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Collective action and labour militancy interrupted: Back-to-work legislation and the state of permanent exceptionalism at Air Canada

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Abstract

Using data collected from survey responses and interviews conducted in 2014, this study examines the consequences of back-to-work legislation from the perspective of customer service workers at Air Canada represented by Unifor Local 2002. By examining union attitudes, opinions of strikes, wildcat actions and back-to-work legislation deployed in 2011 and 2012, the study concludes that this type of legislation functioned to protect the interests of the employer in an ongoing process of corporate restructuring. Such ad hoc legislative measures, defined by political economists as 'permanent exceptionalism', further undermines the industrial pluralist regime that is the foundation of Canadian labour relations.

Keywords

Air Canada, back-to-work legislation, industrial pluralism, union attitudes, wildcat action

The most recent round of negotiations at Air Canada, Canada's largest airline, seemed to unfold without incident. In the waning months of 2014 pilots had even signed an historic 10-year agreement with the airline in an attempt to secure 'labour peace' (Marowits, 2014); by 2015, flight attendants approved a decade-long contract with Air Canada (Lu, 2015). A year later, a 12-year agreement between the company and the Canadian Airline Dispatchers Association had been secured, pending ratification (*Canadian Labour*

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Reporter, 2016). Labour peace, it seemed, had been established between the airline and a majority of its unionized workforce. These developments stand in contrast with the tenor of bargaining in 2011–2012. At that time the company was enmeshed in tense contract talks with its five major unions. It was only through federal back-to-work legislation that the airline avoided the threat of prolonged work stoppages, and even then pilots and ground crew engaged in a series of wildcat job actions. By the end of 2012, nearly 30,000 Air Canada employees represented by the International Association of Machinists and Aerospace Workers (IAMAW), the Canadian Auto Workers (CAW) before it became Unifor in 2013, the Canadian Union of Public Employees (CUPE) and the Air Canada Pilots Association (ACPA) would all experience their right to strike suspended, or preemptively revoked.

This article offers an analysis of worker perspectives on back-to-work legislation that brought an end to successive work stoppages at Air Canada using a case study of Unifor Local 2002. The research also builds upon literature that assesses the propensity of union members to engage in industrial action based on the vectors of demographics, base location, parental affiliation with union membership, federal voting patterns, union attitudes and commitment to the union. The article commences by examining theories of labour militancy in the context of Canada's industrial relations regime. It then proceeds to situate job action at Air Canada within the framework of corporate restructuring and mergers, and an environment in which the federal government has deployed back-to-work legislation as a mechanism determined to stall the effects of job action in favour of business interests. These developments, we conclude, have expanded the regime of 'permanent exceptionalism' (Panitch and Swartz, 2009, 2013).

These elements are not unique to Air Canada or Canada's industrial relations framework. Parallel histories have been witnessed throughout the global airline industry. Yet despite the prevalence of legislative suspensions of work stoppages, surprisingly little has been said about the long-term, social scientific implications of back-to-work legislation and the lived experience of exceptionalism and the effects of strikes on membership mobilization. And while union attitudes suggest that the membership still holds favourable views of their union and labour organizations generally, the effect of back-to-work legislation has called into question the efficacy of union representation and the institution of collective bargaining generally. Accordingly, this article addresses a gap in the literature and contributes to analyses of strike activity by drawing a connection between work stoppage research and political economic reflections on the state of Canadian labour relations.

Methods and membership profile

Upon receiving an endorsement from the Unifor Local 2002 executive leadership, a letter written in French and English was distributed directly by the union to its Air Canada membership, inviting workers to participate in an online survey during the opening months of 2013. Electronic versions of the invitation letter were simultaneously distributed using the labour organization's email database. This was the extent of the union's involvement with data collection, as all subsequent correspondence with Local 2002 members was directed through the study's principal investigator by email or phone.

Table 1. Descriptive statistics for respondent characteristics.

Gender (*n* = 439)	
Male	27.8%
Female	72.2%
Age (*n* = 447)	
20–25 years	1.6%
26–30 years	1.8%
31–40 years	8.1%
41–50 years	31.3%
51–60 years	46.5%
Over 60 years	10.7%
Years employed at Air Canada (*n* = 446)	
Less than 1 year	2.0%
Between 1 and 4 years	4.0%
Between 5 and 10 years	1.8%
Between 11 and 20 years	26.7%
Between 21 and 30 years	41.0%
More than 30 years	24.4%

Prospective participants were notified that their identity and responses would be treated in confidence, and that neither the union nor the employer would be made aware of their personal involvement in the study. A total of 448 members responded to the survey, representing a response rate of 12%. Respondent demographics are illustrated in Table 1. Based on a seniority list provided by Local 2002, survey respondents were representative of the union membership by District and length of service. Demographic information was not available within the seniority list. Survey questions examined a multitude of aspects related to union attitudes, federal back-to-work legislation and job action at Air Canada. Where applicable, open-ended responses were translated from French to English before coding using NVivo software. Written responses and interview transcripts were unpacked using the qualitative lines of enquiry advanced by Denzin and Giardina (2015) and Brinkmann (2015).

Of the 111 participants who initially agreed to participate in an interview and volunteered contact information, all were contacted but only 34 subsequently consented to be interviewed over the phone or through Skype. A majority of the participants are 'senior' employees who have been employed at Air Canada, or in pre-merger airlines, for over a decade. Semi-structured interviews were conducted in French and English. Here, a dialogical relationship was established during the interviews between researcher and participant (Brinkmann, 2015), allowing a narrative on employment conditions and labour relations to emerge. Questions focused on seven overarching themes: (1) the changes employees witnessed over their time at Air Canada and in the airline industry; (2) perspectives on and experience with work stoppages; (3) opinions of and attitudes towards Unifor, Local 2002, and unions in general; (4) attitudes towards back-to-work legislation in general and how it was applied against workers at Air Canada; (5) opinions on the use of civil disobedience and illegal work stoppages; (6) opinions on employment conditions

and benefits contained in the current collective agreement; and (7) the nature of concessions made by Air Canada employees post-2004 bankruptcy protection. Interviews were transcribed, coded and analysed using NVivo based on the themes outlined above. Participants cited throughout the article have been provided with a pseudonym to protect their identity.

Methods for assessing union attitudes were adopted using a modified version of McShane's (1986: 407) measure, which defines union attitudes as 'the individual's affective response to trade unions and the labour movement in particular' (see also Buttigieg et al., 2008; McClendon and Klaas, 1993). The scale is built upon a seven-point Likert-type response format ranging from strongly agree to strongly disagree, depending on the question. Responses to questions on back-to-work legislation and strike action are based on a similarly ordered five-point scale. Both the survey questionnaire and the follow-up interviews were intended to assess the perception towards unions, Unifor, government intervention in collective bargaining and strike activity in the expansive political economic terrain that defines work and employment at Air Canada.

'Permanent exceptionalism' and labour militancy

In Canada, as in many other jurisdictions, organized labour's power has been disciplined and constrained both by market forces and by government intervention through a coercive regime defined by Panitch and Swartz (2009, 2013) as 'permanent exceptionalism'. This has been demonstrated by an ad hoc suspension of rights, such as the right to engage in job action, within the institutionalized formalities of freedom of association, collective bargaining and other components of a labour relations regime known as industrial pluralism (Fudge and Tucker, 2001). Legal scholars have even used the case of Air Canada to query the stability and legitimacy of the Wagner model that underpins Canada's labour relations regime, and whether or not such legislation flags a shift in the regulation of industrial relations (Tucker, 2014).

The accelerated use of back-to-work legislation by federal and provincial governments plays an instrumental role in shaping the contours of industrial relations and the state of social solidarity and union influence (Stevens and Nesbitt, 2014). Indeed, this is what defines exceptionalism in the neoliberal period. In this framework, state intervention in industrial disputes is increasingly defined by the curbing of historic gains established by labour through struggle and legislation, marking a retreat from its 'generalized endorsement of collective bargaining' (Lee and Sack, 1989: 203). Whereas exceptionalism has historically been used in public sector disputes, this tendency increasingly encompasses private industry just as Canada's strike rate reaches historic lows (Godard, 2011; Stevens and Nesbitt, 2014). Other developments characterize the modern iteration of exceptionalism.

Criminal penalties against unions and union leaders have been replaced with significant financial consequences for the union, and the banning of union officers found guilty of violating the law from holding office (Lee and Sack, 1989; Panitch and Swartz, 2013). Recalcitrant labour leaders are no longer made martyrs through imprisonment; instead, unions bear collective responsibility for defying government intervention. Exceptionalism has also been deployed in the exercise of austerity by the state, with the 2008 recession functioning to intensify legislative interventions into industrial disputes determined to

protect the interests of employers (Thomas and Tufts, 2016). Combined with employer mobilization against unions, capital flight, as well as national and international competition, the strike is a challenging tactic on which workers and unions can draw in their struggles with management (Dixon et al., 2004).

Research on strikes has a rich, interdisciplinary history (Hebdon, 1998), with much of the existing scholarship centring on the quantitative and institutional dimensions leading up to this form of social action (Chaulk and Brown, 2008; Nicholson and Kelly, 1980). But there are fewer studies of the impact of back-to-work legislation when job action is frustrated by government intervention and how this type of state involvement shapes member perspectives on union effectiveness and the institution of collective bargaining (Barling and Milligan, 1987; Macbride et al., 1981; Ng, 1993). Even the courts in Canada have recognized that the imposition of contract terms through legislative intervention erodes member confidence in the union leadership, unsettling already asymmetrical power relations between organized labour and the employer (*Alberta Union of Provincial Employees* v. *Alberta*, 2014 ABQB 97). Similarly, very little research exists examining the connection between strikes and their impact on union membership, particularly with respect to member mobilization (Hodder et al., 2016).

Industrial relations scholars have also recognized that there exists no common framework of analysis for understanding strikes or the legislation regulating collective action (Hebdon, 1998). Studies of job action in the postal industry, for instance, have indicated that in the case of public sector labour disputes, workers' feelings towards the government became more negative as a consequence of the nature of the state's involvement in the strike (Langford, 1996). More recent literature suggests that social factors can be attributed to the continuation of stress among employees even after a strike has been settled (Fowler et al., 2009), part of the 'dark side of solidarity' (Thommes et al., 2014). Our article bridges these aspects of existing research by joining political economy with social scientific lines of enquiry examining what prompts workers to engage in job action in the context of legislative intervention and a legacy of corporate restructuring.

Political economists, sociologists and industrial relations scholars have similarly worked to develop models of job action from a social scientific vantage point. As John Godard (1992, 2011) insists, the 'collective voice' approach to examining the behavioural determinants of strike activity provides a richer account of why job action occurs when compared to managerial perspectives that focus instead on imperfect and asymmetrical information. In the 'collective voice' paradigm, managerial practices, operations size and technology, markets conditions, union politics, economic interests, and a convergence of other factors are all considered when examining the context of negotiations and job action. Workers, therefore, might agitate against perceived injustices such as plant closures, disciplinary actions, or government legislation, which destabilizes already asymmetrical labour–management relationships.

Extending beyond the attitudinal (McShane, 1985; Schutt, 1982; Shirom, 1977) and behavioural traditions (Harris et al., 1982) of union militancy research, Linda Briskin (2007) has taken to task the quantitative assessment of work stoppage data, opting instead for recognizing the labour militancy perspective embedded within the exercise of strike activity. This perspective, writes Briskin, 'speaks to the organized and collective activism of unionized workers involved in workplace struggles' (Briskin, 2007: 31–32).

Sociologist Rick Fantasia (1988) has similarly identified job action as a complex social phenomenon, not adequately understood through work stoppage data alone. This is important when recognizing that the rate of strike action and person days lost to such disputes in Canada has reached historic lows. Both approaches are significant in developing an understanding of industrial action because of their respective appeals to political economic and social scientific accounts of mobilization and collective struggle, as evidenced throughout this study of Unifor Local 2002. Others have similarly recognized that much of the literature has treated militancy as a unitary construct, with voting to support a legal strike being the principal focus of analysis (McClendon and Klaas, 1993). Instead, a variety of tactics – wildcats, sick-outs, slow-downs, picketing and related strike-support activities, as well as work-to-rule actions – need to be analysed when crafting an understanding of why and how work stoppages occur. Historically, these often-illegal forms of labour militancy have worked to expand the boundaries of Canada's IR regime (Warskett, 2013). Events at Air Canada in 2011 and 2012 capture this spectrum of militancy. In such studies scholars have outlined the determinants of militancy into a variety of categories, namely job attitudes, attitudes towards the union, social support, cost of striking, job flexibility and demographic factors (Buttigieg et al., 2008; Jansen et al., 2014; McClendon and Klaas, 1993).

The perceived instrumentality of striking is also given consideration in the literature. Union organization – including the agency of shop stewards (Buttigieg et al., 2008; Larsen and Navrbjerg, 2015) – plays a similarly important role in either increasing the mobilization potential of workers or dampening rank-and-file activism, affecting the propensity of members to engage in labour militancy (Dixon et al., 2004). Without effective internal leadership or a legacy of collective action, scholars maintain that workers are unlikely to pursue collective action as a means of transforming the employment relationship (Dixon et al., 2004). And whereas strike action is most often deployed to improve the conditions of employment and remuneration, workers have also used the strike – and other forms of resistance – as a weapon to resist employer aggression and anti-labour government policies. Interviews with Unifor Local 2002 members support these frameworks. A perceived sense of injustice further advances the possibility of workers to identify with group interests and subsequently to engage in some form of collective action (Hodder et al., 2016; Kelly, 1998; Simms and Dean, 2015). Whether a form of procedural or distributive injustice, perceptions of unfairness among workers shape the willingness of members to take part in collective action (Kelly, 2015; Kelly and Kelly, 1994). Interviews with Unifor members made clear that the legacy of concessions and corporate restructuring resulting in job losses and a two-tier wage structure – among other factors at Air Canada – constituted a form of injustice they sought to confront during negotiations and, subsequently, through job action. Indeed, exceptionalism exists at the juncture of political economy and social scientific enquiries into strikes.

The political economy of restructuring and labour relations

For decades, pressures to cut operating expenses by increasing the outsourcing and subcontracting of services, reducing staffing levels, and other means of enhancing profitability and competitive advantage have been witnessed internationally throughout the

airline industry (Bush, 2015). Evidence from global carriers such as Qantas, Aer Lingus, Air France and British Airways demonstrates that these conditions are shaped by two interrelated forces: market-driven interests and political interventions determined to assist these objectives (Bray and Underhill, 2009; Eaton, 1993; Lansbury et al., 2010; Smith and Howard, 2012; Taylor and Moore, 2015). Such is the political economy of contemporary austerity measures (Thomas and Tufts, 2016). Parallel developments have been witnessed at Air Canada, with workers recognizing that the changing contours of labour relations have deeply impacted the quality and conditions of work. It is under these political economic conditions that union effectiveness is shaped (Gall and Fiorito, 2016).

These developments have materialized as companies in the air transportation industry are subordinated to the interests of private equity firms and investors demanding the increase of shareholder value. This has meant dramatic cost-cutting efforts, flexibilization and outsourcing as means of facilitating processes of financialization (Harvey, 2005). Researchers have even invoked Burawoy's (1983) concept of a 'new despotism' to describe the changes precipitated by these broader reforms within the industry (Eaton, 1993). Deployment of measures such as reactive and pre-emptive back-to-work legislation is used to weaken labour's influence at the bargaining table when employers aim to cut wage and benefit costs, subcontract services, reduce pension obligations as well as introduce two-tier pension and compensation structures, among other objectives that define the Air Canada case. These structural conditions have worked to mould the 'collective action frames' (Klandermans, 1997) that condition union power and, subsequently, the potential outcomes of mobilization strategies (Badigannavar and Kelly, 2005). As the case of Qantas shows, radical changes to the structure of industrial relations legislation have effectively undermined the convention and practice of collective bargaining, and with it the influence of unions (Howard and Smith, 2012).

Efforts at British Airways, meanwhile, to reduce staffing levels and increase managerial control within the cabin was met with stiff resistance and a protracted dispute by cabin crew represented by the British Airlines' Stewards and Stewardesses' Association (BASSA) between 2009 and 2011 (Taylor and Moore, 2015). Here, the politics of production, as per Burawoy's (1985) diagnosis, as much as labour militancy, worked to frame the labour relations dispute. This is in addition to efforts by employers to seek concessions through lockouts, transforming management structures and work processes, reducing staffing levels, and other means of altering the nature of employment and employment relations. Similar trends have been witnessed at Air Canada over the past three decades (Eaton, 1993; Jacques and Kepos, 2011) (see Table 2).

By the end of 2001, Air Canada had merged with its principal competitor, Canadian Airlines, precipitating further economic troubles. In addition, cultural divisions between old Canadian Airlines employees and Air Canada workers persist today, referred to by one interview participant as the lingering 'Red-Blue' divide. Divergent attitudes towards employee–management relations, union representation and labour processes tend to characterize these differences. During the negotiations that helped Air Canada emerge from the edge of bankruptcy in 2004, unions had agreed to a number of significant concessions, including layoffs. For the workers represented by CAW (now Unifor) Local 2002, this meant that new employees hired after May 2004 would be scheduled into a

Table 2. Timeline of key events at Air Canada.

Year	Event
2001	Air Canada merges with Canadian Airlines International.
2003	Air Canada enters bankruptcy protection.
2004	Air Canada emerges from bankruptcy after securing concessions from the various unions representing its employees.
2008	Global financial crisis generates financial troubles for Air Canada and its pension plans.
2010	Negotiations between Air Canada and the various unions representing airline employees commence.
June 2011	3800 CAW (now Unifor) Local 2002 members go on strike. Bill C-5 is introduced and parties resume negotiations.
August–October 2011	Flight attendants move towards strike action after rejecting a second tentative agreement. Parties agree to binding arbitration after government threatens back-to-work legislation.
February 2012	Ground crew and baggage handlers represented by the IAMAW vote down a tentative agreement with the company over management's demand for pension concessions.
March 2012	IAMAW members reject tentative agreement and issue strike notice. Air Canada gives pilots a lockout notice. Government passes Bill C-33.
March–April 2012	Pilots, baggage handlers and ground crew engage in national wildcat strikes to protest Bill C-33 and oppose the firing of fellow employees.

two-tier wage structure, with starting salaries bordering on the minimum wage in some provinces. Approximately 450 Local 2002 members fall into this second tier category, or about 12% of the total membership. The issue continues to be a source of contention within the ranks of Local 2002, and the union has been unable to reverse a concession it agreed to a decade earlier. Bifurcated compensation structures for new and experienced employees were widely recognized during interviews as a persistent injustice among the company's workforce, following the framework devised by Kelly (1998, 2015) and others (Buttigieg et al., 2008).

> They hire them and they quit faster than they can bring them in. It's unbelievable. And what do you think you're going to get. One kid said I'm going to take this crap for this kind of money? Fuck that. He walked out the door. I'll take it because you're paying me $25–$27 an hour, I might take that garbage. You're paying me $11.04. Forget it. (Phil, customer service and sales worker)

Employee involvement in shift scheduling and pay differentials was also abandoned in the company's attempts to reduce costs and increase efficiencies. Indeed, management practices, concessionary bargaining and deteriorating standards of employment were some of the most common issues cited by workers during interviews. Eroded conditions of employment and aspects of the labour process, building on Burawoy's (1983) framework, were of principal importance to workers as well. Leading up to the previous round of negotiations, a proposed two-tier pension plan and the goal of establishing Rouge

(a discount airline owned by Air Canada) functioned as a catalyst for a protracted labour dispute.

Back-to-work legislation at Air Canada

Since 1984, there have been six work stoppages at Air Canada, compared to 35 in the Canadian airline industry over this period (International Labour Organization, 2013). In one instance, the company attempted to use replacement workers during a labour dispute that saw pilots and flight attendants walk the picket lines (Jain et al., 2005). But it was not until 2011 that back-to-work legislation had been summoned by the federal government to end labour disputes at the airline, just as the industry reached a new level of competitiveness. In line with Dixon et al.'s (2004) conclusions, the legacy of back-to-work legislation, Local 2002 members reflect, has led to fractures in the union's influence and strength at the company. 'What is the point of being in a union if we're going to be threatened and forced back to work', said one customer service agent. 'There is no point, and I think that's obviously what the government was trying to do, was to break the union' (Jenny, customer service and sales worker). This characterization of labour–management relations at Air Canada provides a context in which to consider the perspectives workers offered on bargaining and government intervention during the former round of negotiations.

Over two months of negotiations had passed when then-CAW Local 2002 exercised its strike mandate and gave notice of job action in June 2011.[1] Management's demands for pension concessions was the main point of contention at the bargaining table. Less than a day into the strike, the federal Minister of Labour, Lisa Raitt, spoke publicly about the possibility of bringing an end to a dispute that threatened to inconvenience Air Canada's customers (Deveau, 2012). Negotiations remained at a standstill when 3800 customer service agents walked picket lines across Canada. Two days later Bill C-5 (Continuing Air Services for Passengers Act) was introduced in parliament, despite the Minister's insistence that her preference was for both parties to reach an agreement free of government interference.

While Bill C-5 prohibited both strikes and lockouts, the final offer selection criteria established by the government decidedly weighed in favour of Air Canada (Stevens and Nesbitt, 2014). Minister Raitt justified back-to-work legislation by claiming that the disruptions were causing harm to the country's allegedly fragile post-recession economy (Canadian Press, 2012). Air Canada and Unifor returned to the bargaining table, ending the short-lived, three-day strike before the Bill was proclaimed. These developments characterize what Thomas and Tufts (2016) discuss as the uneven processes of austerity, in which legislative interventions are deployed in strategic industries and enterprises to protect the interests of capital and stall the advances of unions and labour. This is executed, as the Air Canada case demonstrates, by appealing to the public well-being and economic stability through what the authors describe as a form of 'right populism' (Thomas and Tufts, 2016).

Flight attendants represented by CUPE's Air Canada component were also poised to walk out after rejecting two tentative agreements. By September 2011, CUPE was granted a 98% strike mandate in light of the employer's demands for further concessions.

Back-to-work legislation was, for a second time, invoked by the federal Minister of Labour, prompting both parties to agree to arbitration before such a bill could be drafted. The Minister had summoned the claim that Air Canada's 6800 flight attendants, and the economy as a whole, constituted an essential service and this was reason enough to curb even the possibility of a walkout (CBC News, 2011).

Ground crew and baggage handlers represented by the IAMAW had also rejected a tentative agreement, bringing the company again to the brink of a work stoppage. A day after the union had issued its strike notice in March 2012, the company threatened to lockout its pilots, represented by the ACPA. Bargaining had commenced in the fall of 2010. The government was eager to head off job action by threatening to deploy back-to-work legislation, carrying through with this promise on 12 March 2012. Three days later the legislation, Bill C-33 (An Act to Provide for the Continuation and Resumption of Air Service Operations), became law. Again, economic hardship was summoned by the government as grounds to prohibit a work stoppage from occurring (International Labour Organization, 2013). This time back-to-work legislation would not go unopposed.

After several workers were dismissed for publicly confronting Minister Raitt at Pearson International, wildcat actions erupted across the country (Stevens and Nesbitt, 2014). The union's leadership was ultimately called on to enforce the back-to-work order after an arbitrator issued an injunction against the wildcat. Forty-eight hours later the protest subsided and the illegal strike came to an end. The incident confirmed suspicion among Air Canada staff that the company and government had secured a close working relationship. Reflective of comments offered by interview participants, one employee noted, 'The whole thing just reeked of collusion and corruption, it was unbelievable. There's not one person at Air Canada that will tell you otherwise' (Phil, customer service and sales worker).

Pilots, meanwhile, were heading towards their own confrontation. Accusations of unfair labour practices and the launching of a low-cost airline had mired negotiations (Stevens and Nesbitt, 2014). Less than a month after members of the ACPA voted 97% in favour of strike action, the employer gave notice of a lockout just a day after providing the union with their third and final offer. Minister Raitt again invoked economic hardship and the essential services designation to justify Bill C-33, which had been directed against both the IAMAW and the ACPA. In early April 2012, 150 pilots called in sick, cancelling or disrupting flights across the world. Calling themselves '97 Squared', a group of ACPA members encouraged their peers to resist the back-to-work legislation, using sickness as a disguise for job action. The 'sick-out' subsided within days as the parties prepared their final offers for binding arbitration. As survey responses and interviews with Unifor members at the airline suggest, government intervention would have a lasting impact on labour relations – as well as the perception of collective bargaining – at the airline.

The voices of 'labour militancy'

Building on the work of McShane (1985) and others (Buttigieg et al., 2008; McClendon and Klaas, 1993; Schutt, 1982; Shirom, 1977), this study identifies union attitudes among the membership in the context of job action and back-to-work legislation. As Table 3

Table 3. Perception of unions and Unifor.

	M	SD
Unions are a positive force in Canada (UnionOp1)	1.99	1.223
Workers are better off when they belong to a union (UnionOp2)	2.01	1.251
If I had to chose, I probably would not be a member of a union (UnionOp3)	−1.63	1.681
Workers would be just as well off if there were no unions in Canada (UnionOp4)	−2.16	1.317
Unifor Local 2002 effectively represents the interests of its membership (UniforOp1)	1.00	1.646
Unifor National effectively represents the interests of its membership (UniforOp2)	0.87	1.596

illustrates, respondents generally hold a positive view of unions and Unifor specifically, with marginally greater support for Local 2002 than the national organization. Apprehension about how Local 2002 handled negotiations and the wind up of strike action vis-a-vis back-to-work legislation was evidenced during interviews, providing some explanation for union attitudes.

Perceptions of inequity and unfairness at the airline, meanwhile, motivated employees to vote in favour of strike action. Broadly, this corresponds with studies that confirm a link between job satisfaction and the willingness to support job action (Buttigieg et al., 2008; Jansen et al., 2014). Those individuals responsible for steering the airline out of bankruptcy protection, namely its former and current CEOs, Robert Milton and Calin Rovinescu, were quick to draw criticism during interviews. The perception of executive excess fed into employee discontent and helped fuel interest in job action even though executive compensation was not within the scope of collective bargaining and could not actually be negotiated during contract talks. Of the respondents who commented on why they voted in favour of a strike in 2011, 20% cited corporate greed, poor management practices and excessive executive compensation as their reason for doing so, as shown in Table 4.

Aside from the benefits and wage structure that were sacrificed for the airline's long-term sustainability in 2004, employees lamented that a deteriorating quality of work was the chief victim of Air Canada's transformation. References were often made during interviews to distributive and procedural justice frameworks as motivators for collective action (see Buttigieg et al., 2008). 'What we gave up is quality of work', said a customer service agent named Irene. 'And by that I mean because of major layoffs there wasn't [*sic*] enough people to deal with the customers so we were always pressed for time and having to do more work with less people', she continued. Indeed, the circumstances leading up to bargaining were shaped by developments that had transpired during the airline's restructuring throughout the 1990s and 2000s, specifically, a merger with Canadian Airlines, the SARS crisis, a recession, and ultimately entering bankruptcy protection in 2003.

Respondents were evidently supportive of strike action back in 2011, with 74.4% admitting to casting a ballot in favour of a work stoppage. By comparison, Local 2002 members provided their union with a 98% strike mandate after talks stalled (CAW, 2011).

Table 4. Strike vote.

Strike vote decision (*n* = 441)	
Yes	74.4%
No	4.1%
I didn't vote	9.8%
I don't wish to disclose	11.8%
Reasons for voting in support of a strike (*n* = 403)	
Improve wages, benefits, pension	25.6%
Enhance voice and bargaining strength	20.6%
Corporate greed and management practices	13.4%
Make up for past sacrifices and concessions	13.4%
Scheduling, working conditions	7.2%
Excessive executive compensation	6.9%
Fairness	5.2%
Other	7.7%
Reasons for voting against strike action (*n* = 20)	
Lack of trust and/or confidence in the union	15%
Needed to get paid	10%
Not the right thing to do	10%
Bad impression from previous strikes	10%
Union encouraged us to vote for the contract	10%
Other	75%

Ninety-one per cent of respondents supported the flight attendants represented by the Air Canada component of CUPE, who had voted in favour of a strike in the fall of 2011 after rejecting two tentative agreements. As one supportive customer service worker commented, federal back-to-work legislation usurped CUPE's bargaining power, undermining the democratic strike mandate provided by the flight attendants:

> Well I think every union got a high mandate, they all got the mandate and they all got the high mandate. But that's the thing, even if you get 100% strike mandate and the government legislates you back to work you have no power anyway, it's all gone. (Phil, customer service and sales worker)

Although support for an illegal work stoppage was less pronounced, Local 2002 respondents still demonstrated solidarity with baggage handlers, maintenance workers and other Air Canada employees represented by the IAMAW, as well as the pilots, who defied government legislation. Table 5 highlights these opinions. Even interview participants who were hesitant and in some cases refused to condone the illegal work stoppage by IAMAW members sympathized with their cause, recognizing that workers at Air Canada needed to make a statement:

> You know what it wasn't right because it wasn't legal. But they were making a point. Be it right or be it wrong we weren't being heard any other way. I mean it wasn't legal, I know that, but they were making at least their voices heard. (Jenny, customer service and sales worker)

Table 5. Perception of back-to-work (BTW) legislation and job action, 2011–2012.

	M	SD
BTW legislation that prohibited further strike action by members of CAW/Unifor Local 2002 in June 2011	−1.80	0.654
BTW legislation that prevented strike action by flight attendants in 2011	−1.79	0.636
BTW legislation that prohibited a lockout and job action by members of the ACPA and IAMAW in 2012	−1.78	0.676
IAMAW wildcat in 2012	1.32	1.013
Possibility of CUPE strike action in 2011	1.68	0.695
ACPA sick-out in 2012	1.21	1.096

Not everyone shared this level of enthusiasm. One customer relations worker feared that wildcat action jeopardized public support and support from other unions, undermining labour's position in bargaining:

> But it's a wildcat strike and they're illegal and I don't think that helps the union's position at all with the company. Negotiating in good faith, if you can't come to an agreement then you present your demands to the company and the possibility of a strike. You give them a date and you work with that. But no, just walking off like that certainly isn't going to solve anything and it just makes it worse. (Jeannette, customer relations worker)

Some nuance on the question of wildcat action was evident in the discussions with workers. Interview participants looked upon the illegal work stoppages with hope that their union, and the workers themselves, would have the courage to defy back-to-work legislation. The demonstrations were also viewed as a necessary means of protesting government interference in collective bargaining – particularly when it was seen to purposefully work in the interest of Air Canada. When evaluating union member reflections it is worth considering the findings of McClendon and Klaas (1993), where workers are more willing to accept the risks of militant behaviour if they are committed to the cause and see themselves as acting in solidarity with others. Here, there is less risk than if they were acting alone.

> That's what happens when you take away a person's right to strike. When you take away, especially because at the time the relationship with our management has never been good. (Doreen, customer service and sales worker)

> Good for them. See and that's what I mean, that's when people are taking matters in their own hands saying to hell with this. The union is not doing much for us, the company doesn't give a shit. Screw it, we're going to do it ourselves. (Janelle, reservations worker)

Survey and interview responses both demonstrated support for the pilots who engaged in an illegal 'sick-out', but participants showed some restraint. Pilots are widely recognized as a distinct group within the company who choose their allegiances on a self-interested and profession-oriented basis. There is also the sense that, from the perspective of Local

2002 members, pilots were dissenting over a loss of status and preferred treatment at the airline, which they accomplished by deploying the language of professional control within the context of collective bargaining (Campbell and Haiven, 2011). Here, the 'sick-out' was acknowledgement that pilots, too, were workers at Air Canada like any other in the face of back-to-work legislation and at risk of losing something at the bargaining table. But, as Table 5 demonstrates, pilots receive the least support from Unifor Local 2002 members. One customer services worker even expressed frustration over how pilots tried to cloak their job action as something else:

> I also hesitated because I don't think the pilots are 100% behind other unions. And I've witnessed that over the years in that they themselves have wanted their bargaining parties to negotiate gains for them that would actually benefit them over other employees. (Irene, customer service and sales worker)

If the rights of workers to strike and to engage in collective bargaining free from government intervention had been frustrated by back-to-work legislation, and a modicum of support and solidarity for wildcat action – an important iteration of labour militancy – was expressed by Local 2002, would these workers consider defying such an order? Opinions were mixed, and for the most part workers had never considered posing a challenge to federal legislation. Chief among the concerns raised by these participants were the implications and costs for both workers and the union should wildcat action spread. And where this method of resistance is considered, the propensity to express interest in such a strategy is contingent on the issues at stake. In these exchanges, worker perspectives demonstrate the plurality of labour militancy in practice, as per McClendon and Klaas (1993), evidenced by support for – and antagonism towards – illegal strike activity, even among those employees who supported job action:

> I don't know how I feel about that. I think if it meant that I was going to lose my job I wouldn't follow the union's directive, and I think that enough people don't respect the union, that they wouldn't follow that directive. So I actually think that no, I don't think the union should defy back-to-work legislation. (Doreen, customer service and sales worker)

> I guess it would have to depend on what we're fighting for. If it's … meaningful, you know maybe getting shift schedule [powers back], it has to be a very, very severe issue. And I think it's going to come to a head because what's going on with Rouge and they're taking all the flying from the main line and making Rouge another entity of Air Canada, and losing all the pilots, the flight attendants and outsourcing the Rouge. … And if that's the issue yes I would defy [them] and I think the union probably would. (Sybil, customer service and sales worker)

Local 2002 members also indicated that, in some instances, their willingness to confront the company and government legislation was defused by the union leadership, reflecting the mandate of 'responsible unionism' within the boundaries of pluralism (Fudge and Tucker, 1996). Interest was expressed in seeing the union take a more confrontational stance against back-to-work orders. But, as Dixon et al. (2004: 10) argue, without 'internal leadership … solidarity will likely lead to sporadic and short-lived mobilization'.

> The union wouldn't do that, because this did come up when they were on strike and we were all, as a matter of fact we had all shut our computers down and we were ready to walk off the floor and our District Chair said no, stay working, stay working, they're still negotiating, and that was right at 10 o'clock. And she came back less than 5 minutes later and said okay everybody off the floor, we're on strike. [With back-to-work] legislation, the union told us okay everybody go back to work, you report for whatever would be your next shift. So the question of staying out never came up. (Jeannette, customer relations worker)

Determinants of positions on unions, job action and back-to-work legislation

For the analyses, non-parametric statistical tests were performed due to the lack of normality among the responses and because the responses were largely nominal (Tabachnick and Fidell, 2001). Mann–Whitney U tests were performed to examine relationships among independent measures with two groups, whereas Kruskal–Wallis tests were performed when there were more than two groups. All cases were assessed for similarity by visual inspection of their corresponding boxplot. Bonferroni corrections were also performed in the case of multiple comparisons, namely the Kruskal–Wallis tests. In order to test if there was a correlation between federal election voting patterns and worker attitudes toward strikes, we chose the three most represented parties and the base locations (Air Canada airport and base city) among the participant sample. The political parties were the New Democratic Party (NDP) (Canada's left-of-centre social democratic party), the Conservative Party (on the right of the political spectrum) and the Liberal Party (centre-right).

Individuals who have served in some capacity as a union representative held more favourable views of unions and job action at Air Canada than their colleagues who had never served Local 2002 in any official capacity (Table 6). Gender produced no significant differences with the exception of one: in this case men were more in favour of Unifor Local 2002 (Unifor1) than their female counterparts. Similarly, whether or not an individual's parent(s) were at one point a part of a union was not a significant determinant for any of the items. In line with Buttigieg et al. (2008), we also hypothesized that those who have worked there for more than 10 years and were part of the upper tier wage structure would be less in favour of a strike than their co-workers that have been employed within the last 10 years. However, no significant relationships were found between length of employment and strike vote attitudes.

For the questions that focused on the back-to-work legislation, participants who had admitted to voting Conservative scored significantly higher than NDP and Liberal supporters. Conservative voters were more supportive of the legislation that ended or prevented a work stoppage at Air Canada. Liberal and NDP voters, in contrast, were more likely to vote in favour of strike action compared to their Conservative peers (see Table 7). With regard to the level of support directed towards CUPE's attempt at strike action (CUPEStrike) and the wildcat initiated by IAMAW members (IAMStrike), NDP voters were found to be more supportive of these work stoppages than Conservative voters. No other significant differences were found. Building on McClendon and Klaas

Table 6. Comparisons between current and former union representatives and those who have never held such positions.

Variable	Former union rep: Yes[a]	Former union rep: No	*Z*	*p* value	Current union rep: Yes[b]	Current union rep: No	*Z*	*p* value
UnionOp1	2.29	2.05	−2.524	.012*	1.51	2.04	−3.377	.001**
UnionOp2	2.37	2.09	−2.330	.020*	1.66	2.07	−3.442	.001**
UnionOp3	−2.16	−1.77	−2.731	.006**	−2.26	−1.81	−2.567	.010**
UnionOp4	−2.55	−2.30	−2.379	.017*	−2.72	−2.30	−2.625	.009**
UniforOp1	1.23	1.01	−1.797	.072	1.76	0.93	−4.037	.001**
UniforOp2	0.99	0.92	−0.865	.387	1.52	0.81	−3.431	.001**
BTWUnifor	−1.89	−1.80	−0.765	.444	−1.90	−1.81	−0.553	.580
BTWCUPE	−1.90	−1.77	−1.316	.188	−1.92	−1.79	−1.142	.254
BTWACPA	−1.90	−1.75	−2.112	.035*	−1.87	−1.79	−1.083	.279
IAMStrike	1.60	1.30	−2.725	.006**	1.67	1.34	−2.491	.013*
CUPEStrike	1.90	1.74	−1.931	.054	1.96	1.75	−2.314	.021*
ACPAStrike	1.55	1.20	−2.598	.009**	1.54	1.26	−1.901	.057

[a]*N* ranged from 266 to 312 for those that were union representatives, meanwhile *N* values for those that had never been a union representative ranged from 110 to 120. *p = .05, **p = .01.
[b]*N* values for those that are current union representatives ranged from 314 to 367, meanwhile those that are not current union representatives ranged from 60 to 65. *p = .05, **p = .01.

Table 7. Political positions and the opinion on unions, back-to-work legislation and job action.

Variable	Conservative mean	NDP mean	Liberal mean	Chi square	*p* value
UnionOp1	1.91	2.34	1.83	16.882	.001**
UnionOp2	1.97	2.42	1.86	14.880	.001**
UnionOp3	−1.06	−2.27	−1.56	22.961	.001**
UnionOp4	−2.06	−2.58	−2.16	14.550	.001**
UniforOp1	1.38	1.26	0.64	5.174	.075
UniforOp2	1.12	1.11	0.59	3.478	.176
BTWUnifor	−1.47	−1.91	−1.81	9.397	.009**
BTWCUPE	−1.47	−1.89	−1.81	8.982	.011**
BTWACPA	−1.35	−1.89	−1.82	17.827	.001**
IAMStrike	0.94	1.50	1.39	4.803	.091
CUPEStrike	1.41	1.89	1.77	11.378	.003**
ACPAStrike	0.65	1.46	1.31	10.790	.005**
StrikeVote	1.20	1.03	1.04	15.856	.001**

(1993) and others (Buttigieg et al., 2008), these results demonstrate an alignment between the support for strike action and political attitude – in this case, attitudes represented by federal voting patterns.

Interestingly, there were no significant relationships between union attitudes and an individual's propensity to support strike action. As both the survey results and comments

suggest, opposition to voting in favour of a strike was not necessarily indicative of a worker's attitudes towards unions generally or Unifor specifically. One theory is that voting in favour of strike action in advance of bargaining is a matter of convention and a means of delivering a clear measure of support to the union. Of the 4% of Local 2002 participants who voted against a strike, only a minority of these individuals (15%) cited a lack of trust in the union as a reason for their decision (see Table 4). Meanwhile, CUPE's attempt at commencing job action was supported by 91% of Local 2002 survey participants, and between 78% and 81% of respondents supported the illegal job action of ACPA and IAMAW members respectively, demonstrating widespread support for work stoppages.

Both the survey and semi-structured interviews pressed workers for their perception of back-to-work legislation and the ensuing wildcats. 'I thought it stunk to be quite honest with you', one customer service agent remarked when asked to comment on the government's legislation. Questioning the effectiveness of union representation in light of the government intervention, as remarks by Air Canada customer service workers during interviews illustrate, the government's back-to-work legislation had undermined union effectiveness at the bargaining table. It has been long acknowledged by industrial relations practitioners that union efficacy is undermined when the organization's capacity to function as an advocate, representative and meaningful bargaining agent is jeopardized by the state (Fryer, 2000; Rose, 2004).

Respondents demonstrated frustration with the suspension of the legal right to strike. In fact, 95% of participants agreed that Air Canada workers should never be denied the right to engage in job action. None of the interview participants believed that government intervention would affect their decision to vote for a strike in the future, recognizing the strategic purpose of casting support for job action as a routine component of negotiations. Still, respondents also made it clear that back-to-work legislation benefited management during the 2011 round of bargaining, as Table 8 shows.

With nearly 80% of respondents confirming that legislating an end to job action removes Air Canada's incentive to bargain, the employer appeared to gain leverage during negotiations because of the back-to-work order. With 68% predicting that the federal government would introduce this type of legislation should future negotiations result in a work stoppage, back-to-work legislation and its subsequent effects were seen as a new norm during bargaining. These conclusions confirm previous findings that workers believe this type of intervention to weaken labour's bargaining power (Ng, 1993) and challenge union effectiveness (Gall and Fiorito, 2016; Lee and Sack, 1989). Interview participants made clear that Unifor Local 2002's capacity to bargain on an equal footing with the company was jeopardized by a legislative apparatus designed to ensure the employer's interests were advanced during negotiations. Table 9 further illustrates this point. As Jenny, a customer service and sales worker, remarked,

> I thought it was awful because again, the company did not have to negotiate at all. They knew they were going to get what they wanted so why make any effort to come to the table and to talk in good faith? It really cut the union's power … So what's the purpose of a union if we have no say or we can't [strike] … and I'm not a militant person at all. I'm not saying that. But I just think where is our voice? Our voice is lost.

Table 8. Perception of strikes and back-to-work legislation.

	M	SD
Air Canada workers should never be denied the right to strike	2.49	1.097
Federal back-to-work legislation benefits Air Canada management during negotiations	2.47	1.188
Federal back-to-work legislation benefits Air Canada workers during negotiations	−2.21	1.343
Federal back-to-work legislation is bad for labour–management relations at Air Canada	2.08	1.523
Federal back-to-work legislation benefits the travelling public during negotiations	0.71	1.957
Federal back-to-work legislation gives Air Canada management an incentive to bargain	−1.68	1.906
Federal back-to-work legislation takes away Air Canada management's incentive to bargain	1.74	1.924

Table 9. Perspectives on back-to-work legislation and settlement outcomes.

On wages and benefits (n = 406)	
Better settlement outcome	0%
Worse settlement outcome	54.4%
Poor deal either way	38.7%
No opinion	6.9%
On pensions (n = 432)	
Better settlement outcome	2.1%
Worse settlement outcome	50.5%
Poor deal either way	37.3%
No opinion	10.2%

The reasons for opposing back-to-work legislation are equally important because the law generally undermined union and worker rights. In this sense, back-to-work legislation was also viewed as an affront to fundamental rights as workers and citizens, and ultimately a betrayal of the chief principles embedded within the industrial pluralist regime. Since the Supreme Court of Canada's landmark *Health Services* decision in 2007, a process of collective bargaining has been awarded some constitutional protection based on section 2(d) of the Charter of Rights and Freedoms (Savage, 2008). Eleven per cent of open-ended comments protested that Air Canada does not provide an essential service, in accordance with section 87.4 of the Canada Labour Code, and therefore no employee group should be legislated back to work. Others indicated that Bills C-5 and C-33 were evidence of collusion between the government and Air Canada, and that the legislative intervention undermines good faith bargaining. One worker captured these points by saying,

> I mean they were trying to say we were an essential service. I see that to a point … [But] I really felt that the government was, in quotations 'in bed with Air Canada'. I didn't like it at all. (Jenny, customer service and sales worker)

Conclusion

What the study demonstrates is the valuable insights offered by post-strike and post-bargaining reflections within the 'collective voice' and 'labour militancy' frameworks. Levels of inter-union solidarity, the format of corporate restructuring under the auspices of government–employer collusion, as well as the relevance of civil disobedience in response to back-to-work legislation have been explored throughout this article. But the research also exposes instances of union and worker resistance to the exercise of 'exceptionalism' and the state's attempt to influence the outcome of negotiations.

More than any previous federal government, Canada's Conservatives made it clear that disruptions in major industries within the federal jurisdiction – rail, post, air transportation – are a threat to national economic interests, and therefore subject to a suspension of the right to strike. Such is the lived experience of 'permanent exceptionalism' within an industrial pluralist regime in crisis, in addition to the legacy of corporate restructuring and austerity. However, the staging of a brief walk out by Local 2002 members at Pearson International Airport on May Day in 2015 suggests that wildcat demonstrations maintain some appeal within Air Canada's ranks (YouTube, 2015). The execution of an illegal 'sick-out' in June 2015 by airport fuel workers represented by the IAMAW opposed to subcontracting at Pearson International further illustrates that this form of disobedience will not entirely dissipate, especially in the shadow of back-to-work legislation and other expressions of political coercion (Edwards, 2015; IAMAW, 2015). In these examples, undercurrents of militancy have surfaced among the rank-and-file operating beyond the scope of union leadership. Here, the relevance of Hodder et al.'s (2016) claim that there is evidence of a link between strike action and union membership growth is not insignificant.

When Unifor Local 2002 concluded bargaining in 2015, it did so with an un-exercised strike mandate. And like the agreement of 2011, the union was unable to confront the two-tier wage and bifurcated benefit structure that was the legacy of bankruptcy protection. Yet major gains were achieved for junior employees despite the auspices of government intervention. This suggests that resistance from the union and the membership swayed the outcome of negotiations. With the signing of a five-year collective agreement, the starting hourly rate for new hires increased to $14 from just $11.23, impacting nearly 20% of the membership (Keenan, 2015). The airline also agreed that no airport authority would take over work done by Air Canada employees, reversing the company's decision to outsource wheelchair assistance jobs at various bases. Senior employees, meanwhile, would receive relatively meagre lump sum payments in the first three years of the contract, with 2% increases appearing only in years four and five. Consider also that the Local rejected the company's efforts to secure a decade-long agreement, like it had done with other unions at the airline. This showed that the union would not be coerced into making concessions and that it had committed to making principled gains. And indeed, as survey data show, members went into negotiations with a high level of support for their union. Still, resentment towards Local 2002 and senior employees lingered.

Upon news that the most recent agreement had been ratified, one employee commented on a social media forum, 'You got all your nice conditions because of people senior … And you leave with the bank by throwing the juniors under the bus.' This was

a response to the differential wage increases and bonuses awarded to segregated classes of employees within the bargaining unit. Here, further research is needed to investigate the impact of restructuring and labour relations within the union along a demographic vector, namely age and seniority. Such divisiveness helps contextualize the 65% support received from the membership on the final settlement in June 2015. This is suggestive of discontent within the ranks of Air Canada's customer service and sales staff due to an inequity recognized by senior and junior workers alike during interviews. It also offers a hint that the union will demand a better deal during the next round of negotiations. Indeed, back-to-work legislation and its protection of Air Canada's financial interests in 2011 have helped nurture such a climate that will undoubtedly continue into the future.

As maintained by Stevens and Nesbitt (2014), the Air Canada case reinvigorated the case for civil disobedience in the context of modern industrial relations. Indeed, as Panitch and Swartz (2013) remind us, established collective rights were secured through militancy and confrontation with employers and the state. Developments between 2011 and 2012 showcased the limits of strike action in the context of permanent exceptionalism, in which rights were suspended through back-to-work legislation in the name of the public good. But data from the survey, as well as outcomes from the 2015 round of negotiations, illustrate that a coercive regime has not dismantled the union's resolve, or the membership's support for their bargaining agent. Local 2002 also showed that is feasible to push back against the two-tier wage structure, and that neither the state nor the employer would be allowed to claim absolute victory in light of the developments of 2011–2012. This is an important lesson for labour organizations across Canada and shows that the role of the state is both contested and unstable.

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1. In 2013, the CAW merged with the Communications, Energy and Paperworkers Union, the CEP, to form a new labour organization, Unifor.

References

Badigannavar V and Kelly J (2005) Why are some union organizing campaigns more successful than others. *British Journal of Industrial Relations* 43(3): 515–535.

Barling J and Milligan J (1987) Some psychological consequences of striking: A six month longitudinal study. *Journal of Occupational Behaviour* 8(2): 127–137.

Bray M and Underhill E (2009) Industry differences in the neoliberal transformations of Australian industrial relations. *Industrial Relations Journal* 40(5): 372–392.

Brinkmann S (2015) Interviewing and the production of the conversational self. In: Denzin N and Giardina M (eds) *Qualitative Inquiry: Past, Present, and Future*. Walnut Creek, CA: Left Coast Press, pp. 223–241.

Briskin L (2007) From person-days lost to labour militancy: A new look at the Canadian work stoppage data. *Industrial Relations Journal* 61(1): 31–62.

Burawoy M (1983) Factory regimes under advanced capitalism. *American Sociological Review* 48(3): 587–605.

Burawoy M (1985) *The Politics of Production: Factory Regimes Under Capitalism and Socialism*. London: Verso.

Bush D (2015) Airport workers say no to contracting out. Available at: http://rankandfile.ca/2015/04/10/airport-workers-say-no-to-contracting-out

Buttigieg DM, Deery SJ and Iverson RD (2008) Union mobilization: A consideration of the factors affecting the willingness of union members to take industrial action. *British Journal of Industrial Relations* 46(2): 248–267.

Campbell S and Larry H (2011) Struggles on the frontier of professional control: Leading cases from Canada. *Economic and Industrial Democracy* 33(4): 669–689.

Canadian Labour Reporter (2016) Air Canada, CALDA sign collective agreement. Available at: www.labour-reporter.com/articleview/26684-air-canada-calda-sign-collective-agreement

Canadian Press (2012) Air Canada wildcat strike: Disruptions predictable outcome of Harper government labour intervention say experts. Available at: www.huffingtonpost.ca/2012/03/23/air-canada-strike-harper-labour_n_1375427.html#s807184

CAW (2011) CAW-Canada / Air Canada bargaining report. Available at: www.unifor2002.org/resources/1/pdf2/11-06-19_ac_barg_en.pdf

CBC News (2011) Air Canada union cancels strike. Available at: www.cbc.ca/news/canada/air-canada-union-cancels-strike-1.1085123

Chaulk K and Brown TC (2008) An assessment of worker reaction to their union and employer post-strike: A Canadian experience. *Industrial Relations* 63(2): 223–245.

Denzin NK and Giardina MD (2015) *Qualitative Inquiry: Past, Present, and Future*. Walnut Creek, CA: Left Coast Press.

Deveau S (2012) Air Canada moves to prevent further illegal sick-outs, flight cancellations. Available at: http://business.financialpost.com/2012/04/13/air-canada-moves-to-prevent-further-illegal-sick-outs-flight-cancellations

Dixon M, Roscigno VJ and Hodson R (2004) Unions, solidarity, and striking. *Social Forces* 83(1): 3–33.

Eaton J (1993) Air France's strategic plan: Benevolent 'new despotism'. *Work, Employment and Society* 7(4): 585–602.

Edwards P (2015) Stranded passengers frustrated by escalating wildcat job action at Pearson Airport. Available at: www.thestar.com/news/gta/2015/07/03/jet-fuel-dispute-delays-cancels-pearson-flights-friday.html

Fantasia R (1988) *Cultures of Solidarity: Consciousness, Action, and Contemporary American Workers*. Berkeley: University of California Press.

Fowler JL, Gudmundsson AJ and Whicker LM (2009) The psychological impact of industrial strikes: Does involvement in union activity during strikes make a difference? *Journal of Industrial Relations* 51(2): 227–243.

Fryer J (2000) *Identifying the Issues: Final Report*. Advisory Committee on Labour Management Relations in the Federal Public Service. Ottawa: Treasury Board of Canada.

Fudge J and Tucker E (1996) Forging responsible unions: Metal workers and the rise of the labour injunction in Canada. *Labour/Le Travail* 37(1): 81–120.

Fudge J and Tucker E (2001) *Labour Before the Law: The Regulation of Workers' Collective Action in Canada, 1900–1948*. Toronto: University of Toronto Press.

Gall G and Fiorito J (2016) Union effectiveness: In search of the Holy Grail. *Economic and Industrial Democracy* 37(1): 189–211.

Godard J (1992) Strikes as collective voice: A behavioral analysis of strike activity. *Industrial and Labor Relations Review* 46(1): 161–175.

Godard J (2011) What has happened to strikes? *British Journal of Industrial Relations* 49(2): 282–305.

Harris P, Rausch P and Ryan SG (1982) Ineffectiveness in teacher bargaining: The anatomy of a first strike. *Relations Industrielles/Industrial Relations* 37(4): 905–926.

Harvey D (2005) *A Brief History of Neoliberalism*. Oxford: Oxford University Press.

Hebdon R (1998) Behavioural determinants of public sector illegal strikes: Cases from Canada and the U.S. *Relations Industrielles/Industrial Relations* 53(4): 667–690.

Hodder A, Williams M, Kelly J et al. (2016) Does strike action stimulate trade union membership growth? *British Journal of Industrial Relations*. Epub ahead of print.

Howard L and Smith G (2012) Stuck in the terminal with the gates firmly shut: Suspension and termination of industrial action after Qantas. *Victoria Law School Journal* 41(1): 41–55.

IAMAW (2015) Air Canada dismantles fuel consortium hundreds of airport fuelers lose jobs. Available at: www.iamaw.ca/node/2031

International Labour Organization (2013) *Reports of the Committee on Freedom of Association*. 319th session. Geneva: ILO.

Jacques D and Kepos P (eds) (2011) Air Canada. *International Directory of Company Histories* 125. Detroit: St. James Press.

Jain HC, Singh P and Zinni DM (2005) The effects of the use of striker replacement workers in Canada: An analysis of four cases. *Labor Studies Journal* 30(2): 61–86.

Jansen G, Akkerman A and Vandaele K (2014) Undermining mobilization? The effect of job flexibility and job instability on the willingness to strike. *Economic and Industrial Democracy*. Epub ahead of print 17 December 2014. doi:10.1177/0143831X14559782

Keenan G (2015) Unifor approves new five-year contract with Air Canada. *Globe and Mail*. Available at: www.theglobeandmail.com/report-on-business/unifor-approves-new-five-year-contract-with-air-canada/article25137268

Kelly C and Kelly J (1994) Who gets involved in collective action: Social psychological determinants of individual participation in trade unions. *Human Relations* 47(1): 63–83.

Kelly J (1998) *Rethinking Industrial Relations: Mobilization, Collectivism, and Long Waves*. London: Routledge.

Kelly J (2015) Conflict: Trends and forms of collective action. *Employee Relations* 37(6): 720–732.

Klandermans B (1997) *The Social Psychology of Protest*. Oxford: Blackwell.

Langford T (1996) Effects of strike participation on the political consciousness of Canadian postal workers. *Relations Industrielles/Industrial Relations* 51(3): 563–585.

Lansbury R, Oxenbridge S, Tiernan S et al. (2010) A comparative analysis of restructuring employment relationships in Qantas and Aer Lingus: Different routes, similar destinations. *International Journal of Human Resource Management* 21(2): 180–196.

Larsen TP and Navrbjerg SE (2015) The economic crisis: Testing employee relations. *Economic and Industrial Democracy* 36(2): 331–353.

Lee T and Sack J (1989) The role of the state in Canadian labour relations. *Relations Industrielles/Industrial Relations* 44(1): 195–223.

Lu V (2015) Air Canada flight attendants approve 10-year deal. *Toronto Star*. Available at: www.thestar.com/business/2015/11/18/air-canada-flight-attendants-approve-10-year-deal.html

Macbride A, Lancee W and Freeman SJ (1981) The psychosocial impact of a labour dispute. *Journal of Occupational Psychology* 54(1): 125–133.

McClendon JA and Klaas B (1993) Determinants of strike-related militancy: An analysis of a university faculty strike. *Industrial and Labor Relations Review* 46(3): 560–573.

McShane SL (1985) Sources of attitudinal union militancy. *Relations Industrielles/Industrial Relations* 40(1): 285-301.

McShane SL (1986) General union attitude: A construct validation. *Journal of Labour Research* 12(4): 403–417.

Marowits R (2014) Air Canada pilots ratify 10-year contract with 20% wage increase. Available at: www.theglobeandmail.com/report-on-business/air-canada-pilots-ratify-10-year-contract/article21401537

Ng I (1993) Strike activities and post-strike perceptions among university faculty. *Relations Industrielles/Industrial Relations* 48(1): 231–249.

Nicholson N and Kelly J (1980) The psychology of strikes. *Journal of Occupational Behavior* 1(4): 275–284.

Panitch L and Swartz D (2009) *From Consent to Coercion: The Assault on Trade Union Freedoms*, 3rd edn. Toronto: University of Toronto Press.

Panitch L and Swartz D (2013) The continuing assault on public sector unions. In: Ross S and Savage L (eds) *Public Sector Unions in the Age of Austerity*. Halifax: Fernwood, pp. 31–45.

Rose J (2004) Public sector bargaining: From retrenchment to consolidation. *Relation Industrielles/Industrial Relations* 59(2): 271–294.

Savage L (2008) Workers' rights as human rights: Organized labor rights discourse in Canada. *Labor Studies Journal* 34(1): 8–20.

Schutt RK (1982) Models of militancy: Support for strikes and work actions among public employees. *Industrial and Labor Relations Review* 35(1): 406–422.

Shirom A (1977) Union militancy: Structural and personal determinants. *Industrial Relations* 16(1): 152–162.

Simms M and Dean D (2015) Mobilising contingent workers: An analysis of two successful cases. *Economic and Industrial Democracy* 36(1): 173–190.

Smith G and Howard L (2012) Stuck in the terminal with the gates firmly shut: Suspension and termination of industrial action after Qantas. *Victoria Law School Journal* 41: 41–55.

Stevens A and Nesbitt D (2014) Era of wildcats and sick-outs in Canada? The continued decline of industrial pluralism and the case of Air Canada. *Labour Studies Journal* 39(2): 118–139.

Tabachnick BG and Fidell LS (2001) *Using Multivariate Statistics*, 4th edn. Boston, MA: Allyn and Bacon.

Taylor P and Moore S (2015) Cabin crew collectivism: Labour process and the roots of mobilization. *Work, Employment and Society* 29(1): 79–98.

Thomas MP and Tufts S (2016) Austerity, right populism, and the crisis of labour in Canada. *Antipode* 48(1): 212–230.

Thommes K, Akkerman A, Torenvlied R et al. (2014) The dark side of solidarity: Social norms and social relations in the aftermath of strikes. *Industrial Relations Journal* 45(4): 348–367.

Tucker E (2014) Shall Wagnerism have no dominion? *Just Labour: A Canadian Journal of Work and Society* 21(1): 1–27.

Warskett R (2013) Federal public sector unions in times of austerity: Linking structure and strategic choice. In: Ross S and Savage L (eds) *Public Sector Unions in the Age of Austerity*. Halifax and Winnipeg: Fernwood, pp. 126–138.

YouTube (2015) May Day ice cream YYZ. Available at: www.youtube.com/watch?v=ujxLiZkRYBs

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