

**WE SUPPOSEDLY LIVE IN A DEMOCRATIC SOCIETY.**

We have the right to free speech. We can organize and advocate for various causes. And we get to elect the government every few years.

But this commitment to free speech and democracy suddenly stops when we get to work. Within the workplace, there is no right to free speech. It's usually pretty risky to mount protests or advocate for change — like organizing a union. Workers certainly don't elect the boss: that's the exclusive purview of the company's owners. And within the workplace, that boss holds a level of authority and power that seems awfully much like a dictator's: ordering people around, on threat of punishment or outright dismissal.

Dictatorship is not the best way to run society. And it's not the best way to run workplaces, either. When it comes to the work sphere, though, it's largely taken for granted in Canadian culture that basic democratic rights — speaking up, advocating for change and

having a say — are curtailed at work. But restricting these rights leads to workplaces that are unbalanced, unproductive and often unsafe.

This limited scope for workers to safely speak up, organize and advocate has many consequences, both individual and societal. For individual workers, being denied a meaningful voice produces alienation, physical and mental illness and poor job satisfaction. For workplaces, the evidence is strong that denying workers genuine voice leads to greater turnover, higher recruitment and training costs, lower skills and lower productivity. And unbalanced, top-down workplaces impose costs across broader society, too: lower and more unequal wages, weaker consumer spending power, and inferior health and social outcomes.

Labour activists have long dreamed of a world in which the ideals of democracy extend into workplaces. After all, most people spend more of their waking hours at work than engaged in any other

By Jim Stanford

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activity. Now, given the accelerating pace of change occurring in so many dimensions of our work, workers need to speak out and be heard more than ever.

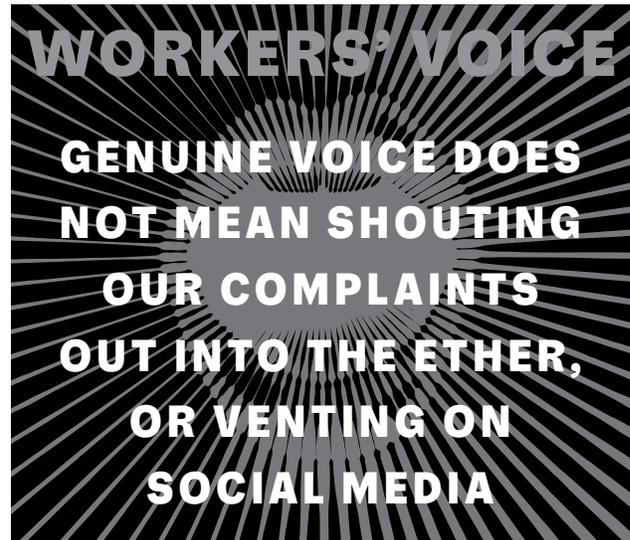
Unfortunately, however, workers' voice is becoming weaker and more constrained in most Canadian workplaces. Formal mechanisms of voice, communication, consultation and negotiation are on the wane. Despite token gestures (like suggestion boxes or 'open-door' policies), most managers prefer to centralize control in their own hands. Meanwhile, the fragmentation of supply chains, and the growth of precarious work, means many jobs are isolated and insecure, providing workers even less opportunity to build lasting communication or influence. Most worrisome, the erosion of collective bargaining (especially in the private sector) directly undermines formal and established systems of workplace dialogue and negotiation.

For workers, workplaces, and all of society, therefore, the consequences of silencing workers' voices are getting worse. That's why labour advocates need to amplify our arguments about the importance of *workers' voice*: what it is, why it matters, and how to strengthen it. The labour movement's vision of more balanced and democratic workplaces is long-standing. But that vision can be updated, re-energized and applied to a myriad of modern issues and challenges — like the spread of automation and artificial intelligence, the need to step up the fight against racism and sexism in workplaces, the challenges of new business models (like digital platforms), coming climate and energy transitions, and more.

## MAKING VOICE MEANINGFUL

At its simplest, workers' voice means the ability of workers, individually and collectively, to express their opinions and preferences regarding their jobs and workplaces; to protect themselves against unfair, unacceptable or dangerous conditions and decisions; and to advocate for desired change. Voice allows workers to tell their employers, supervisors or governments how they feel about work, and how it should change.

But to be meaningful and effective, workers' voice must be connected to a process whereby expressed views are received, considered, and to some reasonable degree acted upon. Genuine voice does not mean shouting our complaints out into the ether, or venting on social media. (Even that rather trivial form of voice is not protected for most workers in Canada: workers in non-union workplaces can usually be fired for things they post on social media.) Genuine voice requires that employers and managers receive, respond to, and act on the information and opinions expressed. In this regard, workers' voice is fundamentally connected to their *agency* and their *power*: that is, their ability to act to bring about desired change. Genuine voice means speaking out, being heard, and bringing about change.



Genuine and effective voice depends on several key criteria:

- Workers must have autonomy in exercising their voice: at the times, and on the issues, of their choosing.
- Voice must be safe for workers to exercise: they cannot face censure or retribution for using their voices.
- Channels of voice must be established, reliable, clear and accessible; they cannot be contingent on the attitude of particular managers or supervisors, or subject to employer influence or control.
- Workers must have opportunity to share their concerns and advocate for their priorities collectively.
- There must be a reasonable prospect that workers' proposals and demands will be implemented. In other words, their voices must be heard, and acted on.

Under these conditions, workers' voice can counterbalance the unilateral power wielded by employers and managers.

## UNIONS AND VOICE

Organizing a union and negotiating a collective agreement is the most reliable, independent and effective way to achieve genuine workers' voice (see sidebar). Protected by a union, workers can express their views more freely (without fear of reprisal). Communication channels are formalized and not subject to management control. And workers have more power to actually win and enact some of their priorities (through collective bargaining).

Unfortunately, the erosion of union representation, especially in the private sector, is undermining the extent and effect of workers' voice. Today just one private-sector worker in six has access to the voice, representation and collective power that come with

## WORKERS' VOICE IN A UNIONIZED SETTING

In a fully developed union-represented workplace, workers can express their ideas and demands, and mobilize to advocate for them, in a myriad of ways. This table summarizes the major ways that union members can speak out, build solidarity and take action:

<b>WORKPLACE REPRESENTATION</b>	Union representation ensures regular, safe communication (up and down). Workers can elect workplace stewards and representatives, participate in joint committees, advance and resolve grievances, and receive support in discipline and dismissal cases.
<b>COLLECTIVE BARGAINING</b>	Workers compile and formulate bargaining demands, elect bargaining committees, and take collective action (including work stoppage if necessary) to support their demands. Ratification of tentative agreements provides democratic oversight. Unions collectively oversee contract implementation and compliance.
<b>OCCUPATIONAL HEALTH AND SAFETY</b>	Union representation ensures better information on hazards and practices. Union reps participate in joint committees and oversee compliance. Unions provide representation and advocacy in workers' compensation claims.
<b>WORK ORGANIZATION</b>	Unions can negotiate production targets and standards, schedules and shifts. Union reps monitor work pace and ergonomics, and oversee compliance with agreed-upon terms.
<b>MINIMUM STANDARDS</b>	Unions educate members and employers about legal rights and minimum employment standards, and oversee compliance with them.
<b>OTHER WORKPLACE ISSUES</b>	Unions provide workers with voice and representation on many other issues, including Employment Insurance processing and representation; restructuring and layoffs; technological change; training, apprenticeship and skilled trades issues; harassment in the workplace; fighting sexism and racism; and more.
<b>INDUSTRY- AND ECONOMY-WIDE ISSUES</b>	Unions give workers a voice in discussions and policy-making at the industry- and economy-wide levels — on topics like industry policy, technology, infrastructure, environmental policies, pattern or sector bargaining, and macroeconomic and labour policies.
<b>UNION LIFE AND GOVERNANCE</b>	Workers also need a strong voice within their unions, to ensure their unions accurately reflect the opinions and goals of the members — via local union meetings, elections of local union committees and leaders, and participation in broader union events, activities and campaigns.

a union — down from one in four a generation ago. (Unionization is much higher in the public sector, around 75 per cent, and has actually increased in recent years.) Stabilizing and strengthening union voice, and finding ways to provide similar opportunities and protections to non-union workers, will be critical to workers' voice in the future.

### OTHER FORMS OF WORKERS' VOICE

Unions are not the only way workers can win the power to speak out, be heard, and win change — though they are the most important and reliable way. Another promising channel for building workers' voice is through government regulation or legislation, or what is known as 'statutory voice.' This is common in Europe, where it is accepted

that workers have a democratic right to meaningful input and dialogue in workplaces. Statutory voice applies in Europe through things like works councils (composed of elected worker representatives who monitor and participate in many company decisions) and the codetermination system (which mandates elected worker representatives on company boards).

Statutory voice is rare in the North American setting, but there is one successful example in Canada. Workplace health-and-safety laws in all provinces require workplaces above a certain size to establish joint health-and-safety committees. They must meet regularly to discuss emerging hazards, educate workers and managers about best practices, and respond to threats and problems. Occupational-health research confirms that these joint committees reduce the incidence of accidents and disease.

Similar mandated joint committees could strengthen workers' voice in fighting racism and sexism on the job, securing and implementing workplace training, or addressing technological change. (See sidebar for more ideas on how workers' voice can be strengthened, through unions, statutory mechanisms and other strategies.)

Canada's workplaces are entering an era of far-reaching change, experienced along many dimensions:

technology, workforce diversity, energy and climate transitions, new business models and more. To confront those changes and challenges, and to adapt in ways that are inclusive, fair and safe, workers need strong, safe and effective ways to make noise, be heard, and win change. Fighting for those basic rights could be a new rallying cry that energizes workers to organize, in unions and beyond. And as they do, they can lead us to a more democratic and just society.

## VOICE IN THE FUTURE OF WORK

WORKERS NEED MORE SAY AND POWER TO respond to the coming changes remaking our workplaces. And despite the many benefits that come from stronger workers' voice, employers generally need to be compelled (by unions, by statutory provisions or by community pressure) to listen to and respond to workers' ideas and demands. Here are several strategies for strengthening the voice of workers in the future world of work:

### **SUPPORT AND EXPAND UNION REPRESENTATION.**

The most developed, secure and powerful workers' voice is achieved through unions and collective bargaining. But anti-union labour laws, and aggressive employer opposition (especially in the private sector), have undermined union representation and voice.

Labour law reforms are needed to ratify and support workers' collective voice — through changes like giving unions better access to workplaces, staff lists and contact information; restoring certification on the basis of signed cards or petitions; using arbitration of collective agreements in protracted disputes and first contracts; and creating stronger protections to prevent employer reprisals against union sympathizers. Unions themselves can adopt innovative organizing strategies, and better connect with underrepresented workers (including young people; Black, Indigenous and People of Colour; and other underrepresented groups).

### **EXTEND UNION-BASED VOICE STRUCTURES TO OTHER WORKERS.**

Sectoral or industry-wide bargaining can extend union provisions across broader

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groups of workplaces. This occurs in several Canadian sectors, including public services (like health-care and education) and some private industries (like construction and auto manufacturing). Quebec's decree system is another example of extending basic standards to non-union workplaces: it applies basic contract provisions evenly to all firms in specified industries (like security, cleaning and auto repair shops) in certain regions of the province, developed through sector-level negotiations among relevant unions and employer associations. New strategies to establish sector-wide standards and voice mechanisms would be especially important in industries that are highly fragmented and decentralized (including emerging industries like high-tech and gig jobs).

**STRENGTHEN WORKERS' VOICE WITHIN UNION WORKPLACES.** There are many ways workers' voice can be strengthened in workplaces that are already unionized. Unions should extend participatory structures when it comes to racial justice and diversity, and in emerging areas like technological change, skills and training, and energy and environmental issues. Unions must also strive to maximize opportunities for members to voice their ideas and concerns within their unions.

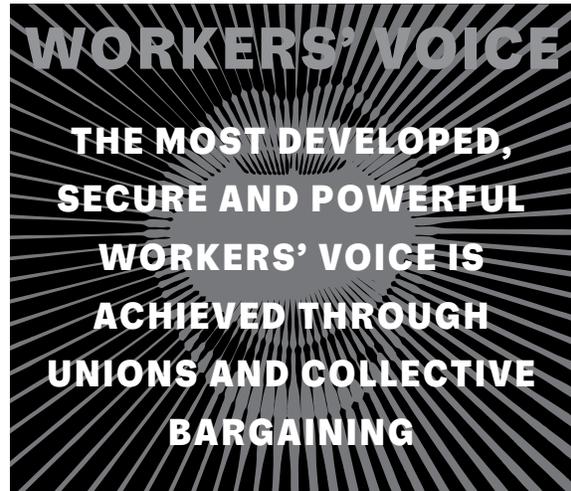
**EXPAND STATUTORY VOICE AND CONSULTATION.** In Canada, government-mandated or statutory voice is rare; the main exception is joint workplace health-and-safety committees. Channels of worker voice and representation could also be mandated by legislation or policy to include workplace diversity and anti-harassment initiatives, training, technological change, and just climate and energy transitions.

**ORGANIZE VOICE TO ENFORCE STATUTORY MINIMUMS.** In theory, all workers in Canada — union or non-union — are protected by the same minimum labour standards (like minimum wages, maximum hours and severance). In practice, however, the enforcement of these minimums is uneven and unreliable — especially in non-union settings. Enforcement would be greatly enhanced by consciously developing the capacity of workers to understand their rights, monitor conditions and practices in their workplaces, and take immediate action to expose and correct violations of those minimums — in short, by strengthening workers' voice.

**USE PUBLIC PROCUREMENT TO LEVERAGE STRONGER VOICE.** Canadian governments purchase close to \$300 billion per year in goods, services and capital from outside enterprises, and there is growing interest in using those procurement purchases to leverage stronger environmental and social outcomes from suppliers. Workers' voice and representation should be added to the list of best practices required if firms are to receive government contracts, along

with adherence to other fair labour practices (such as non-interference in union organizing campaigns).

**PROTECT WORKERS AGAINST ARBITRARY DISMISSAL.** Many workers are reluctant to speak up about workplace concerns and suggestions because they fear for their jobs. Canada has very few protections against arbitrary dismissal for workers in non-union workplaces. Laws regarding dismissal and severance, even in non-union workplaces, should be amended to require employers to show just cause for an employee's dismissal. This would have a significant impact on workers' ability to safely express their opinions, suggestions and grievances at work.



**PROTECT EMPLOYEE SPEECH OUTSIDE OF WORK.** Employers regularly monitor and police workers' expression outside of work, including on social media platforms. Since non-union employers can dismiss workers for almost any reason (so long as minimum notice or severance is provided), this severely chills workers' expression, even outside of work. The right to free speech is a core principle of democratic society, and should not be constrained by employers. If workers are to have genuine confidence in expressing their views (including about work), this right must be better protected.

These are just some of the ways that workers' voice could be strengthened in Canada. Their common goal is to build a culture of work that respects the opinions, suggestions and demands of workers, as a normal, legitimate and productive feature of any workplace.

Jim Stanford is Director of the Centre for Future Work, based in Vancouver. He worked as an economist for Unifor (and before that the CAW) for many years. This article is based on a longer report, "Speaking Up, Being Heard, Making Change: The Theory and Practice of Worker Voice in Canada Today," co-authored with Daniel Poon, and published through the Centre's PowerShare project.