

FNEEQ



CSN

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**CONSULTATION
DOCUMENT**

**CONSEIL D'ORIENTATION
JUNE 1984**

***Unionism Under
the Decree?***

Foreword

At the Conseil fédéral of June 1983, following the failure of the last round of negotiations in the public sector and with the trade union movement in a state of crisis, the delegates felt the need for the federation to assess the situation, to go beyond a bilan of the negotiations themselves and beyond the annual reports from the committees and structures of the federation, to consider more particularly our type of syndicalism and our practices in order to regain the meaning of our action as a syndical organization.

This is why the delegates voted:

That FNEEQ organize debates on our type of syndicalism, in the union locals and in the federation, as preparation for a Conseil d'orientation (fédéral) in June 1984.

To aid in the debate and to give real direction to the Conseil d'orientation, the Bureau fédéral adopted the following procedure:

- 1 — First, we are distributing to you this basic position paper which sums up the position of the Bureau fédéral, and includes a series of questions which may help stimulate discussion.

This document should be debated in the general assemblies before the June Conseil fédéral. All proposals coming out of the general assemblies should be brought to this Conseil.

- 2 — At the Conseil, workshops will be held to ensure as broad a discussion as possible of the document and of the proposals from the general assemblies.

Following the workshops, a committee to synthesize and orient the debate will produce a new document which will include recommendations from the committee itself as well as all the proposals which were submitted to the Conseil. This committee will report to the Bureau fédéral, which will use the committee's report in making its recommendations to the local general assemblies.

This new document for local membership consultation will be sent out at the beginning of autumn in preparation for its adoption by the autumn Conseil fédéral.

Why a June 1984 Conseil d'orientation?

After the failure of the last negotiations,
in a context of economic crisis without precedent in the past 50
years,
confronted with a political vacuum on the left,
FNEEQ feels the need to take stock.
Beyond a simple bilan of negotiations,
it is a question of examining our form of trade unionism and our
syndical practices;
it is a question of rediscovering common goals;
it is a question of regaining a sense of the significance of our
syndical action.

Dissatisfaction with Our Syndical Institutions and Division within Our Ranks

For some time now and especially since the last negotiations (cf. bilan FNEEQ), dissatisfaction with our syndical institutions has grown, at every level: union locals, the federation, the union central (CSN), and the common front. One of the keys to this dissatisfaction is the *impotence of the syndical institutions to negotiate collective agreements* (at least in the public sector; within FNEEQ, the salaries of all groups were set by decree); impotence due to the weight of employer and governmental attacks, but also due to the lack of clear trade union responses. Since the beginning of the economic crisis, from budget cuts to decrees, while the campaign against the trade unions has moved full steam ahead, the syndical movement has reacted inconsistently, with no real direction from its leadership.

The reaction to this sense of impotence (and sometimes of despair) may be demobilization, or even an attempt to identify scapegoats and solutions within our own group.

Are the FNEEQ staff responsible for what happens to the membership?
Are the men responsible for what happens to the women?
Are the public sector unions responsible for factory closings in the private sector?
Are the private sector unions responsible for the failure of negotiations in the public sector?
Is the CEQ responsible for the defeat of FNEEQ?
Is the CSN executive responsible for our failure?

To all these questions, there are some among us who answer yes, and from there on, everything is open to question, from membership in a union to the formation of the common front, including the question of membership in the CSN.

There is no longer any sense of certainty and struggle becomes impossible.

Do Our Syndical Institutions Still Make Sense?

To answer this question, we must recall how we came to form a trade union, join FNEEQ and the CSN, and unite in a common front.

Why Did We Choose to Unionize?

- We wanted to give ourselves a collective power over our work and our working conditions
- We wanted to protect ourselves against arbitrary actions, etc.

And in this, we were no different than other groups of workers.

The founders of our unions ran the same risks. There were firings for syndical activities in the collèges classiques in the 1960's. There are still such firings among the staff of the driving schools, private colleges, etc., who seek to unionize. Employers have fought and still fight unionization within FNEEQ as elsewhere (as is well known by the chargé-e-s de cours at the University of Montréal who have been waiting to be accredited since December 1978, and who seem to know why they want a union).

Why Did We Join FNEEQ and the CSN?

- We wanted to increase our rapport de force as a group
- We wanted a political voice (a means of taking a stand on social questions and especially education policies)
- We wanted to support workers' struggles.

The CSN was perceived as the most combative and democratic union central; it also offered the advantage of grouping together in one organization unions of workers in the private sector and in the public sector, in a double structure of (professional) federations and (regional) conseils centraux, which made possible regional solidarity among the various types of workers. Some unions also made a choice for negative reasons: the choice to reject membership in the CEQ to avoid being lost in a majority of elementary and secondary school teachers.

From 1960 to 1966, the CSN was closely associated with the Lesage government. Since 1976,

the CSN has similarly had difficulty disassociating itself from the PQ.

Are These Choices We Made Subject to Debate and Subject to Change? And Would It Help to Change Them?

The structures of the CSN remain democratic. It is therefore possible to act on the basis of the central's orientations (within the limitations inherent in a large, heterogeneous organization).

The nature of our membership in these structures will always be a function of the central's positions on each issue that arises. The distinction between blind adherence to the CSN and critical participation represents at this time a challenge for every element within the CSN, and the only means to guarantee its consolidation and progress.

We also believe that, after the attacks and the type of language adopted by employers in recent years (which have been echoed in the private sector trade unions and even at the upper levels of the CSN leadership), more than ever it is necessary that workers in the private and public sectors regain a broad solidarity. This is a condition sine qua non of our future success, especially since we are faced with an increasingly well-coordinated unity of employers and the State.

Why Did We Form a Common Front?

- We wanted to force the Bourassa government in 1972 to negotiate the wage policy it sought to impose unilaterally
- We felt the need for a significant rapport de force to confront our adversary, the State.
- We wanted to avoid being played off against each other by the State, which might deal first with the weakest groups, then impose the same conditions on all others (as occurred in 1968-1969).

Did The Common Front Meet these Expectations?

It permitted us to advocate a wage policy compatible with our social principles (reduction of wage gaps, indexation, decent minimum wage, participation in collective enrichment). It permitted us to negotiate wages in accordance with our policy, except in 1982-1983 (although with somewhat less than satisfactory results in 1978-1979); it gave us a good rapport de force, but also unleashed a repressive counter-assault. It permitted us to make interesting breakthroughs, such as four-week vacations for all, parental leaves, retirement plans, etc.

We also believe that these gains had social repercussions (to the extent that the State is the largest employer in Québec, employing more than a third of unionized manpower) on working conditions in the private sector.

Still, the common front presents us with several problems. It unites only about two thirds of the unionized employees of the State, the others (civil servants and nurses, mainly) being members of independent unions and excluded from the common front. Surely the criteria for admission to the com-

mon front must be rethought, even if this is a complex question.

FNEEQ's bilan elaborated on the various problems of the common front, but the principal problem is without doubt the absence of willingness on the part of the political leadership of the centrals to engage in a direct confrontation with the PQ (this is even more true of the FTQ than of the CSN or the CEQ). It must be realized that this problem also exists within the federation.

This political problem aggravates structural difficulties inherent in an organization of more than 200,000 people, who are members of several hundred unions affiliated with three centrals and with several federations and sectoral groupings.

Despite all these problems, our goals remain. To sacrifice the structure of a broad organization will not help us achieve these goals if there is no valid alternative. However, an empty structure, without a sense of cohesion among members and without a common vision of demands and strategy will not meet our needs, either. Our adherence should not be spontaneous and unthinking.



Unsatisfactory Syndical Institutions, Impotence to Negotiate Collective Agreements, What Is to Be Done?

Several reactions are possible:

There Are Those Who Believe That Syndicalism Is Dead

Many members, sometimes militants, have lost sight of the *raison d'être* of syndicalism. Nothing is possible anymore, since we have neither the right to negotiate nor the right to strike. What is a union that doesn't have the legal power to negotiate a collective agreement?

Every attempt was made to lead us to believe that syndicalism was a legitimate institution, recognized by employers and by the State, when in fact this "recognition" was wrested through struggles that were frequently bloody. When it became impossible to ignore or to eliminate trade unions, employers recognized them and, in return, required that the right to strike be limited (no right to strike throughout the duration of the collective agreement), that negotiation affect only limited periods of time (with collective agreements signed for a fixed duration), etc.

We more or less went along with this game. We considered that rules concerning the right to negotiate, the right to strike, etc., were outside the question of our *rapport de force*. We took them as given, and most of the time we respected them. Each time that we for some reason decided to violate these rules (illegal strikes, failure to respect our signature), long debates ensued in our general assemblies and in our decisional structures. In effect, we forgot history and this came back to haunt us.

The economic crisis is upon us and our *rapport de force* has melted away. The rules have changed, brutally and unilaterally. We find ourselves without rights. For some, this marks the end of syndicalism. Isn't that to forget that the history of syndicalism is made up of advances and retreats? It is by analyzing these retreats that we will be able to avoid them

subsequently. It is clear that the legal framework of negotiations, won through past struggles, was undone by the government last year, but the possibility remains for us to fight to regain our rights. This means struggling over each issue as it arises (for example, PREC, freezing workload) and with all our strength. Sometimes this will mean taking serious risks (as we did when we defied Law 111); this will be nothing new in the history of the syndical movement. Certainly we will have to weigh risks and benefits, but it would be unrealistic to say that, in our relatively privileged position, there are no benefits which justify risks. This would be to forget yet again that none of our working conditions is acquired with any guarantee of permanence. Without our unions and our active militancy, the decree and our cut-rate collective agreements represent only the first step in a continual deterioration of our working conditions and of the educational system in Québec.

Some Question the Syndical "Discipline" Which Calls for Unity (Dissidence, Refusal to Rally to Majority Positions, Withdrawal from Participation)

Without clear common goals, without some perspective, it is difficult to close ranks. It is even more difficult when the situation is explosive, when the smallest decision implies a lay-off here, a firing there, the threat of a closing elsewhere, etc. This is our situation now, at every level. Is it surprising that we are divided?

When decisions concerning the distribution of teachers among disciplines or rules for combining disciplines determine whether or not numerous colleagues will be laid off, is it abnormal that departments fight each other?

When decisions on affirmative action programs determine the probability of employment for many members, is it any wonder men and women find themselves in opposition?

When the manner of applying the decree determines who gets laid off, who gets transferred, and who gets bumped, is it surprising that union locals find themselves in disagreement?

When members cannot respond to a union call for action without risking their jobs or their seniority, is it surprising that some retreat from action?

When the ship sinks, there are those who seek only to save themselves; but if the ship can be saved, then that changes everything — and we believe the ship can be saved. It is not easy, but we must avoid the isolationism of departments, groups threatened with extinction (women, teachers without tenure), union locals, and individual members. We certainly will not achieve this by refusing to consider the interests of minority groups, but by clearly debating the issues at stake and arriving at majority positions.

This means that minority groups must have the opportunity to develop their own points of view and that, during debate, they feel that they are *listened to* and not just *tolerated*. Also, when decisions are made within the syndical structures, it is easier to submit to these majority decisions when each group concerned is aware that a full and fair debate has taken place.

What is valid for these informal groups is also valid for our formal structures, for union locals dealing with FNEEQ or the CSN, and for FNEEQ in its dealings with the CSN or a common front. Certainly the choices are painful. Certainly, superimposed over objective conflicts of interest are conflicts of political orientation.

Rallying to the majority can be frustrating when one is continually forced to do so (which does happen), and there is a strong temptation to refuse to rally or to resort to a position of dissidence.

Are these acceptable practices? There is no clear answer to this question. For example, FNEEQ is a federation of autonomous unions, and nothing can force the general assemblies to adhere to positions of the federation. So much for the principle — in practice, it is more complicated. What are the obligations of a delegate to a FNEEQ body? Must delegates defend the position of the federation or simply submit it to their members with a positive or negative local recommendation? Once again, principle and practice may diverge. In general, there is without doubt a difference between failure to vote to rally and

dissidence (dissidence being more active). In any case, the problem must be seen from the perspective of our common goals. Dissidence or a failure to rally are problematic in a situation where they might weaken the collectivity's capacity to attain a common objective. Similarly, an elected officer's dissent from a democratic majority decision of the body which the officer directs, when it is an important decision, is problematic. In fact, it must be clearly acknowledged that, in certain cases, the logical consequence of a dissident position is resignation from one's post or withdrawal of one's dissident position.

There Are Those Who Wish to Change the Orientations of Syndical Institutions (by Means of Caucuses)

The difficulties confronted by the syndical movement in recent years have given rise to a certain ideological polarization at every level. Even more so in the public sector, since the syndical movement, including the CSN, has put forth very moderate positions in opposition to the State (refusal to confront the PQ) and in response to the economic crisis (a sort of collaboration). Some feel that these positions weaken workers and that our positions should instead be clarified.

Two conceptions of the best way to defend the interests of workers thus came into conflict.

As a result of this conflict, the adherents of the hardline position formed a group to articulate their positions, to improve the effectiveness of their interventions in meetings, and, finally, to prepare to run for elected office within FNEEQ. The adherents of the opposing position also formed a group.

These groups came into being at FNEEQ following a situation in which the 1979 executive lobbied heavily for the passage of an agreement in principle (*entente de principe*) in the CEGEPs. Here we have an important factor leading to the formation of caucuses: when one is convinced that the democratic process has been bypassed, one seeks alternatives.

An advantage of caucuses: they can serve the interests of democracy if their use contributes to more enlightened and more articulate debate, and if ultimately they result in an election that provides a real political choice.

A disadvantage of caucuses: they can also kill debate if positions become rigid, and they can hurt unity of action if they are used as a tool for political games without regard for the distinction between issues which require debate and issues on which consensus should be achieved.

At another level, the caucus entails the same advantages and the same traps as do groupings of women, of teachers without tenure, or of teachers within a discipline. Caucuses are doubtless essen-

tial to true unity (unity which encompasses diversity) but can become its worst enemy if common goals are not kept in sight.



The Basis for Militant Syndicalism in 1984

Facing the State

We must consider that the legal framework of labor relations is nothing other than the result of a rapport de force (even in the private sector).

This means that we must struggle to conquer, reconquer, or hold on to precious tools (for example: revision of negotiation structure), but we must be aware that none of our gains will ever be acquired definitively, and above all we must avoid allowing ourselves to be confined by any kind of legal framework. Since the legal framework results from a rapport de force, it must be broken out of whenever the rapport de force permits.

On the other hand, this does not mean that we must renounce the use of opportunities which the established framework offers us. On the contrary, we must make use of such opportunities with pride since it is a question of concessions struggled for and wrested, and not gifts granted willingly.

Our Democratic Organization

We must consider democracy the best ensurance of our militancy.

Our organization must accommodate all groups within it: first, the official groups of the federation: CEGEP, private colleges, universities, unaffiliated. This must not be only a formal accommodation at leadership levels. It must reach and affect the base, and influence concrete decisions (distribution of negotiation budget? support work for local conflicts? etc.).

The unofficial groups within the federation must also be accommodated (women, teachers without tenure, part-timers, etc.), especially groups outside the majority, and they must be given appropriate

means to defend themselves, within a framework of unity.

Democracy also means the encouragement of discussion and the free circulation of information.

In a necessarily centralized context, democracy does not mean dispersal and disorder, but rather an organization which permits consultation and the carrying out of mandates by delegation.

Finally, democracy is the responsibility of elected officials to democratic bodies; but it is also the vigilance of each union member towards his or her syndical organization.

The Goals of Our Struggle

To rebuild our syndical organizations on solid foundations, we will have to define our goals clearly, in such a way as to rally the membership, and with reference to the current situation.

What will those goals be?

They will have to be socially justifiable and not corporatist, and yet they will have to be directly applicable to our members.

Thus, the protection of jobs by the reduction of the number of hours in the work week (without loss of salary) could be a priority of the whole syndical movement in this period of structural economic crisis (technological change).

On the other hand, we cannot interrupt our efforts to preserve the quality of teaching, which is under constant attack. The struggle in the CEGEPs to freeze workload should be seen within the context of these two broader goals, which give the workload issue its real significance.

In Conclusion

Trade unionism is in a state of crisis, but we do not believe the prophets of doom who foresee its disappearance. Although we forget it at times, it is we who control our syndical institutions. It is our responsibility to be vigilant with regard to practices in these institutions, because democracy is never ac-

quired definitively. It is up to us to find the way out of the crisis in the syndical movement. Certainly defeatism and division are not part of that way out. Neither is syndical unity a function of the suppression of minorities. Active syndical democracy remains our best chance for survival.



THE CHOICE TO UNIONIZE

Why did we choose to unionize?

Do we still believe it is useful to be unionized?

— What makes us have our doubts about it?

— What would happen to us without a union?

Why did we decide to join FNEEQ and the CSN?

Do we still believe that membership makes sense?

— Do the structures and orientations of FNEEQ and the CSN reflect the reasons we chose to join?

— Are the structures democratic enough to allow for changes in orientation, if necessary?

— Would our syndical goals be better served in an independent union, or in another federation, or in an independent federation, or in another central?



COMMON FRONT IN THE PUBLIC SECTOR

Why did we decide to form a common front in the public sector?

Has the common front met our expectations?

Do we believe that any form of broad grouping is still possible or desirable?

Do we believe that the failure of the last negotiations signals the end of negotiations in the public sector?

Can we continue to negotiate when the government denies all our legal rights (right to strike, etc.)?

Should we return to strictly sectoral negotiations? Local negotiations?



SYNDICAL STRUCTURES AND DEMOCRACY

How can we make our syndical organizations and structures more democratic?

How can women, teachers without tenure, teachers in private colleges, chargé-e-s de cours, etc., best defend their interests:

- by completely autonomous action, outside our regular syndical structures?
- by modifying existing syndical structures? how?
- by working within the union, and if so, under what conditions can this action be effective?

To deal with these issues, what are the concrete responsibilities which can be assumed by:

- the federation (elected officers, staff, and bodies within the federation)
- unions of minority groups
- CEGEP unions?



SYNDICAL PRACTICES

What is the place of failure to rally and of dissidence in syndical democracy?

- within a local assembly?
- within a FNEEQ body?

What is the responsibility:

- of members towards decisions of the general assembly?
- of local delegates towards decisions of FNEEQ bodies, and vice-versa?
- of general assemblies vs. FNEEQ bodies?
- of elected officers vs. their constituents?



CAUCUSES

Is the formation of caucuses an acceptable practice?

- What are the advantages of this practice?
- What are the problems or dangers?
- Are there conditions under which this practice can be useful or harmful?

UNIONS FACING THE STATE

What is our position towards the State, after 1982-1983:

- do we refuse any accomodation with the decree, and leave to the government the distasteful job of imposing it?
- do we link all future mobilization to the demand for legal recognition of our rights (right to negotiate, right to strike)?
- do we agree to enter into the new relationships and structures which the government proposes (parity committees, tripartite or bipartite bodies, etc.)?
- do we demand with all means available to us and on two fronts simultaneously:
 - our syndical rights (for example : negotiation structures)
 - our working conditions (for example : workload)



THE GOALS OF OUR STRUGGLE

- What will the goals of our struggle be in this period of economic crisis?
- Should we maintain what we have won or make concessions?
- Are we prepared to exchange some of what we have won for global societal goals?
Examples: adult education vs. vacation structure?
increase in number of female employees vs. adjustments in seniority?
wages vs. contribution to fund to stabilize employment?
- Could the protection of jobs by the reduction of hours in the work week (without loss of salary) become the priority for the whole syndical movement in the current context of structural economic crisis (technological change)?



