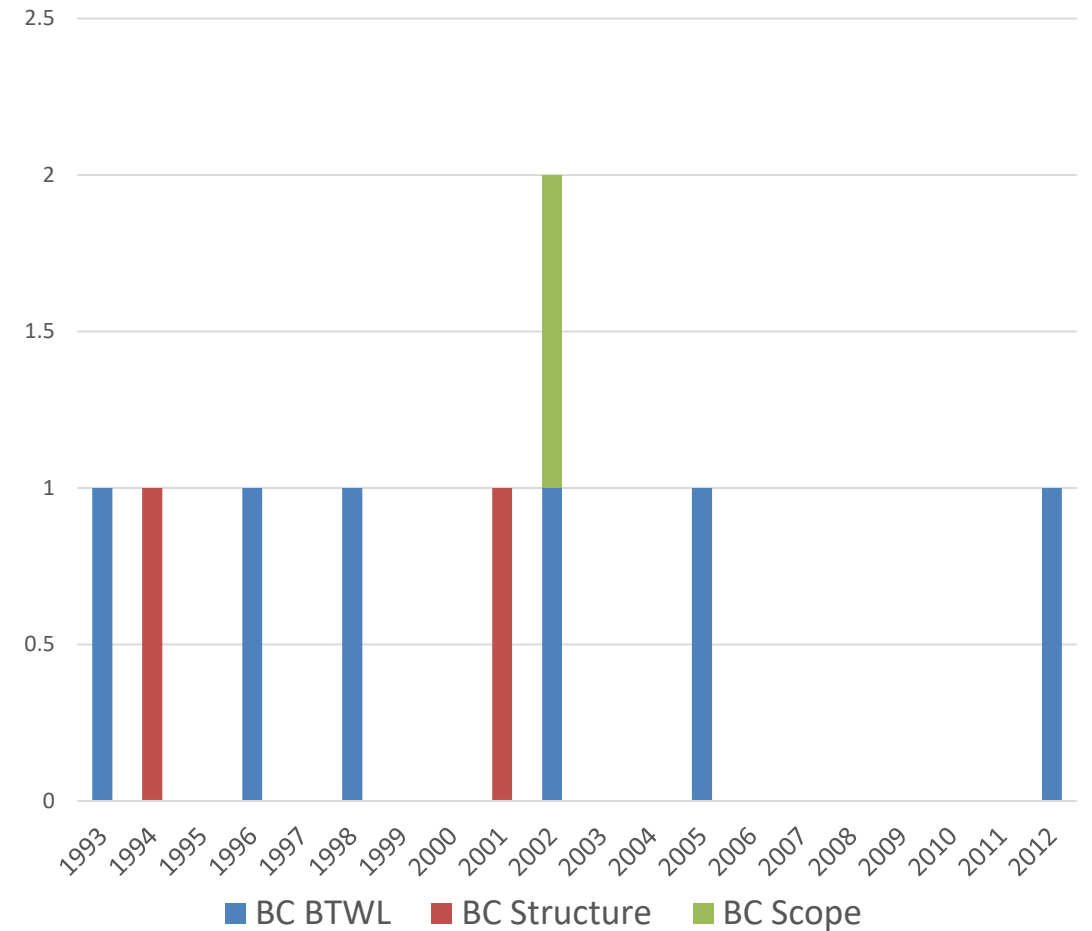


Frequency of Interventionist Legislation, 1993-2012

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