



Collective bargaining in the public sector, 2003–2005

The CCSPP takes a look back

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Introduction

A review of negotiations in the public sector to assess what happened stems from very commendable objectives.

One of these objectives is no doubt to share our thinking and analyses and draw the lessons that will help us improve our practices and be better equipped to *face the music* in the future.

In the more than 30 years that we have squared off with the government-as-employer in massive confrontations, any evaluations that have been done have, to varying degrees, included a factual description of events and an analysis of prevailing conditions.

Given the number of players and organizations concerned, the level of difficulty involved in coming to a common reading of prevailing conditions has often been proportional to how harmonious the bargaining process was. Some rounds – in 1983, for instance – ended without any co-ordinated evaluation being done; in other cases, like the 1989 round, the evaluation was a partial one. After that, given the period of extensions and bargaining that followed, the next CCSPP review, assessing the 1999-2000 round of bargaining, was not adopted until 2001.

Today, should we do an evaluation that would basically consist in a detailed inventory of our actions or omissions in a specific timeframe, and then try to arrive at some consensual analyses?

Such a document would certainly be useful, because it could provide a checklist and reference source for future attempts at understanding how this round of bargaining unfolded. It could also be very educational, inasmuch as the main historical reference points that provide the cornerstone for our analysis are the ones that will probably be encountered in the future.

Given how the last round of collective bargaining unfolded, however, and the major changes that occurred, the changing balance of power in the public sector and the tarnished credibility of the process at the end of the process, the discussion would be better served by examining more macro aspects of the dynamics at play in the renewal of our collective agreements over a period extending beyond the months of 2003-2005.

We have therefore chosen to submit some tentative ideas and hypotheses for collective consideration instead of making formal recommendations to be adopted. This will perhaps give us the flexibility needed to be as useful as possible in providing food for thought for those who follow us in the next round of collective bargaining.

We suggest a two-part document.

To *set the stage*, Part 1 consists in a look backwards that takes the form of a condensed description of the main elements that marked our negotiations. This part is completed by an appendix giving a chronology of key events.

Part 2 looks to the future to consider prospects and weigh certain issues with which we will be confronted in the future. We would like to spark thinking and discussion on these issues by taking advantage of the time we have at our disposal before the next round of negotiations begins.

Looking back

1. The general context

a) Pay equity

Pay equity is one issue that definitely left its mark on labour relations in the public sector in recent years.

In April 2001, various union organizations decided to carry out their pay equity work with the Conseil du trésor jointly, creating the *Intersyndicale*, an inter-union coalition composed of the CSN, CSQ, FIIQ, FTQ and SFPQ, for this purpose.

From then on, incredible amounts of time and energy were invested and sustained mobilization was necessary in order to establish a pay equity plan. Naturally, the work did not progress in a straightforward way.

Intensive work was done until 2003. During this first period, we managed to develop the tools for a pay equity plan and collect data on job classes – the raw materials for job value determinations. Thousands of questionnaires were completed during this period.

With the change of government in 2003, the work with the Conseil du trésor stagnated for months, though we continued to do our analyses. We had to wait until 2004, when the Superior court handed down a decision invalidating Chapter IX, for discussions with the Conseil du trésor to resume and to reposition our work in the context of this new legal framework. In 2004 as well, the SFPQ left the inter-union coalition, which necessitated adjustments among the four remaining organizations (CSN, FTQ, CSQ and FIIQ).

In the end, the work left pending in 2003 was only really resumed in 2005. It then continued during the chaotic round of collective bargaining that year, culminating in a settlement in June 2006.

Our members reacted to these periods of varying intensity with correspondingly varied emotions. From one timetable and work plan to the next, there were many expectations and high hopes. But the long months of stagnation related to the technical and legal complexity of the work, not to mention the political complexities entailed by working with several organizations, also gave rise to disappointment and scepticism about any real possibility of a settlement.

Throughout this whole process, however, and although we recognized that the government was the sole source of funding for both, we were always careful to make a distinction between the pay equity work and general collective bargaining, mainly because we didn't want the amounts of money at stake in pay equity to interfere in any way with a general pay raise.

b) The extension of the collective agreements

This desire to handle pay equity as a separate area of work played a large role in the decision in early 2002 to accept the government's proposal to extend our collective agreements for one year, from June 2002 to June 2003, with a general raise of 2% on January 1, 2003 that became applicable retroactively on April 1.

The one-year extension was supposed to enable us to complete the pay equity work before getting into collective bargaining, but when it came time to renew our collective agreements, the pay equity work had not been completed.

Note that although the FNEEQ – and the FIIQ – did not obtain mandates to accept the extension, they nonetheless had the same conditions imposed on them a few months later.

c) A neo-liberal government

In April 2003, the government changed. During the election campaign leading up to this, there were a few signals about the kind of administration that the Liberal Party had in store for us, but not many people imagined the scope of the attacks that it was preparing, or that they would be aimed at union organizations in particular.

There were amendments to Section 45 of the Labour Code to facilitate contracting-out. People in intermediate and family-type resources and family childcare providers had their employee status taken away. The health and social services system was restructured, as were bargaining units. There was an array of other laws as well, each of them potentially destructive for social gains made in the past. The government was driven by a neo-liberal ideology aimed at rolling back working conditions in the public sector, giving the private sector a larger role and above all discrediting unions and their capacity to improve their members' working conditions.

We repeatedly condemned and protested each of these laws wherever and however we could.

But be it in formal settings like parliamentary committees or elsewhere, what characterized the start of the Liberal reign was the party's intransigence.

Turning a deaf ear to the arguments of groups affected by proposed legislation, the government didn't swerve from its initial path except to accentuate aspects that served its original goals. It used gag orders to silence the National Assembly in December 2003 and ram through its bills, and then repeated the same tactic in December 2004 to force the adoption of Bill 142, which subsequently became Bill 43,¹ and which defined working conditions in the public sector.

At the central table, where pay and benefits are negotiated with government, the intransigence took the form of a financial framework that remained unchanged throughout the non-negotiations – a process that began in the turmoil of the legislative power play in December 2003 and ended in the anger and indignation that were the response to the December 2005 power play.

d) Upheavals in health care and social services

With Bills 25² and 30³ in health care and social services, the government threw the structures of both institutions and bargaining units into chaos.

First, Bill 25 created new institutions covering much larger geographic areas by amalgamating existing institutions with multiple missions.

Then Bill 30 dictated that in each institution, regardless of whether it had been merged under Bill 25, employees had to be regrouped in a total of four bargaining units (unless there were already fewer than four unions in the institution). The bargaining units necessarily corresponded to four classes of personnel, defined by the bill:

- 1- Nursing and cardio-respiratory care personnel;
- 2- Paratechnical personnel and auxiliary services and trades personnel;
- 3- Office personnel and administrative technicians and professionals;
- 4- Health and social services technicians and professionals.

The official purpose of the operation was to reduce the number of bargaining units in the system, and it was true that their number had grown substantially. The growth was largely explained by the proliferation of small bargaining units often represented by independent organizations. But the real purpose was above all to undermine the combative spirit of unions by disrupting local union life and forcing unions to focus on concerns apart from collective bargaining.

¹ Bill 43: An Act respecting conditions of employment in the public sector.

² Bill 25: An Act respecting local health and social services network development agencies.

³ Bill 30: An Act respecting bargaining units in the social affairs sector and amending the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors.

Although the CSN made gains in the votes imposed for this restructuring, the effect of the new way bargaining units were drawn was mainly to favour certain independent unions like the FIQ⁴ (which grew from 45,000 to 57,000 members) and the APTS (the result of a merger between the CPS and the APTMQ, the APTS went from 15,000 to 25,000 members).

Paradoxically, the splintering of bargaining units at the expense of broader union structures had in the past been strongly encouraged by the same employers who now deplored the fact that there were too many unions.

In practice, it meant that right in the midst of negotiating their working conditions, more than 200,000 employees in the health and social services system had to choose which of the organizations present in their class of personnel they wanted to represent them in their institution. The main part of this sweeping process unfolded over more than 18 months, from the winter of 2004 to the fall of 2005.

Once the period of changes in union allegiance was over, the reconstituted unions undertook the final phase of the bargaining process in the fall of 2005. It is worth highlighting our unions' extraordinary resilience and their ability to mobilize despite all the obstacles and pitfalls.

The phenomenal amount of time and energy needed for this operation and the impact of the ensuing changes were to have very direct repercussions on how negotiations unfolded, in various ways.

For the CSN and the Common Front, the objective inability of unions in health care and social services to devote themselves entirely to collective bargaining during this period, combined with the need to link up the two networks (health and education) to develop enough bargaining clout, was decisive for our strategic choices.

It is important to note that Bill 30 also transferred 26 matters to local bargaining. We will deal with this aspect more thoroughly when we look at collective bargaining. For the time being, note that these changes resulted in strong mobilization by workers in the health and social services sector, and indeed monopolized their time and energy in defending the very existence of their unions, while at the same time shaking up the system of centralized negotiations that had been the rule for the past 40 years, to the benefit of the workers in the sector.

⁴ The Fédération des infirmières et infirmiers du Québec (FIIQ) has changed its name to the Fédération interprofessionnelle de la santé du Québec (FIQ).

2. Collective bargaining

a) Preparing our demands

The various groups in the public sector of the CSN filed their contract demands in the fall of 2003. The one exception was the FNEEQ, which had filed its earlier, in February.

Starting in June 2003, we began work with the CSQ and the FTQ to harmonize our demands at the central table on pay, premiums, parental rights, regional disparities, family-work balance, pensions and vacations.

The real work of developing our shared demands at the central table took place from September to December 2003. The attempt to reconcile the various positions within the CSN public-sector federations can be demanding, especially when after this first step is completed we then have to go on to harmonize with our partners in the Common Fronts.

In this round, we succeeded in drawing up a substantial list of demands that were harmonized fairly smoothly among the four CSN federations and then among the three union organizations in the Common Front.

b) Alliances

At the very outset of negotiations, the format of a CSN-CSQ-FTQ Common Front quickly took shape.

Early in 2003, the CSQ was very insistent about beginning negotiations as quickly as possible. This eagerness came more especially from elementary and high-school teachers in the FSE, who had agreed to extend their collective agreement because it would give them time for better preparation of their contract demands. And their sectoral priorities, such as adding resources for special-needs students, militated in favour of starting negotiations quickly before the school year ended in June 2004.

For the CSN and the FTQ, the priority was to complete the work on pay equity, which had been the basic reason for the extension of the collective agreements, whereas teachers in the CSQ didn't have very high expectations in this regard since they had already been through it in 1999 and 2002 on the issue of the duration of work time, which they equated with pay equity.

As for the other organizations, we didn't get the impression that the FIIQ was very eager to join the ranks of a future broader Common Front. Only the SFPQ seemed to want to join a potential coalition of public-sector organizations. But in the fall of 2003, the clearer the government's intention of reforming the health and social services system became, the less interested the SFPQ was in joining our ranks.

The Common Front of the three organizations finally lasted until March 2005, when the CSQ decided to leave it to create the Secrétariat intersyndical des services publics (Inter-union secretariat of public services) with the SPGQ and the SFPQ.

The CSQ's departure had in fact been long foreshadowed, because throughout the 18 months that the three-party common front had lasted, we had been regularly confronted with the CSQ's desire to reach a settlement in a different timeframe from the one identified by the CSN and the FTQ.

Just think how eager the CSQ was to invoke the mediation process provided for by law as early as the spring of 2004, whereas we saw it as coming later in the fall. The CSQ went off on its own and decided to go it alone, claiming that this was to comply with the wishes of its decision-making bodies, which had identified the fall of 2004 as the strategic framework for a settlement.

For the CSN and the FTQ, the upheavals in the health and social services system ruled out any hope of reaching a settlement before the fall of 2005, at which time the two big networks in the public sector could link up.

Under pressure from its federations, the CSQ didn't want to wait so long, and in any case doubted the capacity of workers in health care and social services to mobilize, given the effects of Bill 30. So the window of settlement was spring 2005 for the CSQ. This was also when the FEC-CSQ and FAC, which represented the CEGEP teachers who didn't belong to the CSN, joined in a cartel and adopted the CSQ's strategic framework. The CSN federations in education were the only ones to participate in a common front with the health and social services sector.

This difference of opinion on the strategic framework was the main reason the CSQ left the Common Front. The CSN and the FTQ nevertheless continued with a Common Front – a noteworthy success, given the problems that local health and social services unions had in remaining united in the context of Bill 30. The CSQ's attempts to settle weakened labour's positions, since by the fall of 2005, it and the SFPQ and then later the SPGQ had agreed to lower their demands on pay in exchange for increases in staffing.

c) *Highlights and characteristics of negotiations*

Central table

We had to wait until June 2004 for the government to respond to the demands we had filed on December 15, 2003.

This was when the government informed us that its financial framework was 12.6% for six years, with a wage freeze for the first two years followed by 2% increases in each of the next three years, with the parameters for the last year left open. This government framework was also supposed to cover all the costs of other demands with a financial impact, and notably the settlement on pay equity.

This kind of opening move was not new *per se* in the history of the public sector, especially in relation to central-table matters.

A lag of several months between our filing of central-table demands and management's offer has always been part of the dynamics of the bargaining process. Since these items are generally the very last to be settled, there's no hurry to deal with them as long as no real progress is being made at the sectoral tables. As for the announcement of the financial framework, this is a concept that has been evoked by the employer more than once in the past in one form or another, but always ultimately citing what the government could afford.

What characterized the last round of bargaining, though, was that, from start to finish, there were never any real negotiations at the central table. The financial framework became more than a bargaining constraint; it was a mantra repeated incessantly by government spokespersons. This was so true that on items without any major monetary impact, like some aspects of our demands on parental rights, pensions and regional disparities, we ran into the same obstinacy from management.

The die was cast and there was nothing that could turn the government away from the dogmatic course it had set. In the spring of 2005, when the SCQ-SFPQ-SPGQ coalition scaled back its demands on pay by deciding to spread the demand for a 12.5% increase over six years instead of three, we were needlessly worried that the government would jump at an opportunity to settle. But it wouldn't budge.

We had also hoped that the Common Front's September 2005 counter-proposal (13.5% over 5½ years), a public sign of our willingness to compromise, would trigger some movement in discussions. The response was negative, immediate and scornful: "They (the CSN-FTQ Common Front) had asked for the moon and Mars; I understand from their latest proposal that they are now only asking for the moon. I would ask them to come down to earth," jeered Conseil du trésor head Monique Jérôme-Forget.

Not only was the financial framework there to stay, but when the government saw that it was impossible to force us to accept it, it simply imposed it by decree on

December 15, 2005... without any move in 24 months on the part of management to soften its initial positions at all!

Furthermore, in the days following this power play, the premier mused publicly about the virtues of this principle of an absolutely rigid financial framework for conducting public-sector bargaining in the future.

Sectoral tables

The dynamic of bargaining talks at the sectoral tables varied, depending on the sector. In education, despite demands filed in the fall of 2003, there were no signs of any openness until the spring of 2005, although such signs then became more discernable at certain tables. Though the bargaining process in the school support sector was almost normal, the exercise proved much more laborious at the college level, where teaching and support staff had to wait until late fall for serious discussions to begin.

In health and social services, the unions filed their demands in September 2003, and the first employer responses came in June 2004. On top of the usual problems in bargaining, Bill 30 imposed a major shake-up of the bargaining process that had existed for 40 years. Henceforth, 26 matters were taken out of the hands of the national parties and relegated to local bargaining.

The response of the federations concerned was to agree to boycott local bargaining. This standoff between the parties aggravated major disruptions at the national table in both the bargaining climate and the topics addressed, since discussions were constantly foundering on the way the matters were divided up. While the federations in education made progress, however difficult, the federations in health and social services were at a standstill, confronted constantly with the same problems and pitfalls.

In the last few days before the decree, there was a *sprint* at nearly all the sectoral tables. A decree was a very real threat, and the conditions for constructive and freely accepted agreements didn't really exist. And in the case of the FSSS, the conditions simply weren't there. In the absence of sectoral agreements, the spectre of worse working conditions under a decree loomed on the horizon.

This was the context in which a number of tables concluded sectoral agreements in an especially restrictive framework. They were in fact forced agreements, imposed with the threat that a decree might be worse. The result was that all the agreements had to incorporate a major setback on arbitration costs, which had historically been borne by the employer and would henceforth be paid by the losing party.

At other tables, no agreement was reached. The FSSS concluded that the numerous setbacks demanded by the employers were unacceptable. As a result, this federation was subjected to a decree defining all its working conditions, and in a number of

cases imposing conditions inferior to what all the other groups in health care got. For example, the FSSS suffered a number of setbacks on leave for union work and medical arbitration.

With the support of the CSN, however, the movement of resistance by FSSS members, notably through an advertising campaign, helped lead to an agreement between the federation and the employer committee in October 2006 that restored equity in working conditions.

Although government organizations weren't officially affected by the December decree, the general parameters for raises and the government's financial framework applied to them too. It should be noted, though, that the unions concerned were able to reach an agreement on sharing arbitration costs 50/50. But in practice, most of these unions found themselves isolated and disconnected both from talks at the other tables and from mobilization.

Subsequently, relatively satisfactory conclusions in negotiations were reached by the unions at the Société des traversiers (ferries), the CDPDJ (human rights commission) and at the Palais des congrès (convention centre), although in a difficult context. The same was true for the unions at the RIO (Olympic stadium) and Legal Aid, which reached tentative agreements in June 2006. The unions at Legal Aid, however, were unable to finalize their agreement, especially on remedial pay adjustments for legal secretaries, and this was not settled until December 2006.

d) Mobilization

The CSN struggling against the Charest government

The period from the fall of 2003 to the end of 2004, which in traditional negotiations would have been used to entrench demands and set up structures in support of collective bargaining, was this time taken up with a vast mobilization by the entire CSN to which the public-sector unions devoted a great deal of energy.

The period began with a special Confederal Council in November 2003 that launched the *Stop the demolition!* campaign. This campaign involved many different forms of action: visits by the Executive Committee of the CSN to all the central councils; demonstrations in all regions; reception committees greeting cabinet ministers when they visited; national days of action and disruption; picketing of workplaces; and visits to MNAs. The highlight of this first phase of mobilization was undoubtedly the November 29 demonstration in front of the National Assembly, when more than 30,000 CSN members expressed their opposition to the Liberal government's policies.

Subsequently, the mobilization continued on various themes with significant events like votes on a mandate for a social strike, though this was ultimately not implemented because it would have required the participation of other organizations, and the FTQ refused to join in. There was also the 2004 May Day demonstration, with more than 100,000 people marching in protest. Although these events required a lot

of energy from public-sector members, they were not directly related to collective bargaining and were part of a protest movement by all components of the CSN in both the private and public sectors.

The CSN public sector in action

As for the activities of the public sector more specifically, there were two demonstrations in November 2003, coinciding with when the federations held meetings of their decision-making bodies to adopt their central-table demands. The first was a demonstration by FEESP delegates on the Québec-Lévis ferry, followed by a demonstration by FSSS, FNEEQ and FP delegates in front of the National Assembly.

There was a one-day training session in the fall on the content and impact of the various pieces of legislation, which contributed to our mobilization by demonstrating the tangible consequences that the adoption of the laws would have.

Actions conducted by public-sector unions in 2004 included a national day of action against Bills 25, 30 and 31,⁵ the nursing assistants' vigil against Bill 30, a national day of action and visibility on April Fool's Day (April 1) on the theme "*We're going to make waves,*" and occupations of cabinet ministers' offices.

FNEEQ and FEESP unions carried out a number of actions aimed at ensuring the future of CEGEPs: demonstrations, a parallel Forum on the future of college teaching, actions against decentralization, and a demonstration and activities at the Fédération des cégeps' convention.

During votes and preparations for legal strike action in health care and social services in 2005, things were certainly stirring in our unions in the education sector, especially when the CSQ left the Common Front in February to try for a settlement before the summer of 2005.

In an effort to get talks at the various sectoral tables moving, the FEESP held votes in the spring on a mandate for the equivalent of two days of strike in the fall, and got it.

FNEEQ unions walked off the job for half a day on April 6 and a full day on April 25 on a sectoral basis, with a view to accelerating talks and achieving a settlement in the fall. Two FEESP unions also staged walkouts during the same period.

⁵ Bill 31: An Act to amend Section 45 of the Labour Code.

Following the CSQ's departure from the Common Front, a CSN-FTQ action plan was developed that included various actions and notably a day of visibility on April 26, when one million leaflets were distributed to the general public, as well as an action by the Common Front in health care to protest the decentralization of negotiations and an action by the Common Front in education, with visibility tools produced for an operation aimed at recognizing the worth of support staff in both colleges and school boards.

There was also a training session for action and information officers in local unions in the education sector and government agencies in the spring of 2005. The same operation was carried out in health care and social services in the fall.

It should be emphasized that, despite all the pressure created by the CSQ's leaving the Common Front and its failed attempt to reach a settlement in the spring of 2005, our unions in the education sector rejected the trap of desynchronizing negotiations in the two big systems in the public sector and took concrete action in support of sectoral bargaining.

Strike action

By the beginning of the fall of 2005, there were sectoral walkouts by college and schoolboard support staff, lending great visibility to the education sector as well as certain government agencies. There was another round of walkouts later in September.

The fall meetings of decision-making bodies confirmed the CCSPP's strategic framework that identified late fall in 2005 as the most propitious window for a settlement in collective bargaining.

The same meetings adopted an action-information plan that included a big Common Front rally at the Palais des congrès de Montréal in late September, a national demonstration in Montréal on October 29 and votes on a bank of four days of strike action to be used for regional or other forms of rotating strikes starting November 10 if required by the state of bargaining talks.

There were several reasons why we decided to ask for this kind of strike mandate. Given the government's obvious intransigence, we had to create the conditions making such a mandate possible. We judged that to maximize our chances of winning a strike vote, we had to propose legal strike action for a set period of time, despite all the constraints that made it more or less an obstacle course through a labyrinth.

The principle of regional rotating strikes was a way of achieving two objectives: first, with the votes in health care and social services, to line up as many unions as possible ready to go on strike, and then to occupy the public arena and keep up political pressure on the government over a longer period of time. The fact that there were votes on union allegiance in health care and social services made the process all

the more complex. The new unions first had to be certified. Since the votes were held in successive waves, there were also waves of certifications. Unions then had to abide by the timetables and deadlines stipulated by the Labour Code for going on a legal strike. Drawing up lists of essential services for each institution concerned and other legal procedures were a tremendous drain on members' time and energy. Union members in health care all went on strike for the equivalent of 42 minutes a day in order to maintain 90% of services.

We think that our analysis enabled us to win the strike votes, despite generally unfavourable conditions in health care and social services.

Votes were held at general membership meetings during October, and at the October 29 demonstration the Common Front announced that it had a mandate for strike action – a first in more than 15 years. Furthermore, it was one of the only strikes in which the CSN's entire public sector would be walking out simultaneously. The FNEEQ indicated that the strike vote was in fact the strongest ever in its history!

As planned, the walkouts began on November 10 and continued through until December 15. Once the bank of days of strike action was used up, and although there had not been any illegal actions since the beginning of the one-day strikes, the government passed the shameful decree that put an end to collective bargaining.

Note, in conclusion, the extraordinary work of union members and the staffers who supported them in sustaining mobilization and organizing virtually constant actions over a period of more than two years.

e) Information

The evaluation of the previous round of bargaining had identified the need for the CCSPP to give itself a communications plan. In August 2003, we established a communications strategy that was used as a guideline throughout negotiations, though it had to be modified to take into account how long bargaining lasted.

Two main themes stood out in the strategy: first of all, the struggle to defend public services in the framework of broader resistance to the wholesale demolition of the State initiated by the Charest government; and second, the need to link information and mobilization so as to maximize the impact of our actions for our members and the general public.

Information for members

All the methods used in previous rounds of collective bargaining – adapted to current conditions, of course – were used starting in the fall of 2003: consultation documents for preparing contract demands; *Info négo* newsletters on talks at the sectoral tables; public-sector newsletters; posters; pins; snakes and ladders game boards; door-knockers; leaflets for the general public; Christmas boxes; etc. Unfortunately, there were problems in the synchronization of deliveries to the 1,500-odd distribution

points, meaning that materials were not always used, or fully used; this was especially true for objects and documents related to specific periods or theme days.

In all our information tools, we took great care to distinguish clearly between information and visibility materials for collective bargaining and those related to pay equity.

What was new in negotiations this time was the massive use of information technologies while making sure that main documents were also produced in a paper format so as not to penalize unions that didn't have all the electronic tools. Unions generally appreciated the use of e-mail and the Internet, and we should use these tools even more extensively in the future.

The web site

The www.secteurpublic.info web site was launched in October 2003. Right from the start, training on how to use the site was offered to local information and action officers at meetings of the federations and central council conventions. There was also more specialized training for central council office employees so that they could feed in regional news to the web site.

We had three objectives for the site. We wanted it to be a source of information about public-sector bargaining for members and the general public. We wanted it to be a tool kit for local information and action officers. And we wanted it to be a reference centre and archive for the many documents produced.

It was a first experience, and not surprisingly there were some problems with the site being slow and cumbersome. We think that with more experience and the growing use of information technologies by local unions, this kind of tool will be even more productive and effective.

We observed an empowerment of users, with more than 200 people in unions, federations and central councils participating in writing up information or sending in photos of certain events that they wanted the site to cover. People saw themselves in action, and that magnified the impact of local actions.

The web site was consulted by 400 to 500 people a day on average, and during the most intense periods in the fall of 2005, the number of visitors reached 2,500. It became a reference for some of the media as a source of information about negotiations and mobilization, in particular during the rotating walkouts in the fall of 2005.

Other electronic tools

During the fall period in 2005, a daily report on bargaining was sent electronically to all local information and action officers and to the entire CSN structure. In addition to serving as a newsletter for members, it was a way for everyone working with the media to respond quickly to current events.

An electronic newsletter called *Le Crieur public* was also sent to 3,000 people (local information and action officers, CSN structure and outside people) every two weeks, with hyperlinks to news items on the web site. This was a way of contacting unions and all other subscribers quickly.

Generally speaking, judging by the comments received, the electronic tools developed in this latest round of bargaining were appreciated by the unions.

Given that the need for this kind of information will probably continue to grow in the future, we should rapidly choose and establish efficient channels of electronic communications for the next round of negotiations.

The media

In the context of public-sector bargaining, our ability to get our message across and to counter the government's message is always an aspect on which opinions are very subjective and variable.

We of course used all the conventional methods for contacting the media in this round of bargaining (news releases, press conferences, follow-up with journalists, etc.). At the start of negotiations we also distributed widely to the media and journalists an information document with a brief history, an outline of the CSN in the public sector, a summary of demands at the central and sectoral tables, useful contact information, etc.

The long lulls in this round of negotiations made it harder to create a climate conducive to getting news out.

But in the fall of 2005, the union counter-proposal on central-table items, the press briefings that followed, the votes on mandates for four days of strike action and then the one-day strikes implementing the mandate region by region put us in the forefront of public attention for several weeks. The snowball effect ensured that we had good media coverage.

An inventory of the number and quality of media interventions during this period leads us to think that overall we achieved a number of our goals, with the result that at the very least the government did not gain in credibility from these negotiations and was not able to capitalize on them politically. Moreover, some opinion polls done in the midst of strike actions showed that we had succeeded in holding on to public sympathy despite the government's barrage of media attacks.

Appendix 1

Reference points and key dates in the 2001-2005 negotiations

2001–2002 Prelude to hostilities

- April 2001: five organizations (CSN, CSQ, FTQ, FIIQ et SFPQ) join together for their pay equity work.

- | |
|---|
| <ul style="list-style-type: none">• November 2001: agreement reached with the Conseil du trésor on the method for calculating differences in compensation.• Winter-spring 2002: development of job value determination tools and establishment of the investigation process. |
|---|

- June 2001: beginning of discussions on the government's commitments vis-à-vis the RREGOP.
- January 2002: preparation of work on the renewal of collective agreements due to expire on June 30, 2002.
- February 2002: proposal to extend collective agreements until June 2003, and agreement on it except for the FNEEQ (January 2, 2003).
- Fall 2002: pay equity investigation process and start of job evaluations. RREGOP work continued.

2003 Preparations for collective bargaining

- Winter and spring: constitution of the CCSPP bargaining team.
- February: sectoral demands filed by the FNEEQ.
- March: pay equity work paralysed by the context of the provincial election.
- April: Liberal government elected in Québec.
- May: preparation of an analysis of current conditions and presentation to decision-making bodies.

Highlights of the analysis of current conditions:

- Focus on the apprehensions caused by the Liberals' programme (budget impasse, privatization, re-engineering, etc.).
- Bargaining environment:
 - role of government and the status of the private sector;
 - quality of life and organization of work;
 - valuing the public sector's know-how;
 - reinvesting in services.
- Challenges to be met:
 - strong mobilization of members around demands;
 - promotion of the role of government;
 - making quality of life central to the organization of services;
 - reversing perceptions and getting the public to understand and see our common interest in bargaining issues.

- June: the new government's indecision meant that the pay equity work is shelved (end of employee assignments to this work).
- From September to November: sectoral filings and harmonization of demands at the central table.
- December: the CSN-FTQ-CSQ Common Front filed its demands at the central table.
- December: Bills 7, 8, 25, 30, 31, etc. passed.

2004 The obstacle course

- January: Superior Court ruling on pay equity, which the government did not appeal. As a result, a pay equity plan was developed that complied with the Act. The entire year of 2004 devoted to implementing the first steps in the plan, and notably training the pay equity committee (departure of the SFPQ) and adjusting the Act to allow for a regrouping of organizations.
- February and March: implementation of *Stop the demolition!* and votes on a social strike. Preparations for the waves of votes in health care (production of 4-page documents).

- February to June: hesitant start to bargaining talks at the sectoral tables and employer responses in the form of principles.
- May: CSQ applied for mediation.
- June 18: employer offers filed at the central table. The government incorporated the pay equity work into this financial framework.
- June: forum on the future of CEGEP teaching.
- September 8: final adoption of the CCSPP's strategic framework (presented in May).

Reference points:

- Votes in health care continuing until the summer of 2005;
- Organizations both unable and timid about moving forward in such a context;
- Threats to the CEGEP network (decentralization of programme management and the awarding of diplomas).

Objectives:

- Deal with as many matters as possible in the coming year;
- Identify what's at stake where there are major differences;
- Keep collective bargaining separate from the pay equity work;
- Be ready to intensify the bargaining work in the fall of 2005.

- September 29: FSSS and FP decision-making bodies – boycott of local bargaining.
- September: start of the votes in health care and social services.
- October 13 and 14: Charest's Forum on generations in Québec City.
- October 30: rally of CSN unions at the Palais des congrès in Montréal.
- December 6: FEESP public-sector council.
- December: creation of the FEC-FAC cartel.

2005 The crucial year

- January: the FNEEQ and the FEESP conducted rounds of thought and discussion on strike action with their respective organizations.
- February: the CSQ sought a mandate for three days of strike action aimed at obtaining a settlement in the spring of 2005. This had the effect of stirring things up in its ranks, and the effect spilled over into our education sector to a certain extent.
- February: attempt by the Common Front to reconcile our strategic frameworks.
- February: FNEEQ decision-making meeting and votes on three half-days of strike action, to be implemented before the end of the session.
- February: creation of the Secrétariat intersyndical des services publics (SISP – inter-union secretariat of public services), bringing together the CSQ, SFPQ and SPGQ.
- March: the CSQ left the Common Front.
- March 7: council of the FEESP’s public sector and lengthy debate on the relevance of holding strike votes immediately. Concluding that the operation was premature, the council met again on June 3 to decide on strike votes. Follow-up by sectoral bodies (CEGEPs and school boards) that adopted their own action plans.
- April: CSQ-only walkouts began.
- May: CSQ demonstration in Québec City.
- May: CSN’s 61st Convention.
- May 31: debate on the need to co-ordinate sectoral actions with those contained in the CCSPP’s action plan.
- June 3: FEESP body decided to hold votes on 2 days of strike action to be used at the beginning of the fall season to make progress at their sectoral tables.
- June: CSQ made a last-ditch attempt to reach a settlement with the Conseil du trésor and at the sectoral tables; sectoral agreements were announced before they were concluded. The SISP reduced its demands on pay from 12.5% over three years to 12.5% over six years, nine months. The government’s offer was

8% for the same period. This situation put pressure on the FEESP schoolboard sector in particular.

- June 19: negotiations between the government and the SISP organizations broke off.
- June, July and August: the CSN and the FTQ did preparatory work to operationalize potential legal strikes.
- August 7: Young Liberals' convention, at which Charest crystallized the government's financial framework. It was actually the first in a series of government declarations, especially by the chair of the Conseil du trésor.
- August 24: CCSPP document on regaining the initiative in collective bargaining.

Highlights:

- Identification of the government's electoralist political interests;
- Central and sectoral tables: the pace of the work did not allow us to achieve the goals set for the fall of 2004. Disruptive effect of management's efforts being focused on the CSQ. The federations in health care had some catching up to do to be on an equal footing with education;
- Observation of the impact of the SISP's counter-proposal on our own pay demands, and of the CSQ's attempts to settle on our sectoral tables in education;
- Before broadening alliances to include others, as many of our members wanted, reinforcement of the Common Front with the FTQ;
- Work on pay equity continued, based on the principle that the matter could be settled before, during or after general collective bargaining.

- September 14: the CCSPP recommended a counter-proposal on pay (13.5% over 5½ years), parental rights, regional disparities and family-work balance. Action-information plan for votes on 4 days of strike action on a cascading regional basis.
- September 19 - 20: federation bodies met and adopted the counter-proposal and action plan.

- September 23: filing of the counter-proposal and big CSN-FTQ Common Front rally on the action plan.
- September 23: response from the Conseil du Trésor.
- October 3 and 4: FTQ and CSN briefing of journalists from Québec City and Montréal on public finances and figures.
- October 29: Common Front demonstration in Montréal.
- November 8: interest in speeding up the bargaining process at the sectoral tables noted.
- November 9: FIIQ agreement on non-monetary clauses.
- November 10: beginning of the four days of strike action on a cascading regional basis.
- November 11: APTS agreement on non-monetary clauses.
- November 17: statement from the chair of the Conseil du trésor - ultimatum on a settlement before Christmas.
- December 2: the Conseil du trésor filed a comprehensive working paper on pay equity. In the days that followed, the inter-union coalition tried to respond, but the decree put a stop to the process.
- December 12: FEESP agreement on non-monetary clauses with the Société des traversiers (ferries).
- December 14 and 15: agreements on non-monetary clauses with the FEESP (schoolboard and CEGEP support staff), the FNEEQ and the FP.
- December 15: decree.

2006

In a process lasting until June 2006, government agencies reached agreements with the government. The FSSS reached an agreement in October.

Acronyms

APTMQ	Association professionnelle des technologistes médicaux du Québec (professional association of medical technologists)
APTS	Alliance du personnel professionnel et technique de la santé et des services sociaux (alliance of professional and technical personnel in health and social services)
CCSPP	Comité de coordination des secteurs public et parapublic (CSN) (co-ordinating committee for the public and parapublic sectors)
CDPDJ	Commission des droits de la personne et de la jeunesse (human and youth rights commission)
CPS	Centrale des professionnelles et professionnels de la santé (health professionals central)
CSN	Confédération des syndicats nationaux
CSQ	Centrale des syndicats du Québec (formerly the CEQ)
FAC	Fédération autonome du collégial (autonomous CEGEP federation)
FEC-CSQ	Fédération des enseignantes et enseignants de cégep (federation of CEGEP teachers)
FIQ	Fédération interprofessionnelle de la santé du Québec (inter-professional health care federation)
FSSS	Fédération de la santé et des services sociaux (CSN)
FEESP	Fédération des employées et employés de services publics (CSN) (federation of public service employees)
FNEEQ	Fédération nationale des enseignantes et des enseignants du Québec (CSN) (teachers)
FP	Fédération des professionnelles (CSN) (professionals)
FTQ	Fédération des travailleurs et travailleuses du Québec
FSE	Fédération des syndicats de l'enseignement (CSQ) (teachers)
SFPQ	Syndicat de la fonction publique du Québec (Québec public service union)
SPGQ	Syndicat des professionnels du gouvernement du Québec (Québec government professionals)
FIIQ	Fédération des infirmières et des infirmiers (federation of nurses)
RIO	Régie des installations olympiques (Olympic installations board)
RLI – RLA	Responsable à l'information – Responsable à l'action (local information and action officers)