COMMUNITY UNIONISM: ORGANISING FOR FAIR EMPLOYMENT IN CANADA

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A growing segment of the Canadian workforce is precariously employed. One week they could be hired through a temporary employment agency, the next week on a contract, and then the next they may be out of work. When they do have work, they earn low wages and labour in conditions where employment standards are not enforced or do not apply. The instability of work results in more people living in poverty. Growing precariousness in the Canadian labour market disproportionately affects recent immigrants and women workers. Workers are increasingly told to adapt to a "new" world of work - to develop entrepreneurial skills, to open their own business, to get "Canadian experience" in order to compete for the elusive permanent, full-time job. This climate now more than ever requires collective solutions. Yet the laws that regulate collective bargaining do not fully cover these precariously employed workers. In this context, community unionism has (re)emerged.

In this article, we focus on community unionism in Canada. In

section I, we give a brief overview of the growth of precarious employment in Canada, which is prompting the need for community unionism. Many different practices of community unionism are evident in Canada as both community-based groups and recognised trade unions experiment with tactics to organise non-union workers. We give several contemporary examples of community unionism in section II. In section III, we conceptualise community unionism as a range of practices that fall along a continuum with community organising at one end and trade union organising at the other. We examine one "community union" 2 more closely, **Toronto Organising for Fair** Employment (TOFFE), in section IV. We conclude by arguing that community unionism, broadly defined, can contribute to building a stronger labour movement.

I. THE GROWTH OF PRECARIOUS EMPLOYMENT

Although most workers still have full-time permanent jobs in Canada,

a growing number of people have only temporary or contract work. The percent of the employed with full-time permanent jobs fell from 67% in 1989 to 62% in 2002, while the percent with a "temporary" job rose from 6% to 10% in the same period (Vosko, Zukewich and Cranford 2003). Statistics Canada measures "temporary" jobs as all jobs with a pre-determined end date. This includes those employees working on term or contract, a casual or seasonal basis or those working through a temporary agency. Temporary agency workers are more precarious than other temporary workers, earning less money and receiving fewer benefits; they seek more hours of work, are more likely to have multiple jobs and are less likely to be covered by a union. These workers do not have one employer but are party to a triangular employment relationship that allows both the temporary agency and client company to evade employer responsibilities. The temporary help industry now provides a broad range of staffing services and places workers in light manufacturing, construction and deskilled clerical work (Vosko 2000).

We are also seeing more companies following the practices of the garment industry where the costs of doing business are offloaded through multiple levels of subcontracting. Those at the bottom of these organisational pyramids are often treated as 'self-employed' contractors. In addition to garment

homeworkers, those treated as "selfemployed" include home care workers, mail deliverers, newspaper carriers and door-to-door salespeople. However, many of these workers do not have the capital and control akin to entrepreneurs (Fudge, this issue). Measured by Statistics Canada as the "own-account self employed," that is, the self-employed who do not have employees, self-employed contracting grew from 7% to 10% of total employment between 1989 and 2002 (Vosko, Zukewich and Cranford 2003).

Women and recent immigrants of colour are disproportionately concentrated in the most precarious forms of employment. Recent immigrants are discriminated against in the Canadian labour market and are often pushed into temporary agency work upon arrival. Temporary agencies justify practices such as paying low wages and providing no benefits arguing that recent immigrants are receiving valuable "Canadian experience" and that women are gaining the "flexibility" to combine work and family (Vosko 2000, 186-195). West Asians and North Africans are more likely to be in part-time temporary wage work and the proportions of South Asians and Filipinos in this very precarious form of wage work are also high (Cranford, Vosko and Zukewich, this issue).

Challenging these triangular and pyramid employment relations, and the racialized and gendered

inequalities that they shape, requires a (re)turn to unionism as a broader community affair.

II. EXAMPLES OF COMMUNITY UNIONISM IN CONTEMPORARY CANADA³

There has been much focus on community unionism as the efforts of unions to connect with nonlabour community groups in order to organise workers into existing trade union structures or into preunion associations affiliated with trade unions.4 One of the first efforts was that of the International Ladies Garment Workers Unions (ILGWU) (now Union of Needletrades and **Industrial Textile Employees** (UNITE)) to organise immigrant women garment homeworkers in Toronto beginning in the late 1980s (Borowy, Gordon and Lebans 1993; Das Gupta 1996; Fudge 1994; Tufts 1998; Yalnizyan 1993). The multilevel strategy involved a Coalition for Fair Wages and Working Conditions for Homeworkers that lobbied for legislative reform to impose joint liability on employers up the corporate pyramid, a Clean Clothes Campaign that mobilised consumers to pressure garment retailers, outreach to the Chinese and South Asian communities where homeworkers are concentrated and chartering a Homeworkers Association as an associate member local.

More recently, unions and community groups have sought to

organise migrant farm workers from Mexico and the Caribbean in Ontario through community-based methods, due to farm workers' lack of access to collective bargaining.5 The CLC, in partnership with the UFWA Canadian office and UFCW Canada, began the Global Justice CareVan Project in 2001. Coordinated by a full-time UFCW staff member and run by volunteers, the Project has documented the working and living conditions of migrant farm workers. In 2002, the project opened the Migrant Agricultural Workers Support Centre where workers can come for information on health and safety, for interpreters to mediate between themselves and employers, for translation at the hospital and a place to register complaints (UFCW Canada and CLC 2002; Zwarenstein 2002). Justicia 4 Migrant Workers, a group of community, labour, student and faith activist volunteers, is also planning outreach to migrant farm workers in targeted communities.

There has been less written in Canada about community unionism as the practices of community-based labour groups who are not participating in a particular union organising drive or union-community campaign but are nevertheless organising non-unionized workers in precarious employment (but see Leah 1999).6 However, organisations that are hybrids between immigrant service organisations and immigrant

workers' organisations are another type of community unionism. One example is INTERCEDE, the Toronto domestic workers' organisation. Like the campaigns mentioned above, INTERCEDE acts as an advocacy group and has worked in coalition with others for broader based bargaining as well as changes in immigration policies that limit the citizenship and labour rights of domestic workers (Fudge 1997; ILGWU and INTERCEDE 1993). Still unable to organise into a trade union in Ontario, domestic workers have also sought to organise a co-operative.7

Community unionism is also about building the power of nonunionized workers and the broader working class community (Ladd 1998; Leah 1999). Workers' Centres are often sites of building such power, through education, networking and organising and creating broad solidarities. One example is the Immigrant Workers Centre/Centre des Travailleurs et Travalleuses Immigrant (IWC/CTI) founded in October 2000 in Montreal to work with immigrants from South and Southeast Asia, Eastern Europe, and the Caribbean who labour below legal standards, including home workers and domestic workers. The IWC/CTI has three main activities: 1) they give classes on education and rights, including labour history, labour laws and organising training; 2) they provide individual services to immigrant workers and their families on issues

of paid work; 3) they facilitate links between immigrant communities and unions seeking to unionize new workers. They have also launched a campaign to amend the Labour Standards Act to better protect immigrant workers and to raise the minimum wage.8 The Workers' Organising and Resource Centre in Winnipeg is also a place that brings together advocacy on workers rights, community organising and union organising (Bickerton and Stearns 2002).

The significance of these examples of contemporary community unionism becomes clear from a more conceptual discussion of community and union organising.

III. CONCEPTUALISING **COMMUNITY UNIONISM**

We conceptualise community unionism as occupying the centre range along a continuum of community organising and union organising. Here we contrast the currently dominant model of union organising, industrial unionism, to the community development mode of community organising. We contrast these two ideal types, the latter very process oriented and the former now a model of representation solidified in laws and policies, because a greater focus on processes of empowerment is needed to build a stronger labour movement (Ladd 1998; Leah 1999).9 By specifying the ideal types on the

end we can see the significance of the hybrids in the middle.

Industrial Unionism

Industrial unionism emerged gradually and unevenly and was characterized by struggles both between workers, employers and the state and between competing workers' organisations. 10 The Industrial Workers of the World (the Wobblies), particularly active among railway workers in the 1910s, incorporated Asian and European immigrants and other seasonal workers through transferable membership cards and a mobile camp-delegate system (Avery 1979, 53). Born in Calgary in 1919, the One Big Union (OBU) was also an inclusive and radical organisation that sought to bring together skilled urban workers with unskilled immigrant workers, and their allies, in strategic geographical areas (Avery 1979, 59-61; 83-4; Palmer 1992, 190; 201). Organising in the mine towns of the Rocky Mountain region, where employers made little distinction between the work life and home life of the immigrant miners, bridged the sites of workplace, neighbourhood and home and included the militant participation of wives and sometimes children (Avery 1979, 57-8; Woywitka 1978, 15). In the late 1920 and 1930s, the communist Workers' Unity League also organised entire industries as well as the National Unemployed Workers Association (NWUA) (Fudge and

Tucker, 128-132). Thus the early struggles of industrial unions include elements of community unionism, particularly but not exclusively among the radical unions. The radical unions were repressed by state, and employers only negotiated with the 'responsible' industrial unions (Fudge and Tucker 2001).

The industrial labour relations regime that emerged from these struggles defined a narrower role for industrial unions and their scope has been further tapered with renewed employer opposition. Initially the industrial unions in the noncompetitive resource and manufacturing sectors had enough power to pressure employers to bargain at an industry wide level, but broader-based bargaining is not guaranteed by collective bargaining legislation (Fudge and Tucker 2001, 280-1). Labour board policy emphasizes the single employer, single location bargaining unit (O'Grady 1991; Fudge 1993). Unions in a weaker position in the economy were never able to secure industry wide agreements and by the 1990s employers broke with many of the industry-wide agreements in the manufacturing and non-competitive resource sectors.

Within this context, many industrial unions have become organisations engaged in collective bargaining between an employer and paid workers in a single workplace. The industrial model was not designed for workers who

move between multiple, small workplaces in the competitive sectors and does not provide an incentive for unions to organise these workers (Fudge 1993). Nevertheless, community unionism re-emerges in times of crisis. For example, during strikes in mine and steel towns in the 1970s and 1980s wives committees mobilized widespread support for the male paid workers, which in turn prompted a struggle over who was a member of the union (Luxton 1983 also Lane 1983).¹¹ Today we see new forms of community unionism emerging, as fewer workers are able to organise under the industrial labour relations regime.

There is a growing awareness of the need for legislative reform so that collective representation is not tied to a single employer at a single worksite. Temporary agency workers, for example, labour in multiple locations and switch from one occupation to another (Vosko 2000, 261). Self-employed contractors must first prove that they are an "employee" in order to have access to collective bargaining rights; but even if they are found to be employees they may not be found to be employees of the entity with the ultimate power over their wages and working conditions, for example, the garment retailer, the real estate developer or the government funding agency (Fudge this issue). This important work on legislation reform is complemented by studies focusing on the processes

of organising that can build working class power at the base.

Community Organising as Community **Development**

Anti-racist community organising among immigrant women, and sometimes men, draws on a community development philosophy of organising. This organising also elevates how racialized and gendered inequalities intersect with class relations to influence modes of working class resistance (Das Gupta 1994; Carty 1997).

Community development refers to community work aimed at enabling people from oppressed groups to bring about change in their lives, as women, as immigrants, as people of colour and sometimes as members of the working class (Das Gupta 1986). The goal of this kind of community organising is not a specific demand or benefit, although they do focus on specific issues and services. The goal is building community power.

This is a particular philosophy of how to build, and sustain, community power. It begins with personal empowerment. We can define empowerment as the feeling that one has the capacity to affect change (Ladd 1998, 13). But community development is a process whereby individuals begin to see personal problems as broader political issues and begin to think about how to address those problems collectively. Personal

empowerment pushes individuals to take leadership in collective action. However, the goal is not leadership of a few charismatic individuals. A broad base of empowered individuals is thought to be more enduring, bringing potential for widespread social change (Das Gupta 1986, 12 and 37; Stall and Stoecker 1998).

Flowing from this philosophy of community development, methods of organising are heavily focused on critical learning and popular education tied to a critique of systematic racism, sexism and classism. It also includes collective problem solving and strategizing and sometimes direct action (Das Gupta 1986; Ladd 1998,16). 12

Networks of community-based self-help organisations serving immigrants in Canada have been key sites of empowerment and antiracist organising (Das Gupta 1986; Leah 1991). However, it is becoming more difficult for these organisations to focus on empowerment in the contemporary climate of funding cuts.

These insights from the philosophy of community development must be joined with a more explicit focus on labour organising. In particular, the early forms of industrial unionism combined with the philosophy of community development can help to conceptualize an inclusive and powerful community unionism. This project is further aided by looking

more closely at one "community union."

IV. TORONTO ORGANISING FOR FAIR EMPLOYMENT (TOFFE)

A closer look at one 'community union' illustrates the power of drawing on aspects of both union and community organising. Toronto **Organising for Fair Employment** (TOFFE) is a community-based group working with non-union temporary agency and contract workers. These workers are in and out of work and constantly looking for stable jobs (see also Lewchuck, deWolff and King, this issue). Thus, like the early industrial unions, TOFFE also organises the unemployed. TOFFE consciously outreaches to recently arrived immigrant women and men of colour and sees their work as part of a broader resistance to racialized and gendered class inequalities, as is the case in much community organising.

A self-organising model guides TOFFE's work. The self-organising model integrates leadership training and education in all the work in order to build the participation of workers in TOFFE and, more broadly, to build a culture of organising around precarious employment. The method of self-organising involves workers in strategizing to improve working conditions in their own lives as well as in their sector. It highlights the links between critical learning, self-

reflection and action, akin to the philosophy of community development. However, unlike much community organising, TOFFE also targets employers.

Creating a culture of organising among temporary and contract workers vís-a-vís employers has required innovative organising and leadership building strategies. TOFFE seeks to develop worker committees to lead the work.¹³ The Tamil Temp Workers group has developed into an active committee. The group has a range of overlapping solidarities of sector, geography, race-ethnicity and gender; it is made up of Sri Lankan Tamil women who live in Scarborough and are primarily assigned to light manufacturing temp work. The committee has focused on several problems related to the lack of enforcement of employment standards, including entitlements for vacation and holiday pay and minimum 3-hour pay. They also have participated in the campaign to raise the minimum wage in Ontario.14

The ways in which TOFFE links individual leadership development to a broader base of worker involvement is best illustrated through specific campaigns. A campaign for public holiday pay, a joint endeavour of the Tamil Temp Workers committee and the **Downtown Temp Workers** committee, is a case in point. The campaign began when a member of the Downtown committee was not

paid for a public holiday. Members of the Tamil committee had also experienced this violation of the **Employment Standards Act and** expressed an interest in participating in a campaign on this issue. 15 TOFFE conducted an education and training session on holiday pay with the workers and faxed a public information bulletin on the statutory requirement of payment for public holidays to over 300 temp agencies before Victoria Day. TOFFE staff and the committee members informed other temporary workers about their right to public holiday pay, and urged them to get involved, through a segment on a Tamil radio station and by putting up English and Tamil posters around temp agencies, community centres, popular shopping places and neighbourhoods.

TOFFE has now assisted numerous temp workers in getting outstanding holiday pay but the campaign also helped to build a base of worker leadership. The training helped the committee to demand holiday pay from the temporary agencies. Committee members became more confident after securing their own rights and they told others in their community about their success. The group has grown in numbers as well as in its leadership abilities. The posters helped to educate a broader segment of temporary workers and TOFFE has received an increase in calls from temporary agency workers.

Together, TOFFE and the Worker's Information Centre (WIC)16 have been able to turn individual advocacy work into a broader mobilization of non-union workers in a second campaign. The WIC and other community organisations have received a number of phone calls from, primarily recent immigrant, workers selling high speed internet or digital cable services door-to-door hired by different sub-contractors who contract with a large telecommunications company. Treated as "self-employed" by the sub-contractor, the workers were promised a commission for each sale they made. However, if the customer cancelled their subscription a month or two later, the commission was taken away. In addition, many of the workers did not get paid for any of the sales they made. When the subcontractor was contacted, they blamed the client company. When the client company was contacted they said it was not their responsibility because they were not the employer. The workers felt that it was important for the client company to take responsibility. The WIC, Kensington Bellwoods Legal Clinic and TOFFE assisted workers in making a related employers complaint to the Ministry of Labour. This legal strategy was combined with a public campaign including a press conference, leafleting and weekly phone-ins and mailings of postcards to the client company.

Through this campaign TOFFE and WIC have been able to build the base of worker leadership. Other workers in connection with TOFFE or WIC, such as temporary agency workers, unemployed workers and those who have taken on a bad boss as individuals, have come out to leaflet in support of the contractors. Many of the workers share experiences of racism as new immigrants. Temporary and unemployed workers can also see themselves as "self-employed" contractors down the road and some have done such work in the past. TOFFE and WIC organising has made links between precarious employment and the systemic racism and discrimination faced by these workers.

The goal of these campaigns is not only to receive back pay or holiday pay, although individual victories are very important.

Through critical learning and teaching, through fighting back against employers workers become empowered. This personal empowerment can lead to a culture of organising as workers support and mobilize one another and create new solidarities not tied to a single worksite. The ultimate goal is building a base of workers able to demand fair employment.

CONCLUSION

Community-based labour organising efforts, like union-community alliances and renewed

efforts at internal organising among recognized trade unions, are essential to strengthening the labour movement. Indeed, the importance of workers' centres as a pre-union strategy in immigrant communities was recognized at the 2002 CLC Women's Symposium. However, it is important to examine communitybased labour organising not only as a pre-union strategy but also because the philosophies and practices of these groups can contribute to a broader understanding of what a union is. Bringing the community development philosophy into debates on union renewal, combined with an examination of practices of organising across worksites, elevates an understanding of community unionism as working class resistance that is simultaneously anti-racist, socialist and feminist. In this way, a closer look at community-based labour organising contributes to the important project to change labour law and legislation in a way that is inclusive to all workers.

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NOTES

- 1. Cynthia Cranford is a researcher with ACE and an assistant professor of sociology, University of Toronto at Mississauga. Deena Ladd is the coordinator of Toronto Organising for Fair Employment (TOFFE), a member of ACE.
- 2. The concept of "community unions" is influenced by work of O'Conner (1964a; 1964b). O'Conner argued that long-term unemployment required a new unionism based in communities rather than workplaces and focused on creating jobs rather than "getting the man his job back." O'Conner saw potential for the student new left organisations as well as the immigrant social clubs operating in U.S. inner cities in the 1960s to become 'community unions.'
- 3. Our goal is to give some examples of the diversity of community unionism in Canada, rather than to evaluate the degree of success of each strategy.
- The term "community unionism" has also been used synonymously with social movement unionism to refer to the need to bring the movement aspect back into the labour movement by focusing on both internal and external organising rather than just servicing (Gindon 1998). There is a large literature on efforts within trade unions to "feminize unions" (Briskin and McDermott 1993) to bring anti-racist organising and structures into unions (Leah 1999) and other strategies of internal organising. In our brief review we focus only on external organising. For reviews of union strategies to organise the un-organised through alliances with community groups see Ladd 1998; Leah 1999; Lévesque and Murray 2002; Yates 2002. For U.S. reviews and case studies see Cranford 2001; Luce 2001; Milkman 2000; Turner, Katz and Hurd 2001; Wilton and Cranford 2002.
- 5. When the Ontario Progressive Conservative government repealed the law allowing farm workers to organise a

- trade union, the UFCW brought a Charter challenge arguing that the government was violating the farm workers' freedom of association because employers were not penalized if they retaliated against farm workers who joined or participated in trade unions. In Dunmore v. Ontario the Supreme Court agreed that the exclusion of agricultural workers from collective bargaining legislation interfered with their freedom to associate. The Court gave the Ontario government 18 months to pass a law that protects agricultural workers' right to join and participate in trade unions without retaliation from employers. However, the Court did not require that the agricultural workers be provided collective bargaining rights or the right to strike. In fact, Court precedent is clear that collective bargaining is not included in freedom of association rights (Pothier 2002: 3). The Ontario government passed the Agricultural Employees Protection Act (Bill 147), which does not give agricultural workers the right to bargain collectively or strike and does not include migrant farm workers. Justicia 4 Migrant Workers organised a campaign to challenge Ontario's Bill 147 but was unsuccessful in this endeavour.
- There is a large literature on communitybased labour organising outside of recognized trade unions in the United States where a weaker labour movement combined with autonomous movements and organisations of Black, Chicano/Latino and Asian Americans have resulted in many workers centres and associations of immigrant workers and workers of colour who are employed in precarious service and factory work, including day labour and paid domestic workers, temporary agency workers and garment workers (Mann 1998; NAFFE 2002; Louie 2001; Hondagneu-Sotelo and Riesgos 1997).
- This information is based on personal communication with INTERCEDE staff member Jo Campo, May 7, 2001.

- 8. This information is from a pamphlet describing their activities and supporters and their newsletter, *IWC Rumblings* sent to us by the IWC/CTI.
- Much of the union renewal literature instead contrasts various unionisms. such as business unionism, social unionism, or social movement unionism. See Robinson 1994. Calls for union renewal are largely calls for trade unions to move along this continuum to the left through both mobilizing the membership (internal organising) and organising nonunion workers (external organising). In practice, particular unions, as well as community groups, fall at different places along this continuum in different times in history. Community-based organising falls along a continuum as well, from more grassroots groups such as OCAP to community agencies funded by the government focusing largely on servicing. See Stall and Stoecker 1998.
- 10. We can only highlight a few examples in this complex history and we focus only on the community-based aspects of these struggles and their inclusiveness. For more extensive historical accounts see Avery 1979, Fudge and Tucker 2001, and Palmer 1992.
- 11. There was also a resurgence of a geographical and inclusive community unionism in the United States as a response to de-industrialization in the 1980s; See Breecher and Costello 1990.
- 12. One group that has, perhaps most successfully, joined individual empowerment with collective organising and a broad notion of unionism is the Self-Employed Women's Association in India (see Rose 1992).
- 13. One important result of the worker groups is the development of resource materials that outline basic rights for temporary agency and community contract workers, include tactics for how to address specific problems and urge workers to get involved in TOFFE to come up with a strategy to address them. These materials are available in Tamil, Arabic, Somali and English.

- 14. TOFFE works closely with Justice for Workers, a group formed to push for raising the Ontario minimum wage to \$10.00 through organising grounded in workers' communities in Toronto.
- 15. TOFFE further investigated and found out that the Association of Canadian Search, Employment & Staffing Services (ACSESS), the temp industry lobby group, had informed its members that it did not have to pay public holiday pay. ACSESS argued that the temporary agency workers were "elect to work" workers, who are not eligible for public holiday pay under the Employment Standards Act. Research revealed that temporary agency workers were not "elect to work" and were thus entitled to public holiday pay under the Employment Standards Act.
- 16. The Workers Information Centre (WIC) provides phone-based and drop-in information to workers on employment standards and other workers rights. WIC and TOFFE share office space and coordinate much of their work.

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