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Neoliberalism and Working-Class Resistance in British Columbia: The Hospital Employees' Union Struggle, 2002-2004

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Article abstract

IN BRITISH COLUMBIA in the spring of 2004, over 40,000 hospital and long-term care facility workers, mostly members of the Hospital Employees Union [HEU], struck to defend their jobs and services against attacks from an aggressive neoliberal government and employers. This strike was distinguished by the social composition of the workforce, the fact that heu had one of the more left-wing leaderships in the Canadian labour movement, and the determination of the strikers to persevere even in the face of back-to-work legislation. HEU's resistance evoked an unusual degree of support that took the form of active solidarity rather than just passive sympathy. The BC labour leadership was pushed towards a confrontation of the kind that the existing regime of industrial legality was designed to prevent. This article identifies the systemic causes of the BC health care strike in public sector restructuring and the building of a lean state, explores its background, traces its trajectory, and explains and assesses its outcome. This strike highlights the significance of the character of the contemporary labour officialdom as a social layer whose conditions of existence lead it to usually oppose forms of collective action outside the bounds of industrial legality.

ARTICLES

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David Camfield

PUBLIC SECTOR WORKERS and the services they deliver have been dramatically affected by the development and generalization of neoliberalism as a response to capitalist crisis since the end of the post-war economic boom in the mid-1970s. This has certainly been true in Canada, where workers employed by governments and government-funded organizations in the broader public sector have for three decades experienced an onslaught of attacks, including wage controls, layoffs, demands for concessions, back-to-work legislation, privatization, contracting-out, and imposed collective agreements. Some Canadian public sector workers have responded with angry defiance — consider the illegal nurses' strikes in Saskatchewan and Québec in 1999, the Calgary laundry workers' wildcat of 1995, the willingness of some leaders of the Canadian Union of Postal Workers [CUPW] to spurn the law's dictates and face time in jail, and the resolute strike by teaching assistants, research assistants, and contract faculty at York University. More often workers have put up minimal resistance or simply acquiesced, believing that, to use

David Camfield, "Neoliberalism and Working-Class Resistance in British Columbia: The Hospital Employees' Union Struggle, 2002-2004," *Labour/Le Travail*, 57 (Spring 2006), 9-41.

Margaret Thatcher's phrase that has come to be emblematic of neoliberalism's *pensée unique*, "There is no alternative."[1]

The strike by over 40,000 hospital and long-term care facility workers in British Columbia in the spring of 2004 could be seen as simply one more instance of public sector unionists struggling to defend themselves and the services they deliver from employers and a government intent on reorganizing the public sector on neoliberal lines. However, this strike was distinguished from many others in a number of ways. This workforce was overwhelmingly made up of women, including many women of colour, and organized in the Hospital Employees Union [HEU], which has one of the more left-wing leaderships in the Canadian labour movement. The workers displayed a remarkable degree of determination in the face of the BC government's attempt to end their strike by legislative order. Their resistance evoked an unusual degree of support that took the form of active solidarity rather than just passive sympathy. Some BC workers saw in HEU's struggle an opportunity to hit back at a provincial government that had done much to earn their ire. So strong was the desire to act in support of HEU that it pushed top leaders of the BC labour movement towards the kind of confrontation with state power and employers that the existing regime of industrial legality was designed to prevent. How and why a strike with such uncommon features ended with a concessionary settlement and the cancellation of the province-wide mass strike set for the following day, leaving many strikers and supporters furious at the BC labour leadership and calling to mind the experience of BC's Solidarity movement of 1983, are questions with important implications for the future of the working-class movement. This article demonstrates the systemic causes of the BC health care strike, explores its back-

[1]On the Alberta examples mentioned, see Yonatan Reshef and Sandra Rastin, *Unions in the Time of Revolution: Government Restructuring in Alberta and Ontario* (Toronto 2003), 10-1, 156-61. On the Saskatchewan nurses, see Larry Haiven, "Saskatchewan: Social Experimentation, Economic Development and the Test of Time," in Mark Thompson, Joseph B. Rose, and Anthony E. Smith, eds., *Beyond the National Divide: Regional Dimensions of Industrial Relations* (Montreal and Kingston 2003), 188-9, and Saskatchewan Union of Nurses, "The Strike of 1999," <http://www.sun-nurses.sk.ca/about_history/1999_strike.html>. On CUPW, see Bryan D. Palmer, *Working-Class Experience: Rethinking the History of Canadian Labour* (Toronto 1992), 345, and Leo Panitch and Donald Swartz, *From Consent to Coercion: The Assault on Trade Union Freedoms* (Aurora 2003), 167-8. The York University strike of 2001 is assessed in Clarice Kuhling, "How CUPE 3903 Struck and Won," *Just Labour: A Canadian Journal of Work and Society*, 1 (2002), 77-85, <http://www.yorku.ca/julabour/volume1/jl_kuhling.pdf>. Many instances of public sector union quiescence and muted opposition in the face of neoliberalism in the 1990s are visible in Gene Swimmer, ed., *Public Sector Labour Relations in an Era of Restraint and Restructuring* (Don Mills 2001). Two noteworthy studies of public sector strikes are Jerry P. White, *Hospital Strike: Women, Unions and Public Sector Conflict* (Toronto 1990) and David Rapaport, *No Justice, No Peace: The 1996 OPSEU Strike Against the Harris Government in Ontario* (Montreal and Kingston 1999).

ground and trajectory, and explains and assesses its outcome. The analysis developed here highlights the significance of the character of the contemporary labour officialdom as a social layer whose conditions of existence lead it to usually oppose forms of collective action outside the bounds of industrial legality.[2]

Leaning Health Care: The Neoliberal Prescription in British Columbia

The restructuring of health care in BC is no isolated development, and needs to be understood as an integral part of processes unfolding on a global scale. As a former chief economist of Ontario has written, "broad-based changes in the financing, administration and management of public service delivery"[3] are underway at all levels of the state, not only in Canada but across the advanced capitalist countries and beyond. It is commonly observed that the central thrust of this reorganization of the broader public sector is a shift from the welfare state to a new kind of public administration whose "primary objective [is] the fostering of a globally competitive economy."[4] The most influential perspective on issues of contemporary public sector "reform" understand this transition as absolutely necessary because of the "fundamental economic constraint"[5] on governments today. The necessity to reorganize the public sector is often linked with economic globalization. For the proponents of the New Public Management, this kind of restructuring is both a necessary and positive response to economic and political realities.[6]

Critics have argued that the "reform" of the public sector that often occurs under the banner of the New Public Management is a neoliberal project that involves a fundamental shift from the Keynesian welfare state to a state whose focus is the promotion of "flexibility" and corporate profit.[7] This critique can be taken further

[2]As part of my research, I conducted and recorded confidential semi-structured interviews with six key informants in the Hospital Employees Union [HEU] and the Canadian Union of Public Employees [CUPE]. All references to interviewees and correspondents in the footnotes are anonymous, identified by union affiliation and a letter-number code, with members holding union office (whether as stewards, local officials, or officials above the local level) given the suffix O, other members M, and staff S.

[3]Peter Warrian, *Hard Bargain: Transforming Public Sector Labour-Management Relations* (Toronto 1996), 11.

[4]Brendan Nolan, "Conclusion: Themes and Future Directions for Public Sector Reform," in Brendan C. Nolan, ed., *Public Sector Reform: An International Perspective* (Basingstoke and New York 2001), 185.

[5]Warrian, *Hard Bargain*, 27.

[6]See OECD, *Governance in Transition: Public Management Reforms in OECD Countries* (Paris 1995); OECD, *Public Management Reform and Economic and Social Development* (Paris 1998); OECD, *Government of the Future* (Paris 2000).

[7]John Shields and B. Mitchell Evans, *Shrinking the State: Globalization and Public Administration "Reform"* (Halifax 1998); Bob Jessop, "Post-Fordism and the State," in Ash Amin, ed., *Post-Fordism: A Reader* (Oxford and Cambridge, MA 1994), 251-79; Stephen McBride and John Shields, *Dismantling a Nation: The Transition to Corporate Rule in Canada* (Hali-

by grounding it in an account of contemporary capitalism as a global system of social relations of production, reproduction, and rule.[8] In brief, capitalism's central social relation between capital and human labour exists as a differentiated unity of social forms: the economic and the political, or market and state. Of course, the economic and the political do not actually exist as singular forms, as market and state. There is not one capital but many enterprises, not one state but an international system of states. But the many firms and states are not self-contained entities. Rather, they are internally related through identifiable concrete processes. One of the most important of these is that accumulation is increasingly global while states are nationally constituted: "Although exploitation conditions are standardised nationally, sovereign states via the exchange rate mechanism are interlocked internationally into a hierarchy of price systems ... states ... founded on the rule of money and law (as the source of their revenue and claim to legitimacy) are at the same time confined within limits imposed by the accumulation of capital on a world scale."[9]

A more concrete conceptualization of contemporary public sector restructuring that is compatible with this understanding has been proposed by Alan Sears, who analyses neoliberal "reform" as a move from the broad welfare state built in the era of the post-war boom to the "lean" state. Avoiding the mistake of treating this reorganization of the state in functionalist fashion, as a reflex response to capital's needs, it is understood as a contested process developed over time through trial and error by governments and public sector managers in various countries. The project of lean states is to restructure social reproduction in ways that facilitate the spread and consolidation of lean production methods in paid workplaces. This involves a new mode of the political administration of civil society by state power, a host of legal and administrative measures designed to generate "flexible" workers and "lean" persons. Within the public sector, building the lean state involves shrinking the number of workers employed by governments and public sector orga-

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fax 1997); Gary Teeple, *Globalization and the Decline of Social Reform: Into the Twenty-First Century* (Toronto 2000). Relevant here are Gérard Duménil and Dominique Lévy, *Capital Resurgent: Roots of the Neoliberal Revolution* (Cambridge, MA, and London 2004) and, on Canada, Murray E.G. Smith, "Political Economy and the Canadian Working Class: Marxism or Nationalist Reformism?," *Labour/Le Travail*, 46 (2000), 343-68.

[8]The highly compressed argument that follows draws on Peter Burnham, "Capital, Crisis and the International State System," in Werner Bonefeld and John Holloway, eds., *Global Capital, National State* (New York 1995), 92-115; John Holloway, "Global Capital and the National State," in Bonefeld and Holloway, eds., *Global Capital, National State and the Politics of Money*, 116-40; Werner Bonefeld, *The Recomposition of the British State During the 1980s* (Aldershot 1993); Simon Clarke, *Keynesianism, Monetarism and the Crisis of the State* (Aldershot 1988); Burnham, "The Politics of Economic Management in the 1990s," *New Political Economy*, 4 (1999), 37-54.

[9]Burnham, "Capital, Crisis and the International State System," 103.

nizations and expanding the ranks of lower paid, less secure employees, including workfare recipients, working for non-profit "community" agencies, and private firms that move in to take advantage of new opportunities to profit from contracting-out and other kinds of corporate involvement.[10]

This analysis allows us to see how the restructuring of health care in BC since the election of the Liberal Party under Gordon Campbell in Victoria in 2001 has systemic causes and is part of a much broader class project for reshaping state and society. Policy choices by federal and provincial governments should be seen in this light. In 1995, federal cuts to health care spending coincided with the creation of the Canada Health and Social Transfer. These cuts were partially offset by subsequent infusions of funding, but the latter were accompanied by tacit acceptance of privatizing measures by provincial governments. Roy Romanow's much-hailed 2002 *Report of the Commission on the Future of Health Care in Canada* affirmed publicly funded health care while explicitly encouraging the contracting-out of support services and not rejecting public-private partnerships [P3s]. In 2002, the BC Liberal government moved to reduce medical services through the elimination of coverage for physiotherapy, chiropractic, massage and other therapies, making cuts to the Pharmacare programme, closing hospitals and long-term care facilities, cutting services and beds in others, and removing housekeeping work from the home care provided to disabled and elderly people. At the same time, the Campbell government encouraged more corporate involvement in health care, including the building of a P3 ambulatory care centre in Vancouver and a P3 hospital in Abbotsford.[11]

Another important piece of the Campbell government's restructuring of health care was Bill 29, The Health and Social Services Delivery Act. Thanks to the Lib-

[10]Alan Sears, "The 'Lean' State and Capitalist Restructuring: Towards a Theoretical Account," *Studies in Political Economy*, 59 (1999), 91-114. Sears uses this theory to analyse the restructuring of public education in his *Retooling the Mind Factory: Education in a Lean State* (Toronto 2003). On lean production and related aspects of contemporary work reorganization and economic restructuring, see Kim Moody, *Workers in a Lean World: Unions in the International Economy* (London and New York 1997), 41-113; Tony Smith, *Technology and Capital in the Age of Lean Production: A Marxian Critique of the "New Economy"* (Albany 2000); Isa Bakker, ed., *Rethinking Restructuring: Gender and Change in Canada* (Toronto 1996); Leah F. Vosko, *Temporary Work: The Gendered Rise of a Precarious Employment Relationship* (Toronto 2000); Jamie Peck, *Work-Place: The Social Regulation of Labor Markets* (New York and London 1996). On state activity as the political administration of civil society, see Mark Neocleous, *Administering Civil Society: Towards a Theory of State Power* (London and New York 1996).

[11]Pat Armstrong and Hugh Armstrong, *Wasting Away: The Undermining of Canadian Health Care* (Don Mills 2003), 56-94; *The Report of the Commission on the Future of Health Care in Canada (The Romanow Commission): A Summary and Assessment* ([Ottawa] 2002); Sylvia Fuller, Colleen Fuller, and Marcy Cohen, *Health Care Restructuring in BC* (Vancouver 2003).

erals' overwhelming majority, this piece of legislation was passed in the middle of the night on 28 January 2002 after only a few hours of debate in the legislature. Bill 29 allowed for extensive privatization and the elimination or transfer of services without consultation. It also made it illegal for health care workers to discuss alternatives to privatization with their employers and enabled the closure of hospitals with two months notice. In a direct attack on unionized workers, it stripped key provisions from the Health Services and Support Facilities Subsector collective agreement that covers members of HEU along with members of nine other unions that have a small presence in hospitals and long-term care facilities, and also added new provisions. Workers lost their strong "no contracting-out" protection as well as successor rights and bumping language that had helped higher seniority workers avoid unemployment. Retraining and job placement rights were cut, along with the Health Labour Adjustment Agency, a body responsible for assisting laid-off workers that had been established as part of the Health Accord signed under the previous New Democratic Party [NDP] provincial government. Employers were given the power to move workers between hospitals and to temporary assignments at distant workplaces. This bill, blatantly favourable to health care managers and private sector contractors and "arguably ... the most severe government intrusion into collective agreements in Canadian history," was in perfect conformity with the lean state project. It also contradicted Campbell's commitment in a pre-election interview with HEU's newspaper *Guardian*: "I am not tearing up any agreements." Little wonder, then, that health care workers who had actually believed the Liberal leader's promises were especially furious.[12]

In the Crosshairs: Workers and the HEU

Most of the workers at the centre of BC health care restructuring were members of HEU, which represents over 90 per cent of health support workers in hospitals and long-term care facilities. HEU members include a broad range of clerical, food ser-

[12]"Bill 29 strips rights, paves way for closures, cuts and privatization," *Backgrounders*, 3 (March 2002), <http://www.heu.org/cgi-bin/pi.cgi?t:../pubs/past_article3_7.html+published _dates_list.FILE:/backgrounders/published_dates_list+published_dates_list.RECORD:10002+publications_list.FILE:admin/database/publications_list+publications_list.RECORD!display:10003> (13 July 2004); *2001-2004 Health Services and Support Facilities Collective Agreement between Association of Unions and Health Employers Association of British Columbia*; Mark Thompson and Brian Bemmels, "British Columbia: The Parties Match the Mountains," in Thompson, Rose, and Smith, eds., *Beyond the National Divide*, 108; "Gordon Campbell Interview: Moving to the Middle," *Guardian* 18 (November-December 2000), <http://www.heu.org/cgi-bin/pi.cgi?t:../pubs/past_article3_4.html+published_dates_list.FILE:/guardian/published_dates_list+published_dates_list.RECORD:10013+publications_list.FILE:admin/database/publications_list+publications_list.RECORD!display:10001> (13 July 2004).

vices, housekeeping, laundry, maintenance, technical, trades, and patient care workers, including Licensed Practical Nurses [LPNs].[13] This workforce is overwhelmingly made up of women, who were 85 per cent of HEU's membership in 2002 at the time of the most recent union membership survey. At that time, approximately three in ten HEU members were workers of colour. Fully 32 per cent of HEU members were born outside Canada, notably in the Philippines, the UK or Ireland, and India, compared to the 20 per cent of the population of BC born in these countries. HEU workers were, on average, significantly older than those in other parts of the labour force, with 57 per cent of HEU members aged 45 or more. Many were also long-service workers: on average, HEU members had belonged to the union for 13.6 years. Only 20 per cent had been members for five years or less. Not surprisingly for a workforce many of whose members were mature women, 46 per cent of HEU members had at least one dependent child living with them and 26 per cent had at least one adult dependent in the home. Two-thirds were full-time employees; among the part-time employees, the average weekly hours worked, 25.6, represented much more than a marginal job. In addition, 15 per cent held another paid job in addition to their HEU work. In short, this was a mature and predominantly female workforce, including many women of colour, whose jobs were very important to them and the other members of their households. The fact that nearly three-quarters of the members surveyed believed that it was unlikely that they could find a comparable position outside of health care in or near their community and almost as many stated that they were unlikely to be able to relocate to find other paid work suggests how greatly many HEU members valued their jobs.[14]

The attachment of HEU members to their jobs and their belief in the difficulty of finding comparable work in another part of the workforce were in part founded on HEU's successful track record in raising workers' wages and benefits, including fighting for pay equity. Since the 1970s, HEU has been able to make considerable progress in achieving pay equity through negotiated contract provisions, arbitrated settlements, complaints to the BC Human Rights Commission, political pressure, and a 1992 strike that won pay equity increases for over 90 per cent of HEU members. Between 1991 and 2001, the gap between the wages of HEU members in the female-dominated job classifications of housekeeping aide, nursing assistant, and laundry worker and the rates for comparable male-dominated classifications fell from 16 per cent to 3.7 per cent, from 29 per cent to 11 per cent, and from 14 per cent to 1.9 per cent, respectively. In one of the most expensive parts of the country — for example, housing costs were 26 per cent above the Canadian average in 2002 —

[13]Similar workers in a few facilities belonged to the BC Government and Service Employees Union [BCGEU]. Many professional employees are represented by the Health Sciences Association of BC [HSA]. Registered Nurses belong to the BC Nurses Union [BCNU]. Some skilled tradespeople in health care are members of craft unions.

[14]Statistics drawn from McIntyre and Mustel Research Ltd., *HEU Member Profile Survey: Draft* (Vancouver 2002).

HEU was able to raise the wages of many of its members to rates much higher than those paid to workers in equivalent classifications in other provinces. HEU cleaners, for example, made $18.60 per hour in 2003, 31.2 per cent above the average rate for cleaners in hospitals and long-term care facilities in Canada. This was a union whose leaders took seriously the proclamation in the preamble to its constitution that it is "the right of those who toil to enjoy to the fullest extent the highest standard of living compatible with life within Canada." It was also a union that from the late 1960s onwards was pushed by women members and staff to combat gendered inequalities among health care workers.[15]

These priorities reflect HEU's history as a union in a sector where for many years workers earned wages below the provincial average and a province whose working class has displayed considerable militancy in the decades since HEU's ancestors (two locals formed at Vancouver General Hospital around 1936) came into existence. HEU was never solely concerned with its members' wages, benefits, and working conditions, though. The union's 1958 endorsement of the demand for a comprehensive public health care system was followed twenty years later by its call for taking private long-term care facilities into public ownership, through expropriation if necessary. Difficult bargaining with Social Credit provincial governments during the years of the post-war Long Boom, the disappointment of seeing the Barrett NDP government change the Labour Code in 1975 to remove the newly gained right to strike from health care workers designated "essential," major hospital strikes in 1976, 1989, and 1992, sometimes bitter strikes against smaller employers, involvement in the 1983 Solidarity movement, and women's activism produced a union that at the close of the century was distinguished by a higher level of militancy and political consciousness than most Canadian unions.[16]

That said, the entire Canadian labour movement has been shaped in important ways by the practice of routinized and tightly regulated collective bargaining and contract administration within the regime of industrial legality instituted in the mid-1940s, and HEU is no exception. Two intimately interconnected effects stand out here. First, the fostering of bureaucracy, understood in Richard Hyman's sense as "a corrosive pattern of *internal social relations* manifest in a differential distribution of expertise and activism; in a dependence of the mass of union members on

[15]Patricia G. Webb, *The Heart of Health Care: The Story of the Hospital Employees' Union* (Vancouver 1994), 66-74; Marjorie Griffin Cohen and Marcy Cohen, *A Return to Wage Discrimination: Pay Equity Losses Through the Privatization of Health Care* (Vancouver 2004), 8-9, 25-6; *HEU Constitution and Bylaws* (2002), 1. Working-class women's labour activism in the 1970s is surveyed in Meg Luxton, "Feminism as a Class Act: Working-Class Feminism and the Women's Movement in Canada," *Labour/Le Travail*, 48 (2001), 63-88.
[16]Webb, *The Heart of Health Care*, 13, 42, 32, 52, 59, 60, 86-8, 74, 91. HEU educational material included the IWW's "How to Sack Your Boss: A Workers' Guide to Direct Action" and [Joey Hartmann], "Some Examples of Direct Action in BC and HEU History" (n.d.). On postwar BC labour, see Thompson and Bemmels, "British Columbia" and Bryan D. Palmer, *Solidarity: The Rise and Fall of an Opposition in British Columbia* (Vancouver 1987).

the initiative and experience of a relatively small group of leaders — both official *and* 'unofficial'." Second, the strengthening of the union officialdom as a social layer within the working-class movement whose existence at the heart of highly state-regulated relations between labour and capital confers on it interests distinct from those of the workers they legally and politically represent. Perhaps the most visible embodiment of these phenomena in HEU is the central role of a full-time hired staffer, the Secretary-Business Manager, who serves as a full member of the (otherwise elected) Provincial Executive [PE], in the style of some British unions. Despite being outside the Canadian Labour Congress between 1970 and 1984 due to conflict with CUPE (which it had helped found and to which it reaffiliated on a trial basis in 1984 and more permanently in 1994), HEU was part of the same class formation as the rest of the English Canadian labour movement and therefore bore many of the same marks as other contemporary unions.[17]

From Bill 29 to the Strike of 2004

The quick passage of Bill 29 at the end of January 2002 — during a special weekend sitting of the legislature called to order striking teachers back to work — came as a shock to everyone in HEU. After the bill was introduced, some Victoria HEU workers wildcatted and spent the weekend outside the provincial legislature. According to a high-ranking HEU official, "People were in disbelief, one, that they would ram through legislation with virtually no debate, and two, that they would break a legally binding three year agreement." The PE rushed to organize job action in protest in early February, but decided at the last moment not to proceed after discovering "a real disconnect between membership and leadership," with many members not yet grasping what Bill 29 meant for them. Shortly thereafter HEU received a leaked cab-

[17]Richard Hyman, *The Political Economy of Industrial Relations: Theory and Practice in a Cold Climate* (London 1989), 246. For a clear conceptualization of the labour officialdom as a distinct social layer, see Robert Brenner, "The Paradox of Social Democracy: The American Case," in Mike Davis, Fred Pfeil, and Michael Sprinker, eds., *The Year Left: An American Socialist Yearbook* (London and New York 1985), 43-6. On post-war industrial legality and the character of the post-war labour movement, see Judy Fudge and Eric Tucker, *Labour Before the Law: The Regulation of Workers' Collective Action in Canada, 1900-1948* (Don Mills 2001), 302-15; Anne Forrest, "Securing the Male Breadwinner: A Feminist Interpretation of PC 1003," in Cy Gonick, Paul Phillips, and Jesse Vorst, eds., *Labour Gains, Labour Pains: 50 Years of PC 1003* (Winnipeg and Halifax 1995), 139-62; Palmer, *Working-Class Experience*, 340-416; Palmer, "System Failure: The Break-Down of the Post-War Settlement and the Politics of Labour in our Time" (Text of a speech delivered 7 May 2004 to the Alberta Federation of Labour membership forum) <http://www.canadiandimension.mb.ca/extra/d0609bp.htm> (13 July 2004); Panitch and Swartz, *From Consent to Coercion*; David Camfield, "Class, Politics and Social Change: The Remaking of the Working Class in 1940s Canada," PhD thesis, York University, 2002, 307-28. On HEU's Secretary-Business Manager, whose appointment must be ratified at each HEU convention, see Webb, *The Heart of Health Care*, 40-2, 81, 24.

inet minister's briefing book which revealed that the provincial government's plans for health care cuts included the elimination of 14,000 Full-Time Equivalents [FTEs][18] in the 2003-04 fiscal year and an additional 3,530 the next year. Soon the contracting-out of HEU work began. Women of colour were hit especially hard, as many were employed in the housekeeping, dietary, and laundry jobs targeted for contracting-out.[19]

The enactment of Bill 29 opened up a period that one staffer described as "devastating" for HEU members; another called it "stressful to say the least, and ... a feeling growing ... that the union was becoming ineffective in a lot of ways. I think that's how Joe member on the floor was feeling, that the employer just started unilaterally doing stuff that they would have never done before Bill 29."[20] Bolstered by government actions, many employers adopted a hard-line stance around workplace issues. In the words of one union activist, "because the contracting-out came on slowly, a lot of people, rank and file members, were in a state of disbelief about what was going to happen ... I think a lot of people didn't think it was really going to be as bad as it was."[21] A staffer describes how some members accused "spokespeople for the union of going out and fear-mongering at the beginning."[22] The uneven spread of contracting-out complicated the situation for HEU; the worst job losses were concentrated in housekeeping, laundry, and food service work in the Lower Mainland and Vancouver Island, where the greatest opportunities existed for private contractors to profitably take over service delivery. The "unrelenting assault" from different health care sector employers, in the context of other attacks from the provincial government, "created a lot of chaos."[23]

The winter and spring of 2002 saw the BC Federation of Labour [BCFL] and a number of community coalitions organize large anti-cuts demonstrations in Victoria and Vancouver while smaller protests took place around the province. Activists like those of Vancouver's Prepare the General Strike Committee agitated for a general strike.[24] Within HEU, the PE directed efforts to explain the attacks to members

[18]Because a significant minority of HEU members are part-time employees, the actual number of workers who lose their jobs is greater than the number of FTEs cut, by approximately 50 per cent.

[19]Interview with HEU 0-3; *Draft Briefing Material for Minister of Health Services*, 16 February 2002; "Women and Workers of Colour Hit Hardest By Sellout" [Interview with Gretchen Dulmage], *New Socialist*, 47 (May-June 2004), 27-8.

[20]Interview with HEU S-1; Interview with HEU S-2.

[21]Interview with HEU O-1.

[22]Interview with HEU S-2.

[23]Interview with HEU S-1.

[24]Donna Harrison, "BC's Protracted Class War," *Canadian Dimension*, 36 (July-August 2002), 12-3; Kimball Cariou, "BC's Fightback," *Canadian Dimension*, 36 (March-April 2002), 8-9. In his pamphlet *Labour, the NDP ... and Our Communities* (Victoria 2003), Victoria activist Jim Herring pointedly describes the large demonstrations in Victoria (23 Feb-

and mobilize them for action. The union ran several public campaigns designed to counter the government's claims about cost savings and media reports which suggested that HEU members facing contracting-out were overpaid and undeserving. The contracting-out of laundry services in Fraser Valley hospitals to K-Bro Linen Systems, which trucked laundry from Chilliwack hundreds of kilometres east to Calgary and back, was met by a HEU blockade that led to the arrest of three members of HEU's PE on 22 November 2002;[25] on the same day, HEU held three rallies at Vancouver hospitals to protest the loss of 1,000 housekeeping jobs. On the first anniversary of the passage of Bill 29, an HEU day of strike action and rallies met with a lukewarm response from members. In the analysis of one staffer, "the members were being quite clear that if we were going to go on strike that we should go on strike til we meet our demands, not like a one day symbolic protest."[26] Through this difficult year, the union's resistance took the form of a number of small actions and campaigns because of the chaotic situation the union found itself in and the fact that HEU was facing attacks on a scale for which it was unprepared. The situation was fear-inducing, and within a year some members' anger and readiness to act had turned into demoralization because none of the union's fight-back efforts had been effective.

In the spring of 2003, shortly after a well-attended HEU fight-back conference that galvanized members around opposition to privatization and concessions and encouraged them to mobilize their coworkers for action, members were surprised at the announcement of a tentative agreement. "Where did this come from? A week and a half ago I thought we were gonna fight to the death" is how a staffer described the reaction of some activists.[27] The manner in which this deal had been reached disturbed some HEU members, accustomed as they were to being kept informed about negotiations. "These negotiations were clearly backroom,"[28] noted another staffer, and they produced a three-year tentative agreement that capped job losses through contracting-out to 3,500 FTEs and contained $65 million in severance funds. It also made concessions on wages and vacation time and increased the workweek from 36 to 37.5 hours without an increase in pay.[29] The agreement was

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ruary) and Vancouver (25 May) as "characterized mainly by ... controlled, non-participation ... and a slavish obedience to the demands of police and municipal authorities." (9-10)

[25]Lori Culbert, "Union Chiefs Arrested at Blockade: Fraser Valley Hospital Workers Block Trucks Taking Laundry to Calgary," *Vancouver Sun*, 23 November 2002, <http://www.canada.com/vancouver/vancouversun/index.html> (25 November 2002).

[26]Interview with HEU S-1.

[27]Interview with HEU S-1.

[28]Interview with HEU S-2.

[29]"Key Elements in the Framework Agreement Union Members Will Vote on Between April 28 and May 15," *Backgrounders*, 4 (April 2003), <http://www.heu.org/cgi-bin/pi.cgi?t:../pubs/past_article3_10.html+published_articles_list.FILE:/backgrounders/4-1/published_articles_list+published_articles_list.RECORD!Display:10000+published_dates_list.FILE:/backgrounders/published_dates_list+published_dates_list.RECORD:10006+

conditional on quick ratification, and "staff were mobilized to sell the deal."[30] When members of the executive of one HEU local presented the agreement to members in the workplace without an endorsement, "Provincial Office hit the ceiling ... we were told that we were not to talk about the drawbacks of the deal and hand out our agenda."[31]

The tentative agreement was rejected by a vote of 57 per cent. Some members voted against the deal because they distrusted the government that had stripped key provisions out of HEU's collective agreement by legislation (and changed the BCNU's twice in the span of a year) and therefore saw no reason to give concessions in exchange for a cap on the number of jobs to be lost through contracting-out. Others saw the cap as too high. In regions where few jobs had been contracted out, some workers did not truly believe their jobs were threatened. Some activists argued that the agreement did not provide much protection at all because the cap covered only the loss of jobs through contracting-out and not also through privatization, the closure of facilities, and other forms of restructuring. There were also concerns about the rush to ratify quickly and the downplaying of elements of the deal. The overwhelmingly male tradespeople in HEU along with many LPNs and members in technological classifications did not believe their jobs were at risk, and were unwilling to accept wage cuts in exchange for a limitation on contracting-out.[32] In sum, top HEU officials, relieved to have negotiated some restriction on the contracting-out of jobs (inherently also a limit on the reduction of the union's dues base and therefore protection for HEU's institutional stability), rushed for a ratification vote, only to be stymied by an unexpected level of opposition. This came from different directions within the membership, ranging from militant and solidaristic criticism of the deal to the narrow sectionalism of white and male-dominated classifications within a union mostly made up of women, many of them women of colour.

A high-ranking HEU official described the result as "a democratic decision by membership vote."[33] However, one staffer reported that top officials were "angry at the members ... the way it was portrayed was that the members weren't willing to take concessions to save the jobs of other people."[34] With the rejection of the deal, HEU and the other unionized workers in the Health Services and Support Facilities Subsector Bargaining Association [HSSFSBA] were clearly heading for a confrontation with their employers. But the situation soon became even more difficult when

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publications_list.FILE:admin/database/publications_list+publications_list.RECORD:10003> (13 July 2004).

[30]Interview with HEU S-1.

[31]Interview with HEU O-1.

[32]Judith Lavoie, "Health Unions Reject Rollbacks," *Times Columnist* (Victoria), 17 May 2003, A1; Interview with HEU S-1; Interview with HEU S-2; Interview with HEU O-3; Interview with HEU O-1.

[33]Interview with HEU O-3.

[34]Interview with HEU S-1.

it became known in July 2003 that Local 1-3567 of the Industrial, Wood and Allied Workers [IWA] had signed "partnership agreements" with three major multinational service provider corporations that were getting ready to take on the contracted-out work of HEU members. The companies had earlier approached seven other unions, all of which had refused to become involved in such agreements. Only IWA 1-3567 had agreed to be the compliant collaborationist partner the companies sought.[35]

The highly unusual collective agreements signed by this IWA local gave it voluntary recognition before any of the corporations, Sodhexo, Compass, and Aramark, had even signed contracts with health managers, let alone hired any of the workers the IWA was to represent. Prospective employees — none of whom were to be laid-off HEU members — were required by the employers to sign IWA cards at job fairs before they were officially hired. The provisions of the "partnership agreements" set wages for the new workforce, mostly women, at levels far below those won by HEU and below what the IWA's traditional membership base of men in the forestry sector enjoyed. For example, the 2003 hourly wage for housekeepers (cleaners) in the six-year contract signed with Aramark was set at $10.25, 44 per cent below HEU's $18.32, and less than half of the $21.92 rate for (male) janitors in the 2000-2003 IWA Master Agreement. Local 1-3567's agreements also gave employers a free hand to pay some individuals above the negotiated rates. They contained no benefits for workers working fewer than 20 hours per week, and, unlike the Health Services and Support Facilities contract, no pension plan and no parental leave.[36] By entering into "what can only be called ... rat union contract[s]," in the words of Victoria activist Jim Herring (echoed by many other dismayed labour and community activists, including some outspoken IWA members), the IWA leadership "adopted a strategy of accommodation with the New Era of privatization and low wages"[37] and made itself complicit in the government's and health management's assault on the pay, benefits, and working conditions of women health support workers and their union. It would now be much more difficult for HEU to attempt to organize the people hired to do contracted-out work.[38]

[35]Cohen and Cohen, *A Return to Wage Discrimination*, 14, 23; Gary Steeves, Affidavit, 2 May 2002; Transcript of telephone conversation recorded 1 May 2002 between Jaynie Clark, Coordinator, Advocacy, BCGEU and Luciano Anjos, Management Consultant; Transcript of telephone conversation recorded 1 May 2002 between Gary Steeves, Director, Organizing and Field Services, BCGEU and Spencer Green, Regional Operations Director, Sodexho.
[36]Cohen and Cohen, *A Return to Wage Discrimination*, 15-9.
[37]Herring, *Labour, the NDP ... and Our Communities*, 10.
[38]Pressure from members on the CUPE leadership led to CUPE pushing the CLC to appoint an umpire, who found that IWA 1-3567's actions did indeed violate the CLC constitution. However, the local ignored a CLC executive council directive to sign no more voluntary recognition deals. Initial sanctions to the IWA were applied in March 2004. Beginning in May 2004, rulings by the BC Labour Relations Board began to remove IWA certifications on the

With HEU under attack from employers, backed by the provincial government, and from a local of a major affiliate of the BCFL, efforts continued to negotiate a new agreement to replace the one expiring on 31 March 2004. Management was, however, intransigent and tabled demands for major concessions while the number of HEU members losing their jobs reached into the thousands.[39] Faced with employers whose commitment to large-scale privatization outweighed their interest in labour peace and cooperative labour relations, HEU conducted local and regional strike preparation workshops, incorporated strike preparation into its basic educational courses, mounted a public relations campaign linking the defence of its members' jobs and quality public health care, and tried to put pressure on employers and contractors. There was a small wildcat and occupation at Royal Jubilee Hospital in Victoria in February 2004 by workers about to lose their jobs to contracting-out, followed immediately by a sit-in at Nanaimo Regional Hospital.[40] At the end of February, the PE unanimously adopted a resolution "That job action would be required to gain employment security and defeat the concessions," and determined that this would take the form of a two-day province-wide strike "followed by creative job actions on a regional basis."[41] The strike vote in March was 89.57 per cent in favour.[42] Efforts were also made to strengthen alliances with other unions and community groups. What remained unclear was the HEU leadership's strategy for *winning* a strike. Although "it was obvious to everyone that people were going to get legislated back to work, and it was pretty clear that the provincial executive was considering defying a back to work order," in the view of one HEU staffer "it was very clear that there was no real strategy to it."[43]

Stronger organized ties of solidarity with HEU were built on Vancouver Island than in the metropolis of Vancouver. Important here was Greater Victoria's Communities Solidarity Coalition [CSC]. Formed in January 2002, the CSC united senior citizens, students, and anti-poverty activists with unionists from HEU, CUPE, BCGEU, and others. Like militants in other regions of BC, CSC demanded a general strike to defeat the Liberals and organized local actions, including a Day of Defi-

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grounds that the "partnership agreements" had not been properly ratified and that a majority of workers had not freely chosen to be represented by the IWA, clearing the way for HEU efforts to organize workers hired by the contractors. The first ruling was B173/2004, 20 May 2004, Aramark Canada Facility Services Ltd. and Hospital Employees' Union and Industrial Wood and Allied Workers of Canada [IWA Canada], CLC, Local Union, Local No. 1-3567.

[39]The number of HEU members (full-time, part-time, and casual employees) who had lost their jobs through contracting-out in acute care and long-term care was estimated in early August 2004 as 7,917. E-mail from HEU S-3 to author, 9 August 2004.

[40]Interview with HEU O-3; Bob Wilson, "British Columbia Hospital Workers Stage Wildcat Strike Over Impending Job Losses," *Labor Notes*, 301 (April 2004), 6.

[41][HEU] *Provincial Executive Bulletin* 130 (Meetings of 22-25 February and 4 March 2004), 1- 2.

[42][HEU] *Provincial Executive Bulletin* 131 (Meeting of 27 March 2004), 1.

[43]Interview with HEU S-1.

ance on 7 October 2002 that saw flying squads shut down the University of Victoria, Ministry of Health, and other smaller locations, followed by a snake march and rally. This Day of Defiance took place in spite of the BCFL, which "wasn't really supporting people getting militant, and ... in fact ... tried to squash" it. The CSC also encouraged locals of other unions to adopt an HEU local. Strong rank-and-file labour-community solidarity was also built in smaller centres on Vancouver Island and elsewhere in BC.[44]

Such local activism and HEU's strike preparation did not take place as part of a growing wave of anti-government protest. Despite the resolutions demanding a general strike passed by many union locals and labour councils, the mass demonstrations in BC's two largest cities in 2002 were not followed by an escalation of resistance by BC's official labour leadership. Instead, the BCFL executive pursued a strategy centred around preparing to reelect the NDP in the provincial election fixed by law for 2005. Within this strategy, direct action was to be eschewed and working-class anger at the cuts toned down lest they damage voter support for the NDP.[45] As its merely verbal support of the strike by the BC Ferry and Marine Workers Union [BCFMWU] in December 2003 demonstrated, the BCFL leadership had no desire to turn collective-bargaining strikes into broader political struggles even when they involved public sector workers up against the government itself — a stance of considerable significance for the embattled HEU.[46] Nevertheless, one major BCFL affiliate, CUPE-BC, did not place all its eggs in the basket of electoralism. It implemented Local Action Plans for membership mobilization including the possibility of a day of protest work stoppages and "positive activities for members" originally dubbed "Democracy Day," soon renamed "Community Action Day."[47] It was in this seemingly inauspicious conjuncture that HEU and the rest of the HSSFSBA finally struck.

[44]Quotations from one interview, whose code I am omitting to protect the identity of the interviewee.

[45]Herring, *Labour, the NDP ... and Our Communities*, reports that BCFL President Jim Sinclair's presentation to the January 2003 meeting of the All Islands Coalition in Nanaimo "amazed some activists with its utter disregard for the effects the cuts are having on people and infuriated many with the condescending, categorical imperative that was its main theme: there is no other option than waiting it out until we can re-elect the NDP" (9) and that Sinclair recommended that a planned day of action instead became "a 'celebration' of having survived two years of Liberal rule," (9) to the dismay of coalition members.

[46]Will Offley, "BC Ferries: The Workers' Watershed Struggle," *New Socialist*, 45 (January-February 2004), 29-31. As the *Globe and Mail* reported, the presidents of the BCFL and BCGEU "helped moderate the militant ferry workers' stand," Rod Mickleburgh, "BC Ferries Return to Service," *Globe and Mail*, 13 December 2003, A7.

[47]Interview with CUPE O-1; *CUPE BC Workplan* (September 2003); *CUPE Community Action Day Draft Speaking Notes* (22 March 2004). One CUPE activist described CUPE-BC's day of action plan as "throwing a bone to the militant elements in CUPE" who had been demanding a general strike for two years (Interview with CUPE M-1).

An Outpouring of Solidarity: The Strike of 2004

After some debate, at March and April meetings HEU's PE had revised its plan for a two-day provincial strike followed by rotating regional actions. On 14 April, it decided to serve the 72-hour strike notice required by law on 22 April, begin an overtime ban as soon as the union was in a legal strike position, and start picketing with the afternoon shift on Sunday, 25 April. Province-wide picketing was to continue until Wednesday, 28 April, with a decision on what was to follow to be made no later than 27 April.[48] As soon as picket lines went up it was obvious that hospital workers who had endured intense stress and anxiety since the passage of Bill 29 were united and committed to the strike. Workers were so eager to picket that many locals found it difficult to provide enough essential service staff. Many workers picketed more than the twenty hours per week required to receive strike pay; some brought family members with them to the lines. "It was, I think, just the most amazing support that people had ever seen at HEU."[49] Another staffer observed that workers were "very inexperienced in a lot of ways, weak after two years of being beat up, but determined ... there were many people that were behind picket lines for the first time ... but they ca[ught] on quick."[50] As one official put it, "once people engaged, they were prepared to stay out."[51] In some locations, workers who had lost their jobs came out to picket. Most health care workers who belonged to unions not in the HSSFSBA, chiefly BCNU and HSA, and who were not classified as essential, did not cross the picket lines, and many joined them. Other supporters, unionized and non-unionized, added their strength to the pickets. On the morning of 27 April, the PE decided to continue the strike, and did so again the following day.[52]

As predicted, the BC government soon moved to pass legislation to end the strike. What came as a shock was the severity of the bill introduced on the afternoon of Wednesday, 28 April. Bill 37 ordered an end to the strike, but rather than referring the dispute to binding arbitration it imposed a new collective agreement that cut wages by 11 per cent retroactive to 1 April, incorporated the employers' proposal to increase the workweek for regular full-time employees from 36 to 37.5 hours with no increase in pay (amounting to an additional 4 per cent pay cut), contained no protection against contracting-out, and weakened language on filling vacancies and bumping. There could be no doubt as to where the government stood: its support for the lean state project in health care was unmistakable. On the morning of Thursday, 29 April, the bill was proclaimed law. At its meeting soon after the bill's passage, the PE decided to keep HEU picket lines (dubbed "protest lines" now that the strike was illegal) up, call for other unions and community groups to join

[48][HEU] *Provincial Executive Bulletin* 132, 1-2.
[49]Interview with HEU S-1.
[50]Interview with HEU S-2.
[51]Interview with HEU O-3.
[52]Interview with HEU S-1; Interview with HEU S-2; Interview with HEU O-1; Interview with HEU O-3; [HEU] *Provincial Executive Bulletin* 133, 1.

Outside of Vancouver General Hospital, 27 April 2004. Credit: Patty Gibson.

them, arrange an emergency meeting with BCFL leaders, ask for May Day rallies to support HEU lines, and develop a political action plan to defeat the provincial Liberals. In contrast, BCGEU and the International Union of Operating Engineers directed their members in the HSSFSBA to return to work. At around the same time BCNU and HSA officials directed their members who had been respecting HEU's lines to cross them. The strike had entered a new phase, in contravention of the law.[53]

Some HEU activists had been worried about what would happen to membership support once the strike became illegal. Yet on 29 April such concerns were soon dispelled. At some worksites, some members initially reported for work. But many soon walked back out again, like the logistics workers in one major workplace who went in, "just sat around the lunch room freaking out,"[54] and were again on the picket lines on Friday. "Militancy increased. Once they started it, they wanted to finish it in a winning position," as an official put it.[55] The PE met again late Thursday evening, with BCFL officials present; the PE later decided that "to return to work with dignity, HEU's priority would be a return of our no contracting out language."[56]

If most HEU members, trusting in particular in their local leaders, were determined to ignore the odious Bill 37 and continue the struggle into which they had been forced, they were not fighting alone. On their own initiative and at the request of HEU, members of CUPE and other unions began to flock to the picket lines at hospitals and long-term care facilities across BC, in some places intervening to prevent managers from intimidating HEU members. Even some IWA members performing contracted-out work refused to cross HEU lines.[57] The HEU strike became a subject of discussion across the province. For example, in one CUPE workplace an activist described how on the day Bill 37 was passed he was stopped by a "normally totally disinterested" coworker, "one of those kind of guys" who "are not too fond of unions," who asked him "What are we gonna do?" about the attack on hospital workers.[58] Moved by similar sentiments, a few workers began to take direct action on the job: some 70 BC Hydro workers, members of the Office and Professional Employees Union, wildcatted at the WAC Bennett Dam and Peace Canyon Dam, joined

[53]Bill 37 — 2004, Health Sector (Facilities Subsector) Collective Agreement Act; [HEU] *Provincial Executive Bulletin* 134, 1; "Government Proclaims Back to Work Law," *CBC British Columbia,* 29 April 2004, <http://vancouver.cbc.ca/regional/servlet/View?filename=bc_law20040429> (29 April 2004); Interview with HEU S-2.
[54]Interview with HEU O-1.
[55]Interview with HEU O-3.
[56][HEU] *Provincial Executive Bulletin* 134, 2.
[57]Interview with HEU O-3.
[58]Interview with CUPE M-1.

On the lawn in front of the Vancouver Art Gallery at May Day rally, 1 May 2004. Credit: HEU file photo.

by 30 in Revelstoke.[59] In the offices of CUPE-BC, the "phones started to ring off the hook," in the words of an official, who recounted that an evening meeting of CUPE's provincial executive decided that the HEU strike now represented the "trigger" for Community Action Day.[60] According to a CUPE activist, demands for action welled up within the union and the decision to call for all CUPE-BC members to strike the next day was the result of "pressure coming from more and more locals."[61] On 29 April a wave of sympathy with HEU swept across BC. Many people who were hostile to the Campbell government for its actions over the previous three years began to see supporting HEU as a meaningful way to channel their opposition to the Liberals. The strike had become "a lightning rod for people's feelings around Campbell."[62]

On Friday, 30 April, the working-class power drawn to the strike flashed across BC, casting HEU's battle in a new light. In at least 27 CUPE locals, workers were off the job, in defiance of the hallowed legal prohibition of such solidarity action; many strikers joined HEU lines, and in Vancouver, Victoria, and many smaller centres picket lines went up at municipal government offices, libraries, and other public sector workplaces. Participation was notably strong in school-board locals, where workers had experienced significant cuts. In several Vancouver Island school districts, teachers refused to cross CUPE lines. Acting on requests from BCFMWU members, CSC flying squads caused the cancellation of early morning ferry sailings before both HEU and BCFL leaders, apparently fearful of the consequences of this economic disruption, ordered the pickets to fold. The number of CUPE workers involved is not easy to calculate with precision, but the locals taking action represented some 25,000 members and HEU President Fred Muzin's figure of 18,000 off the job avoids the assumption of complete support across participating locals. Smaller numbers of members of other unions, including the Communication, Energy and Paperworkers [CEP], BCNU, OPEU, International Brotherhood of Electrical Workers, Pulp and Paper Workers, and IWA, also struck. Together, these stoppages represented the largest solidarity strike in the province since November 1983, when the BC Teachers' Federation [BCTF] had defied the law and the expectations of many onlookers by walking out as part of Operation Solidarity's planned escalation linked to support of the legally striking BCGEU. Unlike the BCTF action, though, the job action of 30 April was mobilized on extremely short notice, was in support of an illegal strike, and was not limited to one union.[63]

[59]"Hydro Walkout in Support of Hospital Workers," *CBC British Columbia*, 29 April 2004, <http://vancouver.cbc.ca/regional/servlet/View?filename=bc_hydro20040429> (29 April 2004); Doug Ward, "Strike Chaos Across BC," *Vancouver Sun*, 30 April 2004, A1.
[60]Interview with CUPE O-1.
[61]Interview with CUPE M-1.
[62]Interview with HEU S-1.
[63]Interview with CUPE O-1; Interview with HEU O-3; Fred Muzin, Speech to CUPE Ontario Divisional Convention, 29 May 2004 (tape recording); "Protest Walkouts Spread," *CBC British Columbia*, 30 April 2004, <http://vancouver.cbc.ca/regional/servlet/View?

It is vital to appreciate the full significance of this collective action in support of HEU. Since the entrenchment of the pluralist regime of industrial legality in the late 1940s, class struggle in Canada has usually played out in the form of tightly regulated sectional economic conflicts that stay within narrow legal and administrative confines. These restrictions have generally been internalized in most unionized workers' understandings of what unions can and should do, and raised to the level of principle in the minds of much of the labour officialdom. On 30 April, thousands of BC workers engaged in action that was completely antithetical to "responsible" unionism's ossified repertoire of legitimate behaviour in order to support workers, mostly women, who were themselves defying a law widely regarded as cruel and unfair. By so doing, they changed the sense of the possible for themselves and for many other workers who were sympathetically watching HEU's battle with the government. They also altered social-political temporality. The slow and apparently unchangeable pace of life in a stable capitalist society in which the level of social struggle is low and what Marx dubbed "the dull compulsion of economic relations" weighs heavily on working-class existence can be abruptly sped up by an event which is "a caesura in temporal uniformity," to use a phrase of the French Marxist theorist Daniel Bensaïd.[64] Elsewhere, Bensaïd argues that "The 'homogenous and empty' time of mechanical progress, without crises or breaks, is a non-political time," but, "as Walter Benjamin very clearly recognised, the strategic time of politics is not the homogenous and empty time of classical mechanics, but a broken time, full of knots and wombs pregnant with events."[65] On 30 April, the conjunction of the withdrawal of labour-power by thousands of workers in solidarity with HEU's defiant resistance was just such an event. It created new political potentialities and opportunities, and class relations began to move into flux.

It was not long before the self-activity of insurgent workers prompted responses from the provincial government, evidently in some disarray: by early afternoon, Premier Campbell floated the possibility of changes to the settlement imposed by Bill 37 if HEU returned to work, and said on television that HEU members could avoid pay cuts altogether by giving other concessions. The health minis-

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filename=bc_protest20040430> (1 May 2004); "Nurses Walk Out in Several Communities," *CBC British Columbia*, 30 April 2004, <http://vancouver.cbc.ca/regional/servlet/View?filename=bc_protest20040430> (1 May 2004); Norman Gidney, "Labour Crisis Deepens," *Times Columnist* (Victoria), 1 May 2004, A1; Willliam Boei and Jeff Lee, "HEU Defies Board, Continues Strike With New Public Service Allies," *Vancouver Sun*, 1 May 2004, A1; E-mail from anonymous [a CUPE BC official or staffer], "Re: Friday Protest Action updated 10:00AM," 30 April 2004; Palmer, *Solidarity*, 65-8. The BC Labour Relations Board officially declared the HEU strike illegal on Friday morning.

[64]Daniel Bensaïd, *Marx for Our Times: Adventures and Misadventures of a Critique* (London and New York 2002), 88.

[65]Bensaïd, "Leaps! Leaps! Leaps!," *International Socialism*, 95 (2002), <http://pubs.socialistreviewindex.org.uk/isj95/bensaid.htm>.

ter's line was different as he mused about banning strikes in health care. The Minister of Labour held a private meeting with several top HEU and BCFL officials.[66] The Liberals were not the only ones to respond to the militant displays of solidarity. In an effort to take advantage of the situation, BC NDP leader Carole James issued an open letter to the premier. Criticizing Bill 37 as "a blatant attack on working people ... that can only create further tension and confrontation in an already poisonous labour relations climate," she called on the government to immediately recall the legislature "to put an end to the crisis ... that threatens to further erode investor confidence in British Columbia and destabilize the BC economy." The blend of liberal pluralist labour relations-speak and business rhetoric in James's letter said much about the ideological orientation of the contemporary BC NDP.[67]

The front page of Saturday's *Vancouver Sun* reported on a BCFL document that revealed plans for escalating actions in support of HEU. Beginning with a shut-down of the public sector on Monday, 3 May, action would spread to federal and provincial government offices, private sector industry and transportation, and then later in the week to hotels, cruise ships, and retail stores. The numbers attending normally small May Day events in BC swelled and the events themselves were transformed by the electrifying struggle underway. Some 4,000 rallied in Vancouver. Here BCFL officials refused to reroute the march to St. Paul's Hospital, but their original theme for the day, support for the NDP in 2005, was replaced by support for HEU and threats of mass action on Monday if Campbell did not settle. Activists handed out over 2,000 "General Strike" flags with ease, and there was "verbal sparring" between those calling for a general strike and BCFL officials, who led the chant "We Won't Back Down" to regain control of the rally. Across the province, excited labour and community activists prepared for solidarity actions on Monday on a

[66]"Compromise Possible, Says Campbell," *CBC British Columbia*, 30 April 2004, <http://vancouver.cbc.ca/regional/servlet/View?filename=bc_campbell20040430> (6 May 2004); "Campbell Appeals for Calm," *Globe and Mail*, 30 April 2004, <http://www.theglobeandmail.com/servlet/story/RTGAM.20040430.wbcstri30/BNPrint/Front> (1 May 2004); "Health-care Strikes Could Be Banned," *CBC British Columbia*, 30 April 2004, <http://vancouver.cbc.ca/regional/servlet/View?filename=bc_hansen20040430> (1 May 2004); "Union Leaders, Minister Meet Behind Closed Doors," *CBC British Columbia*, 30 April 2004, <http://vancouver.cbc.ca/regional/servlet/View?filename=bc_bruce20040430> (1 May 2004).

[67]"James Calls on Premier to Recall the Legislature to Resolve Crisis," BC NDP Newswire, 30 April 2004. As this NDP statement reports, NDP MLAs had attempted to amend (not block) Bill 37. James's tone was echoed by CLC President Ken Georgetti: "Would you invest your money in a place like this, a place where the government's word doesn't mean anything for very long?," "Brutal Attack on Workers Sets Disturbing Precedent," *Canadian Labour Congress Communique*, 30 April 2004.

scale larger than Friday's. Even Vancouver's Compassion Club (medical marijuana society) was preparing to strike.[68]

Meanwhile, behind closed doors, top officials from HEU, CUPE-National, CUPE-BC, the BCFL, and major private sector BCFL affiliates, met again with government representatives. For some labour radicals familiar with the union officialdom's ways, there was reason for concern. Noting the leaked BCFL document and the many BCGEU staff at a May Day rally, one reported, "I knew by Saturday that we were in serious trouble."[69] One HEU staffer saw the document as "just a fake" that no union leadership had agreed to, released to allow top BCFL officials to regain political initiative and leadership of the movement from below for solidarity strikes. Thus "as everyone else got more and more excited all weekend long, I was getting more and more depressed, knowing how they worked."[70]

These concerns proved astute. Talks to reach a settlement continued while BC Rail workers struck on Sunday in support of HEU, the BC Supreme Court ruled HEU in contempt of court for not ordering members back to work, and activists continued to prepare for the following day. When a deal came, it was in the form of a memorandum signed by the provincial government, Health Employers' Association, BCFL, and the HSSFBA. It amounted to a modification of the terms of the contract imposed by Bill 37. The government agreed to date wage cuts from 1 May rather than 1 April, limit job losses "as a direct result of contracting out" to 600 FTEs over two years (with no more than 400 in the first year), and provide $25 million for severance payments. Employers promised no sanctions against the unions providing that they directed their members to return to work on 3 May, and the HSSFBA agreed to "direct its members to return to work forthwith."[71] Reconvening late in the afternoon for a meeting described by one official as "excruciating," the HEU PE voted 13-7 to accept the deal, which was announced publicly on Sunday evening.[72] Before the night was out, the NDP issued a statement celebrating the end of the strike. It made no criticism of the wage cuts and job losses.[73]

The precise details of how the HEU PE came to vote in favour of the memorandum and which labour leaders were involved are unclear, but the heart of the matter

[68]Jim Beatty, "Union Document Reveals Plan for More Disruption," *Vancouver Sun*, 1 May 2004, A1; E-mail from Harold Lavender to author, 1 May 2004; "Chronology of Events Leading to May 2 Memorandum," HEU Newsletter, 5 May 2004; Interview with HEU S-1.
[69]Interview with CUPE M-1.
[70]Interview with HEU S-2.
[71]Michael McCullough, "BC May Avert Massive Labour Shutdown," *Vancouver Sun*, 3 May 2004, A1; *Memorandum of Agreement Between Government of British Columbia And Health Employers' Association of BC And BC Federation of Labour And Facilities Bargaining Association*, 2 May 2004.
[72]Interview with HEU O-3; [HEU] *Provincial Executive Bulletin* 135, 1.
[73]"NDP Welcomes Resolution of Crisis," *News Detail*, 2 May 2004, <http://nid-625.newsdetail.bc.ndp.ca/> (3 May 2004).

is not. As HEU third Vice-President Dan Hingley later wrote, "labour [sic] pressured the HEU leadership, citing the fact that 600 members [sic] diminished the risk of total privatization."[74] Another PE member specified the source of the pressure as "officers of the BC Fed," and an HEU staffer referred to what took place as "intimidation." After the vote, HEU's fourth Vice-President resigned in protest.[75]

As news of the settlement and directive to return to work spread, reactions were intense among many of the tens of thousands of HEU members who had walked the lines for a week to defend their jobs and public health care. "People were really, really angry. People had no idea that that was the deal that was being contemplated, people were angry that they didn't get to vote on it, people didn't understand why the plug was pulled at this zenith of support ... it was just rage," said a staffer.[76] "Just huge, huge disappointment," was how another staffer described the sentiment.[77] Vancouver General Hospital HEU local executive member Doreen Plouffe expressed sentiments shared by many members: "I don't know how they could even call it a victory for working people. We have been sold out."[78] Having defied their employers, the government and the courts, some HEU members and their allies resisted the return to work. At a number of Vancouver Island worksites, HEU members continued to picket for some or all of 3 May. In Victoria, ferry service was briefly disrupted and public transit and some municipal worksites were picketed out. In Quesnel in central BC, HEU and other unionists went further, with some 5,000 people off the job and many public and private sector workplaces closed down. A small number of HEU members picketed HEU offices in Burnaby and Victoria, some calling for the resignation of Secretary-Business Manager Chris Allnut. These were sporadic rear-guard gestures by intransigents. Still, even after they had fizzled out the slogan on the placard of HEU picketer Susan Hibbs captured the feelings of a significant number of strikers: "HEU Screwed By Our Own Leaders."[79]

Explaining the Strike and Its Outcome

An analysis of the strike that gripped BC for a week in the spring of 2004 must proceed from an appreciation that this was no accidental conflict or simply the product

[74]"An Explanation From One HEU Negotiator Dan Hingley," <http://www.generalstrikenews.ca/Articles/2004-MAY-12_AN_EXPLANATION_FROM_.stm> (25 May 2004).
[75]E-mail from HEU O-4 to author; Interview with HEU S-1.
[76]Interview with HEU S-1.
[77]Interview with HEU S-2.
[78]Plouffe is quoted in "Some Hospital Workers Remain Defiant," *CBC British Columbia*, 3 May 2004, <http://vancouver.cbc.ca/regional/servlet/View?filename=bc_heu20040503> (6 May 2004).
[79]Interview with CUPE M-1; Cindy E. Harnett, Doug Ward, and Frances Bula, "Health Workers Feel 'Sold Out' By Their Union Leaders," *Vancouver Sun*, 4 May 2004, A1; Jack Knox, "Deal Leaves Picketers Angry, Fate of Mass Protest in Doubt," *Times Columnist* (Victoria), 3 May 2004, A1. A photograph of Hibbs appeared on the front page of the Vancouver edition of the *Globe and Mail*, 4 May 2004.

of a government fired by anti-union animus. Its causes were systemic. The attack on HEU by health sector employers and the provincial government was one specific manifestation of capital's multi-pronged restructuring agenda to build a lean state for the age of lean production. As such, it was not a "Lotus Land" phenomenon peculiar to one Pacific province. Similar developments have occurred and can be expected to continue to occur in other provinces, as they have internationally.

There were, of course, local specificities at play. The determination and strength of the HEU membership in the face of employer and state power was notable. We can partially account for this by considering who these workers are and their labour market context. Overwhelmingly women, including a large minority of women of colour, and mostly over 45, these were mostly workers who grasped that being laid-off meant being hurled into labour markets structured by systemic sexism and racism in which they would be unlikely to ever find wages, benefits, and working conditions on a par with those they had as members of HEU. Theirs were atypical jobs for women wage-earners, especially women of colour, because they conformed to the model of the Standard Employment Relationship enshrined as a norm for white working-class men during the post-war boom but in decline for the past quarter-century.[80] In addition, these workers belonged to a union whose efforts had succeeded over years in winning better wages, working conditions, and benefits. Through its membership mobilization efforts, educational activities, and publications, HEU's official leadership had campaigned for solidarity to resist privatization and called for a broad-based fightback against the Campbell government. It had argued for the legitimacy of direct action and organized political job action to protest the Liberals' attacks. As a result, many members identified strongly with HEU and were ready for collective struggle.

Another singular issue that needs to be accounted for is the depth of support for HEU and the eagerness of significant numbers of BC workers to act in solidarity with them. Both exceeded what has been seen in a number of other major struggles against neoliberal governments in recent years. Support for a general strike in BC appears to have been stronger than it was in Ontario in 1996-1997 at the height of the Days of Action mobilizations against the Conservative government of Mike Harris even though the labour left in BC was no better organized than its Ontario counterpart. Similarly, although the 1997 political strike by Ontario teachers was widely supported, it did not spontaneously become a lightning rod for anti-government sentiment to the same degree as the HEU strike did.[81] Possible reasons for this support include submerged but not extinguished traditions of militancy in the BC working class, a linkage of HEU workers with valued public health

[80]Cynthia J. Cranford, Leah F. Vosko, and Nancy Zukewich, "The Gender of Precarious Employment in Canada," *Relations industrielles/Industrial Relations*, 58.3 (2003), 454-82.
[81]David Camfield, "Assessing Resistance in Harris's Ontario, 1995-1999," in Mike Burke, Colin Mooers, and John Shields, eds., *Restructuring and Resistance: Canadian Public Policy in an Age of Global Capitalism* (Halifax 2000), 306-17.

care in the minds of many, and a gendered sympathy with women health care workers. On a smaller scale, HEU support for community struggles was also a factor. However, an adequate explanation of the level of support for HEU and for solidarity strike action would require a study of contemporary class formation in BC of a kind that simply has not been done.[82]

The most contentious explanatory question is *why* did the strike end as it did? Here several rival answers have already been formulated. One, articulated by top HEU officials and some officers and staff of other unions, contends that the strike ended as the result of a grim political calculation by HEU leaders in an objective situation in which a better settlement simply could not have been achieved. The leaders of most of the affiliates of the BCFL, particularly private sector unions, were not supportive of solidarity strike action beyond 3 May. The provincial government would have likely responded to a rejection of the memorandum by HEU by withdrawing the offer, painting the union as unreasonable in the media, and asking, in a top HEU official's words, "who's actually running the province, is it the unions or the elected government?"[83] As HEU's Muzin wrote, if the memorandum had been rejected "May 3 would no doubt have seen a huge, invigorating groundswell of widespread resistance. But without a strong foundation for broader action, HEU members and their supporters would have become sacrificial lambs in the government's effort to regain control. Under those conditions, we could not responsibly ask people to walk off and stay off their jobs, and face severe repercussions."[84] Chris Allnutt, HEU Secretary-Business Manager, argued that the union's leadership had a responsibility "not to erode the broad public support we'd achieved by engaging in an action that would produce no gains for our members or any additional protection against health care privatization."[85] According to former PE member Mike Barker, HEU's top leaders believed that rejecting the deal would have led to "the full weight of the law" falling on HEU, and "a crushing defeat."[86] On the question of union democracy, *Canadian Dimension*'s regular labour commentator made explicit what few others did: "With fines and lawsuits worth hundreds of thousands of dollars piling up daily, it was not practical to continue a strike for several days to take a mem-

[82]I have outlined a theoretical approach to such research in my "Re-Orienting Class Analysis: Working Classes as Historical Formations," *Science and Society*, 68 (2004), 421-46.
[83]Interview with HEU O-3.
[84]Fred Muzin, "Wanted: A Culture of Protest," *Guardian* (Summer 2004), 6.
[85]Allnutt is quoted in Mike Old and Patty Gibson, "Our Fight for Justice and Fairness Goes On," *Guardian* (Summer 2004), 9.
[86][Mike Barker], "The HEU Strike: What Did We Gain, Could More Have Been Won?" (Vancouver 2004), 3.

bership vote."[87] In other words, the strike ended as it did because HEU leaders made a wise but difficult decision which, in the given circumstances, was the best one.[88]

An alternative explanation popular among critics of the outcome of the strike emphasizes the politics of the labour officialdom, in particular its commitment to social democratic electoralism. More specifically, it has been argued that the belief of the vast majority of the BC labour officialdom that electing the NDP in 2005 was the only way to defeat the Campbell government produced a fear that mass strikes in support of HEU would allow the Liberals to portray labour as out of control and challenging constitutional authority, thereby damaging the NDP's chances of winning the 2005 provincial election.[89] As one CUPE official put it clearly while discussing the prospects of escalating solidarity action, "While we wouldn't go back to work and hurt our HEU sisters and brothers, we also wouldn't want to screw up the elections for next year."[90]

Some militants in HEU, while sharing this view, have also advanced another line of explanation that goes beyond a critique of the ideology of top union leaders. They have suggested that the thinking of the union's leadership was shaped by where it was structurally located: the PE was isolated in meeting rooms and out of touch with the rapidly developing situation on the ground. As a result, they misread the level of support for escalating action: "based on the experience that we're all having out on the line ... the impetus was coming from the grassroots, it wasn't coming from the union leaders who were in that room saying, 'Our members won't support you, we won't keep our members out'."[91] More generally, HEU's structure allowed for insufficient consultation between the PE and members: "it's all set up so that the PE is kinda isolated as the PE."[92] This facilitated the intimidation of some PE members by top BCFL officials and possibly other PE members. They have also argued that the official labour leadership was frightened by the desire of so many workers to strike in support of HEU: "It was never their plan to begin with, it was a swelling of the grassroots organizing themselves, so I think that there was a lot of fear that they'd have no control," said one staffer.[93] This was also the view of Vancouver HEU local officer Gretchen Dulmage: "the BC Federation of Labour, the

[87]Geoff Bickerton, "Public Sector Struggles Continue," *Canadian Dimension*, 38 (May-June 2004), 7.

[88]According to HEU S-1, in the aftermath of the strike top HEU leaders actively argued for this explanation within the union: "there's a lot of effort being made to sell people on what the right version of history is here."

[89]Kimball Cariou, "What Happened in British Columbia?," *Canadian Dimension*, 38 (July-August 2004), 8-9; "Despite May 2nd Setback, the Struggle Continues" (Statement by the Communist Party of Canada BC Provincial Executive Committee), 5 May 2004; Interview with CUPE M-1.

[90]Interview with CUPE O-1.

[91]Interview with HEU O-1.

[92]Interview with HEU S-1.

[93]Interview with HEU S-1.

NDP, the Fed officers — all the key players — felt there was this runaway grassroots thing going on. I think they were worried they couldn't tell their members to turn it off and stop. I think the only way to stop what was coming was to take away the focus, that is, by bullying our provincial executive into taking the deal."[94]

In my view, both the explanation produced from within the labour officialdom itself and that which makes social democratic electoralism the key factor suffer from inadequate understandings of the contemporary Canadian labour officialdom. Both treat it as simply a collection of individuals without considering the conditions of existence and positioning within class relations of officials as a social layer. The thinking of some HEU militants is more probing. Their insights move in the direction of the kind of historical materialist analysis of the US labour officialdom developed by Robert Brenner, which also applies in the Canadian context. In brief, full-time union officials do not share the same conditions as members and are only indirectly affected by attacks on workers' wages and working conditions. The union institution provides officials with their livelihood and also "constitutes for them a whole way of life — their day to day function, formative social relationships with peers and superiors on the organizational ladder, a potential career, and, on many occasions, a social meaning, a *raison d'être*." For them to socially reproduce themselves as union officials, the union institution must be preserved. Thus there is a very strong tendency for them "to come to conflate the interests of the organizations upon which they depend with the interests of those they ostensibly represent." It is because the labour officialdom is a bureaucratic social layer of a particular kind that it tends to support social democratic politics, for these allow it to oppose employers and corporate-backed political parties without engaging in forms of struggle that could potentially lead to serious damage to union institutions. Its social-material existence also sheds light on why, as Mark Leier has suggested, the officialdom believes that workers "cannot determine their own struggles" and must be managed.[95]

Similarly, the concerns of top officials about fines and the legal prosecution of HEU appear in a different light when the interests of full-time union officials are not

[94]Quoted in "Women and Workers of Colour," 28.

[95]Brenner, "The Paradox of Social Democracy," 44-51; Mark Leier, *Red Flags and Red Tape: The Making of a Labour Bureaucracy* (Toronto 1995), 34. Leier does not claim that *every* official shares this view, but that this belief is a characteristic feature of the outlook common to this social layer. Brenner's analysis is formulated at a fairly general level; it is also necessary to study historically specific labour officialdoms in more detail. No major studies exist of the contemporary Canadian union officialdom, but see Palmer, *Working-Class Experience*, 370-8; Palmer, *Solidarity*, 25-6; Palmer, "System Failure"; Panitch and Swartz, *From Consent to Coercion*, 148-53, 226-9. The statement of a newly formed grouping of BC left labour activists is also relevant here. See "Solidarity Caucus Statement," 29 July 2004. An article written days after the end of the strike by a CEP activist contains an explanation of why top union officials acted as they did that is in some ways similar to mine: Gene McGuckin, "Don't Mourn, Organize!," <http://www.generalstrikenews.ca> (28 May 2004).

uncritically assumed to be the same as those of members. This kind of theoretical conceptualization also allows us to better understand the role that the belief that escalating solidarity strikes would hurt the NDP's prospects (and that support for the NDP is *the* political strategy for labour) played in informing the actions of key BCFL leaders, because it explains their support for the NDP as not simply an ideological choice but an expression of the distinct interests of the labour officialdom. Escalating direct action was seen as harmful for the NDP's electoral fortunes. It was also seen as dangerous for the institutional security of BC's unions, which risked fines, and their leaders, who risked legal prosecution, while also threatening to move beyond the ability of top officials to control.[96] What this analysis does not directly answer is the challenge of those who argue that the HEU PE majority voted to accept the memorandum and end the strike because to do so was the best possible option in the circumstances. Evaluating this claim requires a broader evaluation of the strike.

Assessing the Strike and its Implications

A central question in any assessment of the HEU strike is what it represented for the working-class movement. On this point, the BCFL leadership has been clear about its interpretation. Its president, Jim Sinclair, stated that "This collective effort forced the government to back down from Gordon Campbell's mean and incompetent attempts to privatize health care ... We were able to protect jobs and enhance severance in the range of eight to ten thousand dollars per worker."[97] Another BCFL officer, Steve Hunt, Director of District 3 of the Steelworkers, has written of the settlement, "We regard this as a win for the entire labour movement in British Columbia."[98] According to HEU's Allnutt, "we were faced with a law and a government that was determined to privatize health care and we have limited that. And, in that, it

[96]One of the reviewers of this article, noting that "union leaders had little confidence in the strategic and tactical instincts" of militants who wished to escalate the strike, suggested that the judgement of leaders who opposed this perspective could be explained simply by their accumulated experience. There is no doubt that the past experience of the top leaders of BC's unions did inform the opposition of most of them to escalating solidarity action. However, the strategic and tactical lessons that people draw from experience are always shaped by their social conditions and ideological outlooks, present and past. Thus in the case of BC's top labour leaders the distinctive conditions of existence of the full-time labour officialdom are very relevant to understanding the conclusions drawn from accumulated experience. In addition, it is worth noting that most union experience of recent decades would not have been of much help when it came to recognizing the possibilities latent in the political moment created by HEU's defiance and the growing impulse for action in solidarity with HEU at the end of April 2004. This conjuncture was unlike anything in the experience of BC labour in recent years, with the partial exception of the Solidarity movement of 1983.

[97]"Poll Shows Over 68 Percent of British Columbians Oppose Stripping of Health Care Contract," BCFL News Release, 5 May 2004.

[98]Steve Hunt, "Speaking of Solidarity," *Our Times*, 23 (June-July 2004), 20.

is a victory for working people and patients in this province."[99] However, the evaluation of the strike as a victory has been widely disputed in the labour movement, as seen in the responses of many members of HEU and other unions to the acceptance of the 2 May memorandum and the cancellation of the escalating solidarity strike action that was about to occur. As one CEP activist put it, "They [full-time officials] always call defeats they have allowed or collaborated in 'victories.' If they called it a 'defeat,' there would be a lot of pressure to draw a balance sheet on what went right and what went wrong, so that we wouldn't make the same mistakes the next time."[100]

Whether one draws the conclusion that the HEU strike was a victory or defeat for workers hinges on two key issues. First, what does the settlement objectively represent? Second, in the actual circumstances of early May 2004, could there have been an outcome more favourable for workers? The question of the settlement is relatively straightforward: a 15 per cent wage cut starting from 1 May rather than 1 April, longer hours of work, and enhanced severance. The cap that limits the loss of FTEs "as a direct result of contracting out" to 600 over two years is more contentious. Dulmage has pointed out that "the so-called cap on contracting-out does not include jobs lost to closures, restructuring, or privatization," only contracting-out narrowly defined.[101] Major concessions on wages, longer hours, some limitation on the loss of jobs through contracting-out, and severance funds do not amount to a convincing case for calling the strike a victory of any kind.

Be that as it may, could there have been escalating strike action leading to a better outcome? Much hinges on one's answer to this question. HEU's Muzin has argued that "a general strike ... is the culmination of a lengthy mobilization process ... that requires broadly agreed-upon objectives." It would have as its prerequisite "an agreed-upon agenda" that "would encompass a wide range of issues," including those affecting unions, Aboriginal people, social assistance recipients, women, students, and senior citizens. Because such an agreement among unions and community groups did not exist, a general strike was not possible.[102] This perspective, which contends that the only alternative was a full-fledged general strike and that because one was not in the cards the settlement that was reached was the best that could have been achieved, has been directly challenged in the statement issued by the Solidarity Caucus, recently formed by BC left labour activists:

[99]Quoted in Bickerton, "Public Sector," 7.
[100]McGuckin, "Don't Mourn, Organize!"
[101]Quoted in David Camfield, "British Columbia Union Leaders Call Off Province-Wide Strike: Workers Unhappy with Settlement," *Labor Notes*, 303 (June 2004), 6.
[102]Muzin, "Wanted," 6. This understanding of general strikes brings to mind one viewpoint in the early 20th-century debate among European Marxists about mass strikes. For a critique, see Rosa Luxemburg, "The Mass Strike, the Political Party and the Trade Unions," in Mary-Alice Waters, ed., *Rosa Luxemburg Speaks* (New York 1970), 159-61.

An effective and durable general strike may or may not have been a real possibility, but that's not the issue. It was possible to inflict a resounding defeat on the Campbell Liberals and their corporate backers. On May 2 we were on the brink of BC labour's biggest struggle in decades, a massive strike wave that could have driven a stake through the heart of the Liberals' privatization of health care services. We had the biggest chance in three years to defeat Campbell, and it was torn from our fingers by the capitulation of our own leaders.[103]

The belief that BC was "on the brink of a massive strike wave" is plausible. As we have seen, it is also more than plausible that most of the top officials of the BCFL wanted to prevent this from happening and acted accordingly. In the opinion of a top HEU official, "it would have been a huge, huge walkout on Monday, but it was not our sense that it could have been sustained past Tuesday or Wednesday."[104] This evaluation is open to debate. Even with many union officials, particularly but not solely those in the private sector, opposed to anything more than one day of walkouts, the course of a solidarity strike wave would not have been decided by them alone. Its scale and character would have reflected the degree of commitment among union members and other HEU supporters, their willingness to follow the leadership of top labour officials when the latter attempted to demobilize, the extent to which the members, local officers, and PE of HEU and other militants were willing to appeal directly to other workers to continue to strike and demonstrate, and the responses of the government, police, judiciary, and employers.

Could a shut-down of the public sector and at least some strike action in the private sector have won the repeal of Bill 37 and a contract that protected health care workers' jobs against privatization, thereby ensuring that hospital and long-term care support services remained public and dealing an aggressive neoliberal government a stinging political defeat? While there is no way of definitively answering a question about events which did not take place, in my judgement the solidarity strikes that occurred on 30 April, the widespread popular support for HEU, and the willingness of a surprising number of workers to defy the law and strike in solidarity with HEU are sufficient to answer this in the affirmative. On this basis, then, the strike can be judged an avoidable defeat (though not as severe a defeat as it would have been if HEU had gone back to work as soon as Bill 37 was passed), a missed opportunity. The reasons why a strike in which over 40,000 strikers showed such resolve and received remarkable support ended as it did have already been outlined. In light of these, one can conclude that a necessary but missing condition for an outcome more favourable to workers was the existence of self-organized activists within the BC labour movement, or at least in HEU, capable of providing an alternative leadership in a conjuncture that was truly, to use Bensaïd's phrase, "pregnant with events." That such an organized presence did not exist is apparent: "what people have talked about here is that there wasn't strong enough grassroots connec-

[103]"Solidarity Caucus Statement."
[104]Interview with HEU O-3.

tions for people to have carried it off doing it in defiance of the leadership ... connections between workplaces, and between towns and cities."[105]

To conclude, what are the implications of this analysis of two years of difficult struggle for HEU? Bills 29 and 37 are further reminders that neoliberal governments are prepared to dispense with the rights to collectively bargain and strike and with provisions in the contracts of public sector workers that hinder the implementation of capital's agenda.[106] Like strikes by nurses and other public sector workers in recent years, HEU's strike of 2004 demonstrates the unity and resolve with which a multiracial and mostly female workforce not traditionally seen as militant can act, given adequate workplace organization and leadership. The level of popular sympathy and active solidarity the strike sparked suggest that, contrary to the counsel of those who believe that public sector strikes are bound to meet with indifference or hostility from other working people, such strikes are capable of serving as effective rallying points for popular resistance to neoliberalism.[107] If the exceptional willingness to strike in support of HEU and in defiance of both labour law and ingrained assumptions in contemporary Canadian unionism reflected particular traditions in the BC working class, its sources are not reducible to this militant inheritance alone. They likely also included the association of health care workers with an eroding medicare system that still enjoys deep popular support and a certain gendered sympathy with women wage-earners, who in the Canadian working class today are increasingly seen to be as entitled to good jobs as men.[108] That HEU's confrontation with employers and the provincial government ultimately ended in defeat is best explained not simply by the politics of labour's official leadership but by the character of the contemporary labour officialdom as a distinct social layer which generally eschews forms of struggle that could threaten union institutions and established bargaining relationships. These analytical conclusions deserve serious

[105]Interview with HEU S-1. My conclusion about HEU's struggle is similar to Palmer's conclusion about the Solidarity movement in BC in 1983: a different outcome would have required at least "serious organized opposition within the ranks that it [the top leadership] necessarily had to pay some attention to" (*Solidarity*, 89). Late 20th-century strikes on which rank-and-file activist organization had an impact include the US national telephone strike of 1970, the miners' strike of 1977-78 (on which see Kim Moody and Jim Woodward, *Battle Line: The Coal Strike of '78* [Detroit 1978]), and the 1996 postal workers' struggle in the UK. My thanks to Sheila Cohen and Kim Moody for suggesting these historical examples.

[106]Thus they are but two more additions to the long list of similar pieces of legislation chronicled in Panitch and Swartz, *From Consent to Coercion*.

[107]This is consistent with the international experience that public sector unions have been at the forefront of resistance to neoliberalism, as Moody points out in *Workers in a Lean World*, 272-3.

[108]This is suggested by such studies as Meg Luxton and June Corman, *Getting By in Hard Times: Gendered Labour at Home and on the Job* (Toronto 2001), but this research also shows that working-class women continue to face many barriers to participation and equality in paid work.

consideration by all who are concerned about the future of the Canadian working-class movement.

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