
CBC Unleashed

How Workers Won Job Security at Canada's Public Broadcaster

KAREN WIRSIG

IN 2005, EMPLOYEES at the Canadian Broadcasting Corporation resisted an attempt to roll back their job security and break their union. Creativity and solidarity on the picket lines helped garner substantial public support in their battle against the management of the public broadcaster over the principle of permanent jobs. The campaign reached its peak during an eight-week lockout imposed by CBC management in the middle of August, interrupting radio, television and web service across the country and achieving the kind of national attention usually not paid to labour struggles. Employees went back to work in October with a contract that maintains the primacy of permanent work at the CBC.

The Canadian Media Guild, the union that represents CBC employees, used to boast that it had never been involved in a work stoppage in its 50-plus years at the CBC. That can't be said for too many other unions who have dealt with the "Corp." In the previous five years alone, there had been two strikes and two lockouts involving other employee groups.

The round of negotiations that led to the most recent lockout began in May 2004, five months after CBC technicians joined the Guild to create a single bargaining unit for 5,500 non-management employees outside of the province of Quebec. The merger was actually driven in large part by CBC management in an application to the Canada Industrial Relations Board, the body that regulates labour relations in the federal jurisdiction. Apparently, CBC managers were tired of the hassles of dealing with so

many different contracts and unions. For them, one big union meant streamlined administration, a glaring clue to the myopic managerialism that has pervaded the broader public service, including the CBC, since the 1980s.¹

The Guild already represented on-air, production and administrative employees after representation votes in the 1990s and decided to propose itself as the "one union" for the CBC. The Guild and the technicians' union, the Communications Energy and Paperworkers Union of Canada (CEP), fought a pitched battle for the hearts and votes of employees across the country, with the Guild emerging as the victor in late 2003.

Management thought it could use any disarray created by the divisive campaign to extract deep concessions from its newly united bargaining partner, arriving at the bargaining table in mid-2004 demanding the unfettered right to hire temporary employees into a series of job classifications. However, the merged union's bargaining committee had strong representation from the newly-joined unit and was united on the importance of employment security.

Already, nearly 30 per cent of employees at CBC work under some kind of temporary or freelance contract. Had CBC management achieved its objectives, it was only a matter of time before the majority of CBC employees would have little or no job security, no pensions and benefits, and a disappearing base for collective organizing.

The successful campaign stands as reason to hope for North American workers who have now suffered decades of setbacks in their working conditions and their ability to organize themselves to improve their situation. It also

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has some lessons for a North American labour movement struggling to demonstrate its relevance and to become a stronger political force.

PRECARIOUS EMPLOYMENT is a feature of decades of retrenchment politics in the public and private sectors that has served to weaken the power of labour unions. It has accompanied the withdrawal of support for equity programs and the shrinking of social programs, making life worse for workers, and especially workers of colour and women, in Canada. This is true even though unionization rates have remained higher than in many other industrialized countries, including the United States, France and Germany, hovering at around 30 per cent.

Canada's labour market has undergone twenty years of restructuring; women, who had begun to enter the paid workforce in larger numbers soon saw their permanent, full-time jobs disappear, often replaced by part-time, temporary, employment.² Many exited the formal job market and did not return: an average of nearly 20 per cent of women who lost permanent jobs between 1993 and 1999 in Canada were not in the labour force — meaning not working or actively looking for work — even 24 months after becoming unemployed. And despite efforts to achieve wage parity with men, women in the workforce continue to earn about 64% of their male counterparts.³

Recent research by the Canadian Labour Congress⁴ has also shown that people of colour — and particularly people of colour born in Canada — are the most likely of all workers to be unemployed and living in poverty. Although they have the highest rates of education of all groups of workers in the country, they tend to find themselves in precarious jobs. And women of colour, both immigrants and Canadian-born, fare worse than their male counterparts in terms of low wages and unemployment. The numbers are only slightly better for immigrants of colour. The CLC concludes that racism is at

the heart of the exclusion of such high numbers of people of colour from steady work and points out that workers of colour benefit less than White workers from belonging to a union.

These broader realities are reproduced in Canada's media industry, including at the CBC.⁵ Seasonal programming and the broadcaster's reputation as an employer of choice in the industry paved the way for acceptance of short-term employment contracts as a "foot in the door." And, although no data is available identifying racialized groups and gender according to job status, anecdotal evidence from workplaces like the CBC suggests that people of colour and women, as well as younger and older workers, have the most to lose when overall job security is reduced. That evidence also suggests that unions don't always understand or succeed in serving the best interests of their most marginalized members.⁶

THE GUILD HAS LONG BEEN PART OF A LARGER North American union, The Newspaper Guild (TNG), which includes workers at the New York Times and 35,000 other media workers across the United States and Canada. In the mid-1990s TNG merged with the Communication Workers of America (CWA) to become one of the largest unions on the continent with a substantial defense fund. Ironically, the merger that further embedded the Canadian Media Guild with American workers followed a period of de-linking by some private-sector Canadian workers from their U.S.-based unions to resist the concession bargaining strategies being driven south of the border.

The most dramatic divorce was led by auto workers in Canada, who split in 1986 from their U.S.-based union, the United Auto Workers. The Canadian Auto Workers became emblematic of the divergence between the Canadian and American labour movements. John R. Calvert has postulated that the reason Canadian workers retained stronger rates of union membership while the American labour move-

ment floundered related precisely to politics of the Canadian labour movement that, led by militancy in the public-sector unions, built a campaign against concession bargaining and for broader social and economic rights.⁷ That, together with a push for more rank-and-file control over union strategies, have ensured that Canadian workers tend to see unions as providing credible resistance to neo-liberal labour policy and related attacks on social programs.

The Guild's affiliation with the Communication Workers of America became an issue during the union merger campaign at the CBC in 2003. The technicians' union, CEP, had been formed after severing ties with an American union. In the merger campaign, CEP played the Canadian nationalism card, suggesting it was unseemly for workers at Canada's public broadcaster to be tied to an American organization. The Guild, on the other hand, pointed to its autonomy in bargaining and decision-making and played up the strategic benefit of its access to a huge strike and defense fund.

When the time came for the Guild to put its relationship with CWA to the test in 2005, the affiliation paid off. The Guild implemented its own bargaining strategy and negotiated a key rule with the parent union to allow equal strike benefits for all picketers, even if some casual and freelance workers earned more in picketing than they would have from the employer. The 500,000-member CWA's deep pockets bolstered the confidence of the union and its members, allowing the Guild to fend off concessions even after seven weeks on the street.

As the Guild neared its standoff with CBC management, leaders began thinking about what kind of work stoppage campaign it might conduct. The majority of members and top union leadership had never been directly involved in a strike or lockout. Some looked to the example set in late 2000 by striking employees of the *Seattle Times*, who combined traditional picketing with production of a popular strike newspaper. Others looked to the website

produced in 2002 by locked-out CBC/Radio-Canada journalists in Quebec, who are represented by a different union. While the vast

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majority of the pre-lockout organizing focused on traditional strike logistics and the strike vote, timid steps were taken to prepare for alternative forms of strike action. Those preparations did not foresee the show of creativity that emerged on the frontlines of the dispute to write a new chapter in North America's labour history.

THE GUILD, WHICH HAD STARTED LIFE AT THE CBC AS A REPORTERS' UNION, was more resistant to temporary employment than some of the other unions at the broadcaster, in part because covering the news for radio and TV is a 24/7 operation, 365 days a year. In the round of bargaining that followed the 1993 merger of 13 units, including radio and TV producers, media librarians and announcers, the Guild succeeded in extending the right to permanent employment for many of its new members. Given the labour context of the time, it was an unlikely win and one that has since been characterized as a mistake by senior CBC managers.

The CBC was not immune to the rise in the 1980s of New Public Management in the broader public sector in Canada, a neo-liberal movement that hit most OECD countries in that period, including the United States, and that has only gotten stronger since in its push to "marketize" the relationship between citizens and the state. According to Shields and Evans,

“(t)he fundamental principles of the state marketization thesis are the conversion of citizens into customers and the commodification of public goods.”⁸

Workers in the broader public sector have faced a constant barrage of attempts by their employers to roll back working conditions and weaken unions in the name of greater flexibility.⁹

There is no doubt that CBC management targeted the very existence of the union when it imposed the lockout of 5,500 employees on August 15, 2005. A few days later, a manager was quoted in a national daily newspaper, suggesting that other, competing broadcasters had lower rates of unionization among employees and, therefore, must have more “flexibility” when it comes to managing their affairs.¹⁰ It is widely believed that the management bargaining team orchestrated an aggressive manipulation of the bargaining system by calling a lockout at the earliest possible moment under federal law, counting on a collapse of the newly-merged union.

FOR THE EMPLOYEES who had never been involved in a work stoppage at CBC, the first week of the lockout was a shock. Local leaders in more than 35 cities and towns across the country quickly set up picket lines in the early morning of August 15, although most buildings had already gone dark as managers made their way to the national broadcasting centre in Toronto to produce replacement programming. As the week wore on, picketers’ anger grew at an employer, ostensibly a public service provider, who could spit in the face of employees so committed to their crafts and their audiences.

But there was also something else going on: workers who had been at the mercy of work speedup and declining latitude to make decisions suddenly were freed of the constraints of the job. There was no manager breathing down their neck or playing favourites. The social hi-

erarchies had shifted. They walked around the buildings side-by-side with each other and, for once, had the time to talk and compare stories. The early weeks of the lockout was a period of intense creativity and solidarity from below that gave birth to an array of alternatives to picketing that took the country by storm.

People began swapping stories on the picket line about their insecure employment histories at the CBC and suddenly realized that they weren’t alone in how they were being treated by their employer. In an alienated, competitive environment focused on individual success, employees — and many of them women, people of colour and young people — had, in their isolation, been convinced that some shortcomings of their own, or the fact that they simply hadn’t been discovered yet, explained their inability to get a permanent job with the CBC. In an article published in the *Toronto Star* during the lockout, broadcaster Nancy Westaway, who had been surviving on a series of temporary gigs at the CBC, laid bare the gender dimensions of precarious employment, comparing her situation to a dysfunctional relationship with an abusive partner.¹¹

Within a few days, a locked-out radio freelancer based in Vancouver had launched CBCunplugged, an independent website and web journal, otherwise known as a blog, about the conflict. He provided links to other locked-out bloggers across the country and even for a manager stuck in the Toronto broadcast centre, who all kept online diaries of their thoughts and experiences. CBC workers across the country called on their friends in the campus and community radio sector and put on special radio shows, some focusing on the lockout itself, others attempting to provide the public with some of the service that CBC management had denied them. Picketers in Edmonton and Ottawa created live shows for each other and visitors to their downtown picket lines. In Toronto, ad hoc committees organized weekly leafletting blitzes on the subway and tours that included locked-

out on-air personalities to smaller cities that didn't have picket lines. Many locations put on concerts and organized fundraisers for other causes. One well-known radio broadcaster began a caravan through small communities across the country who were suffering from a lack of local radio alternatives and had no nearby picket lines to visit. Radio shows were produced and were available on the internet to be downloaded around the world.

Meanwhile, work was underway in Toronto to get two union-sponsored websites up and running. The first, CBContheline.ca, was designed as a propaganda site with news about the lockout, photos, personal stories from locked-out members, blog links, cartoons and, soon, feature reports. It had a French-language counterpart, Lignedefront.ca. Both were designed by a crew of picketers who ran a 24-hour operation, five days per week throughout the lockout. The popular sites helped locked-out employees and the public write letters to CBC management and politicians in support of permanent employment, a negotiated settlement and a return of real public broadcasting. Union officials later heard that federal politicians had never felt so much political pressure related to a labour conflict. The second initiative, in the great tradition of the strike newspaper, became [CBCunlocked](http://CBCunlocked.ca), a news website with global reach to rival the eviscerated CBC.ca site.

Members were so engaged that when a letter by Noah Richler — son of well-known Canadian author Mordechai Richler — appeared in the establishment daily, the *Globe and Mail* in September, disparaging the union and promoting the entrepreneurial and creative virtues of temporary and freelance employment, several — including a national radio host — had letters published the next day that defended the union's position on permanent jobs at the CBC and provided their own views on why it is so important.

Signs of victory were already evident in late September, when the federal labour minister of

the time, who had become involved in trying to mediate the dispute, stated publicly that his government supported the notion of permanent jobs. CBC management, almost certainly anticipating a much earlier capitulation by the union and its members, saw the start of hockey season approach — and with it Hockey Night in Canada, one of the CBC's most-watched shows — without any signs of weakening on the picket lines or in public support. By October 7, it was all over, with the union actually having made gains in job security provisions, such as improved benefits for temporary employees and clear definitions limiting the hiring of temporary employees, including a cap on the number of contract employees the CBC can

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hire. Equally important were the gains made in member militancy, ensuring that the new contract provisions were more likely to be enforced once the members went back to work.

The challenges ahead for the Guild include maintaining the solidarity and militancy back at work and making it possible for the workers most at risk of being marginalized, both in the union and by the employer — people of colour, women and younger workers — to take a central place in the successful union of the future.

The campaign was a success for a number of reasons, not least of which were the humanizing effects of being freed from a stressful workplace, the openness of the union leadership to supporting initiatives of rank-and-file members that went far beyond traditional picketing, and connection with CBC audiences and the Canadian public as human beings and citizens, and not simply taxpayers and consumers. It was also

possible because the union itself did not accede to the demand to get rid of the principle of permanent employment, refusing the concession from the outset of bargaining. The Guild victory stands as an important counterpoint to some troubling labour developments in North America. First, that beacon of resistance to concession bargaining in Canada, the CAW, has recently been criticized for promoting concessions aimed at giving General Motors “more flexibility” at its Oshawa plants, which is already among the most productive for GM.¹² Meanwhile, SEIU president Andy Stern, leader of the so-called “change to win” breakaway faction from the A.F.L.-C.I.O., endorses a relationship with employers that is friendly to neo-liberal approaches such as contracting out his members’ work.¹³

NOTES

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3. Ibid.
4. Cheung, Leslie, “Racial Status and Employment outcomes,” *Research Paper #34*, Canadian Labour Congress: October, 2005.
5. See Wirsig, Karen, “The Colour of Casual Work: Canada’s Broadcast Media,” *Our Times*, Volume 24, No. 3. July/August 2005.
6. Ibid.
7. Calvert, John R., “The divergent paths of Canadian and American Labor,” in XXX
8. Op. cit., p. 56
9. Ibid, p. 57
10. Dixon, Guy, “CBC, union see contract work as the great divide,” *Globe and Mail*, Saturday August 20, 2005, p. A7.
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13. Whitehead, Jay, “Is outsourcing the new union movement?” *HRO Today*, April 2005. Online link: www.hrotoday.com/Magazine.asp?artId=906