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## ARTICLE

# The Christian Labour Association of Canada (CLAC): Between Company and Populist Unionism

**Steven Tufts and Mark Thomas**

DESPITE ITS LONG HISTORY OF ORGANIZATION by specific trade, the construction sector in Canada is a contested site among unions seeking to represent workers. The Christian Labour Association of Canada (CLAC) has attempted to disrupt traditional jurisdictions in the sector in Ontario and western Canada for over a decade. CLAC, founded in 1952 by Dutch immigrants with strong links to European Christian labour, has been a relatively small player in Canada's labour movement and relatively neglected by labour researchers. However, three developments have brought CLAC more attention over the last decade. First, the union has rapidly expanded its membership and now claims to represent 60,000 workers. Second, the controversial tactics used to achieve this growth – specifically, employer accommodationist strategies that undermine other unions – have resulted in CLAC's expulsion from central labour bodies. Third, after largely dismissing Christian labour as inconsequential and particular, labour studies scholarship has begun to push the boundaries of a secular, materialist labour studies with interpretations that integrate religion into understandings of labour mobilization.

This article explores the recent strategic trajectory of CLAC and seeks to contribute to the understanding of such an extreme form of accommodationist unionism. CLAC is often characterized as an accommodationist, or “company,” union – an opportunistic, pariah organization that allows employers who would otherwise face a “real” union (i.e., traditional, militant) a convenient union-avoidance alternative. CLAC's presence must not, however, be reduced to a functionalist accommodationism. Over the last decade CLAC

has demonstrated an expansionist strategy with a specific geographical logic, concentrating in regions and jurisdictions that are manageable within the union's organizational capacities. Further, its geographical strategy is supported by a *populism* that is coherent with its strategic objectives. Here, we build on previous work that looks at the intersections between labour and populism from both the left and the right.<sup>1</sup>

Right-wing accommodationist unions that integrate populism into their strategic program pose a theoretical challenge to labour geography and to labour studies more broadly. Admittedly, it is difficult to ascribe agency to workers when accommodationist unions are so closely aligned with capitalist strategic objectives. In fact, such unions often dissolve labour-employer conflict to the point where it is difficult to identify how the power being exercised by workers is any different from that of capital. Such unions problematize class struggle itself as an analytical category, given that it is their collaboration rather than conflict with capital that shapes the economic landscape. In fact, accommodationist unions are implicated in processes that seek to rescale the organization of labour produced by traditional labour unions. Lastly, accommodationist labour's relation to the capitalist state is also contradictory because it seeks to displace traditional unions through appeals to the state for recognition and deregulation.

We begin with a discussion of accommodationist unions, populism, and labour geography. Discussions of labour and geography have not deeply integrated populism; but we argue that populism does play a role in how workers shape economic space.<sup>2</sup> We then introduce CLAC's current strategic initiatives and populist rhetoric. We find that CLAC's accommodationism requires a nuanced and geographically informed analysis.

Despite numerous attempts, we were unable to secure participation from CLAC representatives through interviews. The article therefore draws on a number of other resources: union documents and propaganda; interviews with union leaders who hold strong anti-CLAC sentiments; cases involving CLAC before the Alberta and Ontario Labour Relations Boards; and CLAC's recent legislative agenda, specifically, its support for employer-friendly legislation in Ontario's construction sector.

1. Steven Tufts & Mark Thomas, "Populist Unionism Confronts Austerity in Canada," *Labor Studies Journal* 39, 1 (2014): 60–82; Mark Thomas & Steven Tufts, "Austerity, Right Populism, and the Crisis of Labour in Canada," *Antipode* 48, 1 (2016): 212–230; Guy Standing, *The Precariat: The New Dangerous Class* (London: Bloomsbury, 2011).

2. A recent discussion on the geographical expansion of "right-to-work" states in the US does look at the rhetorical devices used to enable the legislation. See Jamie Peck, "The Right to Work, and the Right at Work," *Economic Geography* 92, 1 (2016): 4–30.

## Accommodationism, Populism, and Labour Geography

AT THE HEART OF LABOUR GEOGRAPHY is the consideration of the agency of both *labour and capital* in the shaping of capitalist economic landscapes.<sup>3</sup> Since Andrew Herod's initial call for labour to be considered more seriously in analyses of the production of capitalist economic geographies, scholars have made a number of interventions and assessments of the labour geography project.<sup>4</sup> There have also been some deeper critiques of labour geography that raise significant questions about its long-term viability, especially in the era of austerity where capital appears dominant.<sup>5</sup> It is beyond the scope of this article to provide a comprehensive review of labour geography. We do, however, wish to discuss how issues of populism and labour accommodationism can both inform and problematize some of the subdiscipline's theoretical foundational concepts that are subject to debate: specifically, agency and class, the production of scale, and the role of the state.

Accommodationist unionism and populism have implications for these debates. We define accommodationist unionism as practices that seek compromise with employers and capital in the *first instance*. While some may argue that all labour unions under capitalism are accommodationist to some extent, we feel such a broad conceptualization lacks necessary nuance. Yes, labour unions are creatures of capitalism and labour laws, particularly in the post–World War II context. Such regulation regimes have served to limit rank-and-file worker activism and more firmly integrate unions into capitalism

3. Andrew Herod, "From a Geography of Labor to a Labor Geography: Labor's Spatial Fix and the Geography of Capitalism," *Antipode* 29, 1 (1997): 1–31.

4. Labour geography itself has developed in stages and these have been documented elsewhere. Andrew Herod, "Labour Geography: Where Have We Been? Where Should We Go?," in Ann Cecilie Bergene, Sylvi B. Endresen & Hege Merete, eds., *Missing Links in Labour Geographies* (Surrey, UK: Ashgate, 2010), 15–28; Neil Coe & David Jordhus-Lier, "Constrained Agency? Re-Evaluating the Geographies of Labour," *Progress in Human Geography* 35, 2 (2011): 211–233. See Noel Castree, "Labour Geography: A Work in Progress," *International Journal of Urban and Regional Research* 31, 4 (2007): 853–862; Neil Coe, "Geographies of Production III: Making Space for Labour," *Progress in Human Geography* 37, 2 (2013): 271–284; David C. Lier, "Places of Work, Scales of Organizing: A Review of Labour Geography," *Geography Compass* 1, 4 (2007): 813–833; Steven Tufts & Lydia Savage, "Labouring Geography: Negotiating Scales, Strategies and Future Directions," *Geoforum* 40 (2009): 945–948; Peter Brogan & Steven Tufts, "Labor Geography," in Douglas Richardson, Noel Castree, Michael F. Goodchild, Audrey Kobayashi, Weidong Liu & Richard A. Marston, eds., *The International Encyclopedia of Geography: People, the Earth, Environment, and Technology* (Oxford: John Wiley & Sons, 2017), 3902–3909.

5. Tod Rutherford, "De/Re-Centering Work and Class? A Review and Critique of Labour Geography," *Geography Compass* 4, 7 (2010): 768–777; Don Mitchell, "Labor's Geography: Capital, Violence, Guest Workers and the Post-World War II Landscape," *Antipode* 43, 2 (2011): 563–595; Raju Das, "From Labor Geography to Class Geography: Reasserting the Marxist Theory of Class," *Human Geography* 5, 1 (2012): 19–35; Jamie Peck, "Making Space for Labour," in David Featherstone and Joe Painter, eds., *Spatial Politics: Essays for Doreen Massey* (Oxford: Wiley-Blackwell, 2013), 99–114.

through bureaucratized and legalized systems of labour relations. At the same time, the level of accommodation to capital varies greatly over time and space, as do its institutional forms. Labour geographers from almost the beginning of the project have looked at accommodationist unions. Herod has documented how unions representing US dockworkers competed with different scalar strategies (some more employer friendly than others) in order to achieve gains for workers in various US ports.<sup>6</sup> There are many examples where workers, through unions, choose to “accommodate” or “break ranks” with large-scale collective agreements to attract jobs and local investment.<sup>7</sup> In this case, labour unions are at best seen as reformist institutions with no revolutionary agency. Such accommodationism is juxtaposed with “transformational solidarity” where workers deprioritize their own particular geographical economic interests to build a broader class struggle.<sup>8</sup>

But we use “accommodationist” here in a more narrow sense, to identify those unions that actively and explicitly advocate for collaborative relationships with employers and disparage conflict as a means of achieving gains for workers from the outset.<sup>9</sup> Any agency that is exercised by these organizations is limited to their ability to secure work for members at the expense of workers in traditional unions. At best they can be categorized as survivalist or resilient, exercising an “adaptive” agency (see below) aimed at securing a minimal voice for workers that does not extend beyond the workplace in times of neoliberal advancement.

Populism is a much more difficult concept to define, despite its recent rise.<sup>10</sup> Populist movements arise in situations where there is growing public

6. Andrew Herod, *Labor Geographies: Workers and the Landscapes of Capitalism* (New York: Guilford, 2001).

7. A classic geographical treatise on this issue is Ray Hudson & David Sadler, “Contesting Works Closures in Western Europe’s Old Industrial Regions: Defending Place or Betraying Class?,” in Allen Scott & Michael Storper, eds., *Production, Work, Territory: The Geographical Anatomy of Industrial Capitalism* (London: Allen & Unwin, 1986), 172–193. Further cases are unions turning to their own sources of investment. See Andrew Lincoln, “Working for Regional Development? The Case of Canadian Labour-Sponsored Investment Funds,” *Regional Studies* 34, 8 (2000): 727–737.

8. Rebecca Johns has problematized the international solidarity efforts of US unions in Guatemala as a more complex process, where workers in one region express “accommodationist solidarity” with other workers as a means of protecting their short-term interests and conditions. Johns, “Bridging the Gap between Class and Space: US Worker Solidarity with Guatemala,” *Economic Geography* 74, 3 (1998): 252–271.

9. We feel this is slightly more broad than the term “company union,” or “yellow” union, which really defines the union in terms of its lack of independence from firm control.

10. Chantal Mouffe, “Populism Is a Necessity,” *The European*, 5 February 2014, <http://www.theeuropean-magazine.com/chantal-mouffe--4/8420-why-the-eu-needs-populism>; Standing, *The Precariat*; Charlie Post, “The Spectre of Trump,” *Jacobin*, 1 October 2015; Julian Baggin, “How Rising Trump and Sanders Parallel Rising Populism in Europe,” *New Perspectives Quarterly* 33, 2 (2016): 22–25. For a wide range of commentary on right-wing populism, see

discontent with the status quo but where class-based institutional forms (i.e., unions, working-class parties) have been abandoned, leaving no one to articulate political demands. Hence, populism in advanced capitalist economies is still infused with class antagonism, but weak institutions free it to take a variety of forms across the political spectrum, ranging from reactionary neoliberalism to short-lived variants of anti-capitalism to right-wing unions espousing populist rhetoric. In this vein, Ernesto Laclau argues that populism must be conceptualized as political expression independent of its specific ideological content.<sup>11</sup> In other words, populism can emerge in both left and right formations. What is more important for Laclau is an emphasis on populism as a process whereby “the people” express their dissatisfaction with the dominant powers (“elites”) through a discursive project that finds an “empty signifier” to articulate a variety of unanswered demands<sup>12</sup> – for example, the 99 per cent (we the people) versus the 1 per cent (the “other”) as articulated by Occupy Wall Street. Gillian Hart identifies this as Laclau’s key innovation but criticizes Laclau for failing to escape the most common trapping of much populist theory, which proposes a “manipulated mindless masses” model and fails to appreciate a truly Gramscian notion of populism as driven by a subaltern attempting to produce its own politics when institutions (such as traditional labour unionism) fail.<sup>13</sup>

We agree that populism is not merely a process by which to control workers in times of crisis, and that populism remains integral to working-class struggles and experiences. Conceptualizing populism in more nuanced ways that explore the power of language is worthwhile as we move beyond the accounts of “authoritarian populism” inspired by Stuart Hall and look at how populism can also be language emanating from organized labour itself.<sup>14</sup> Indeed, workers are not independent of populism; they are within it, and unions are implicated in the language of both left- and right-wing populism.<sup>15</sup> We argue that populism is integrated into specific geographical and sectoral strategies of unions. Understanding how both populism and accommodationism interact with agency and class, the production of scale, and labour’s relationship with the state must be considered.

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Leo Panitch & Greg Albo, eds., *The Politics of the Right: Socialist Register 2016* (London: Merlin, 2015).

11. Ernesto Laclau, *On Populist Reason* (London: Verso, 2005).

12. Ibid.

13. Gillian Hart, “Gramsci, Geography, and the Languages of Populism,” in Michael Ekers, Gillian Hart, Stefan Kipfer & Alex Loftus, eds., *Gramsci: Space, Nature, Politics* (Malden, Massachusetts: John Wiley, 2013), 306.

14. Stuart Hall, *The Hard Road to Renewal: Thatcherism and the Crisis of the Left* (London & New York: Verso, 1988).

15. Chip Berlet & Matthew Lyons, *Right-Wing Populism in America: Too Close for Comfort* (New York: Guilford, 2000); Tufts & Thomas, “Populist Unionism.”

### *Class-less Agency?*

Labour geography is loosely defined by its study of how workers and their institutions struggle to shape economic landscapes within the confines of a capitalist system. Workers' agency has been one of the few analytical boundaries of labour geography.<sup>16</sup> While some feel that Herod perhaps overstated the "capital-centrism" of earlier radical economic geography, labour geographers have moved forward on the agency issue.<sup>17</sup> Neil Coe and David Lier continue to focus on "developing more precise concepts for describing the politics of work."<sup>18</sup> Here, their goal is to theorize agency more rigorously, and they turn to Cindi Katz's typology of agency: resilience (adapting, getting by); reworking (shifting distribution systems); and resistance (changing the forces of production, balance of power).<sup>19</sup> In this typology, it could be argued that CLAC is exercising a form of resilient workers' agency by finding a way for workers to maintain some organizational form in the midst of austerity and neoliberal revanchism.

There is, however, an important critique of labour geography's use of "agency" in ways that obscure the domination of capitalism as a system of exploitation and that divert attention away from class struggle as the object of analysis. Don Mitchell, for example, has specifically challenged the limits of overemphasizing labour's agency:

I would like to suggest, any labor geography must be tempered with a sober, materialist assessment of labor's geography – the world "as it really is." That is, as we seek to see how workers create economic spaces and landscapes we must also closely examine those spaces and landscapes that they have not made, at least in any basic sense, but in which they find themselves and must live – those landscapes that are, through struggles and the exercise of power, produced not for them but for others, those landscapes that make "a new kind of community" all but impossible. We need to depict, analyze, and understand the world as it really is, if we are ever going to understand the means by which it might become the world we would like it to be.<sup>20</sup>

In an even more stinging critique, Raju Das argues that

agency has often been used as a quasi-empirical category: a tool to describe how labor is making a difference to the spatial organization of capitalism, here and there. Agency

16. Castree, "Labour Geography," 855; Tufts & Savage, in "Labouring Geography," argue for a broadening of labour geography debates beyond the "agency" question, but nevertheless it remains a defining concept.

17. In a recent assessment of labour geography through the lens of the contribution of Doreen Massey, Jamie Peck makes the point that political agency is present her work and others. Peck, "Making Space for Labour," 99–114.

18. Coe & Lier, *Constrained Agency*, 14.

19. Katz, *Growing Up Global: Economic Restructuring and Children's Everyday Lives* (Minneapolis: University of Minnesota Press, 2004). See also Andrew Cumbers, Gesa Helms & Kate Swanson, "Class, Agency and Resistance in the Old Industrial City," *Antipode* 42, 1 (2010): 46–73.

20. Mitchell, "Labor's Geography," 567.



in opposition to capital's own existence, agency in collaboration with capital, and agency involved in gaining concessions, *without challenging capitalist class relations*, are all problematically put together [emphasis added].<sup>21</sup>

It is perhaps the centrality of class relations in the labour geography project that is the most contentiously debated topic. Labour geography's concept of "class" is the primary target of Das's critique and he points to two mistakes within the field. First, labour is conflated with class when class is a much broader category, and second, class is an anti-essential category subordinated to differences of race and gender. What labour geographers lack is a theory that encompasses the "unity that defines class."<sup>22</sup> Das is correct in that much recent work in labour geography explores the differences among workers that complicate class struggle, especially in cosmopolitan global cities. However, much of this work addresses the fragmentation in the context of the reserve army of migrant labour that flows into low-wage service sectors.<sup>23</sup> For many labour geographers, the primary issue is how to operationalize a class politics in a context where capitalism fragments class through everyday practices.<sup>24</sup>

A labour geography project that describes all expressions of worker power as working-class agency is problematic. But to reduce labour geography to only the study of workers' transformation of capitalist relations and economic landscapes would make for a very small project. Instead, we need to be clear that worker agency is variegated, contradictory, and sometimes reactionary. Worker agency is not always an articulated working-class agency, but it can nevertheless shape the economic landscape.

In terms of the agency exercised by CLAC, we do not argue that it is in any way resistance to capitalism. Again, the accommodationist strategy enabled by populist rhetoric may be a form of resilience in the current context of austerity. In the case of CLAC described below, their accommodationist strategies coexist with much more traditional approaches to industrial relations. Yet, as CLAC does exercise agency, mediated through a populist language that mobilizes and demobilizes "the people" against established unions, it does pose serious limits to building a broader working-class project. Such

21. Das, "From Labor Geography," 21.

22. Das, "From Labor Geography." Rutherford offers a sympathetic critique, warning labour geographers against decentring class from analysis in lieu of other identity formations among workers and a trend toward intersectional analysis. Rutherford, "De/Re-Centering Work."

23. See David Jordhus-Lier & Anders Underthun, eds., *A Hospitable World? Organising Work and Workers in Hotels and Tourist Resorts* (London: Routledge, 2015); Jane Wills, Kavita Datta, Yara Evans, Joanna Herbert, Jon May & Cathy McIlwaine, *Global Cities at Work: New Migrant Divisions of Labour* (London: Pluto, 2010); Linda McDowell, Adina Batnitzky & Sarah Dyer, "Division, Segmentation, and Interpellation: The Embodied Labors of Migrant Workers in a Greater London Hotel," *Economic Geography* 83, 1 (2007): 1–25.

24. Don Mitchell has argued for a larger consideration of working-class studies in geography. Mitchell, "Working-Class Geographies: Capital, Space and Place," in John Russo & Sherry Linkon, eds., *New Working-Class Studies* (Ithaca: Cornell University Press, 2005), 78–97.



accommodationism and populism fragment the working class and have implications for the success and failure of the broader labour movement. We therefore require a more nuanced account of how and why workers exercise power unevenly and what mechanisms effectively inspire and discipline different groups of workers over time and space.

### **Workers' Production of Scale**

Labour geographers have made important contributions to the understanding of how workers can best mobilize against increasingly mobile global capital. As David Sadler notes, the study "of labour geographies suggests there is further potential in focusing on the precise ways in which labour strategies are bound in place and give rise to particular scales of action, and what potential there is for changing that scale of engagement."<sup>25</sup> It has been noted that labour geographers have focused on how workers organize in workplaces, communities, cities, regions, nations, and global arenas.<sup>26</sup> Building on earlier politics of scale literature,<sup>27</sup> Herod argues that workers organize locally and globally by forming relationships with workers in different places and other classes (e.g., local developers), depending on their time- and place-specific needs.<sup>28</sup> In other words, it is an analytical mistake to privilege any one scale over another, as many localist, methodological nationalist, and internationalist perspectives continue to do. Indeed, a multiscale analysis and strategy is deemed most appropriate when dealing with labour's relation to capital.<sup>29</sup>

Noel Castree et al. emphasize the challenges to organizing at international scales, as local labour inevitably confronts a "geographical dilemma" when workers compete in a global economy for investment and jobs in their

25. David Sadler, "Organizing European Labour: Governance, Production, Trade Unions and the Question of Scale," *Transactions of the Institute of British Geographers* 25, 2 (2000): 148.

26. See Lier, "Places of Work"; Steven Tufts, "Emerging Labour Strategies in Toronto's Hotel Sector: Toward a Spatial Circuit of Union Renewal," *Environment and Planning A* 39, 10 (2007): 2383–2404.

27. See, for example, Neil Smith, *Uneven Development: Nature, Capital, and the Production of Space* (Oxford: Blackwell, 1990); Erik Swyngedouw, "Neither Global nor Local: 'Glocalization' and the Politics of Scale," in Kevin Cox, ed., *Spaces of Globalization* (New York: Guilford, 1997), 137–166.

28. Herod, *Labor Geographies*; Andrew Herod, *Scale* (London: Routledge, 2013).

29. Jane Wills, "Bargaining for the Space to Organise in the Global Economy: A Review of the Accor-IUF Trade Union Rights Agreement," *Review of International Political Economy* 9, 4 (2002): 675–700. But see also David Sadler, "Trade Unions, Coalitions and Communities: Construction, Forestry, Mining and Energy Union and the International Stakeholder Campaign against Rio Tinto," *Geoforum* 35, 1 (2004): 35–46; David Sadler & Bob Fagan, "Australian Trade Unions and the Politics of Scale: Reconstructing the Spatiality of Industrial Relations," *Economic Geography* 80, 1 (2004): 23–43; Steven Tufts, "World Cities and Union Renewal," *Geography Compass* 1, 3 (2007): 673–694.

communities.<sup>30</sup> And this is another contentious point for critics such as Das who see labour geography as a largely localist project that picks its case studies primarily from advanced capitalist regions and fails to focus on the demands of a universal working class.<sup>31</sup> The result is research that romanticizes militant particularism at the expense of broader working-class alliances.<sup>32</sup> While Das is absolutely correct that labour geography's empirical base is narrow, he misses the point of much labour geography research, which is to document the processes in which labour attempts to build power from the local to the international scale and the barriers that limit their struggle against global capital.

Labour geography has addressed how unions, including the accommodationist variety, effectively *rescale* labour and undermine the efforts of others to build effective multiscale action. Uneven development and the "geographical dilemma" limit the ability of workers to remove wages from competition at local, regional, national, and international levels.<sup>33</sup> Again, it is important to consider the role of populism in these processes. Populism emerges when traditional union solidarities fail, leaving a void where there are "no people." Right populism in turn can imagine "we the people" in localized, exclusionary, and nativist ways. For example, "scapegoating" the "other" (e.g., cheap immigrant labour) intervenes in the ability of labour to imagine transnational alliances that can produce a scale compatible with global capital. There is, however, an important difference between labour's inability to scale up organizational capacity and bargaining to combat global capital and conscious efforts to sabotage its capacities in order to secure work for one group at the expense of others. CLAC's accommodationist unionism is invested in strategies and rhetoric that explicitly rescale the power of workers to a more local scale in line with its own sectoral strategies and organizational capacity.

### ***Accommodationist Unions and the State***

The question of the capitalist state's role in labour geography research also figures prominently here. Argued to be a forgotten institution, the state was important in early discussions of the geographies of labour.<sup>34</sup> Castree notes that labour geographers have demoted the state relative to other institutions and

30. Noel Castree, Neil Coe, Kevin Ward & Michael Samer, *Spaces of Work: Global Capitalism and Geographies of Labour* (London: SAGE, 2004).

31. Das, "From Labor Geography."

32. See David Harvey, *Justice, Nature and the Geography of Difference* (Oxford: Wiley-Blackwell, 1996).

33. Castree et al., *Spaces of Work*.

34. See Herod, "Labour Geography"; Gordon Clark, *Unions and Communities under Siege: American Communities and the Crisis of Organized Labor* (Cambridge: Cambridge University Press, 1989).

relationships.<sup>35</sup> Not unexpectedly, there has been less attention to the role of labour law and policy in structuring action. Key questions to consider include how the state may be involved in projects to scale up labour law and how public sector workers (the majority of unionized workers in many jurisdictions) engage the state as they struggle to produce services.<sup>36</sup>

In an era of intensified austerity, however, further attention to the state will become central. The state is not only a major employer of unionized workers in key sectors (e.g., education, health), but it remains the primary regulator of work across a labour market and is central to shaping the ways in which unions become integrated into capitalism through labour law. Labour geographers have perhaps implicitly rendered the capitalist state as antagonistic, and as containing little theoretical interest or political possibility. Indeed, there has been a focus on how labour has attempted to surpass “right-to-work” regulation with transnational corporate responsibility agreements,<sup>37</sup> neutrality agreements with employers,<sup>38</sup> and other forms of localized regulation such as living-wage agreements.<sup>39</sup> For accommodationist unions, however, partnering with anti-worker governments is a necessary political strategy. The state is not something to be ignored or bypassed, but something necessary to co-opt if accommodationist unions are to replace more traditional labour unions in regulated sectors such as commercial construction. In the case of CLAC outlined below, the union’s future is dependent upon government that will enable its strategy of entering sectors where capital is less geographically mobile, unions have an established presence, and labour legislation has favoured more traditional unions – specifically, construction and health care.<sup>40</sup> Further, CLACs use of anti-worker populist sentiment reinforces the neoliberal state’s overall project to deregulate and discipline labour markets.

35. Castree, “Labour Geography.”

36. Tod Rutherford, “Scaling Up by Law? Canadian Labour Law, the Nation-State and the Case of the British Columbia Health Employees Union,” *Transactions of the Institute of British Geographers* 38, 1 (2013): 25–35; David Jordhus-Lier, “Public Sector Labour Geographies and the Contradictions of State Employment,” *Geography Compass* 6, 7 (2012): 423–438.

37. See Wills, “Bargaining for the Space.”

38. Tufts, “Emerging Labour Strategies.”

39. Jane Wills, “London’s Olympics in 2012: The Good, the Bad and an Organising Opportunity,” *Political Geography* 34, 1 (2013): A1–A3.

40. For example, one of Saskatchewan Premier Brad Wall’s first acts, Bill 80, the Construction Industry Labour Relations Amendment Act (CILRA), redefined construction to exclude “maintenance,” allowing unions such as CLAC to enter the sector. The act was vociferously opposed by labour. See James Clancy, “President’s Commentary: Wall Government’s Bill 80 Is Pay Back to Big Business and Phony Unions,” National Union of Public and General Employees (NUPGE), 16 October 2009, <https://nupge.ca/content/president%E2%80%99s-commentary-wall-government%E2%80%99s-bill-80-pay-back-big-business-and-phony-unions>.

In the discussion below, CLAC's contentious use of populism, rescaling of labour action, and contradictory relationship to the state are addressed. While it remains tempting to theoretically construct CLAC as a classic case of "company unionism," we argue that its accommodationist strategy is a much more complex project that involves populist appeals to questions that concern many workers. Further, its geographical strategy is coherent and integrated with its populist rhetoric.

### The Christian Labour Association of Canada (CLAC)

CLAC HAS RAPIDLY EXPANDED its membership since the 1990s, largely in western Canada and Ontario. Now representing 60,000 workers, it is arguably among the fastest growing unions in Canada with a large presence in Alberta's construction sector. However, it has grown through tactics that have been controversial within organized labour. In 2011, at the request of the Canadian Labour Congress (CLC), CLAC was suspended from the International Trade Union Confederation (ITUC) for using accommodationist organizing strategies that undermine workers and other unions. The union continues to "raid" CLC affiliates, specifically in health care and the building trades and as trades unions vigorously defend their jurisdictions.<sup>41</sup> Non-Marxist, institutionalist approaches to labour have created openings to links between religion and unions.<sup>42</sup> Indeed, as a *Christian* labour union, CLAC's religious foundational roots could be argued to be exclusionary from the start, although unions and churches are also part of contemporary union-community coalitions. Adam Cywinski, in his provocative master's thesis documenting CLAC's campaign organizing caregivers in Ontario, notes the dual nature of the organization as a labour and pseudo-religious institution.<sup>43</sup> Cywinski also challenges the common accounts of CLAC as merely an extremely employer-friendly union whose success is based on undercutting other unions in the sector. Instead, he argues that the altruism of Christian practice appeals to a specific ethos of healthcare workers. Health care is a pragmatic sector for CLAC and other unions to target. Services are not easily subcontracted abroad. Also, the sector has been privatized and public sector union jurisdiction contested, creating openings for new representation. Construction is a similarly contested sector where the work must be performed in situ. While labour relations in the sector

41. "Raiding" is a labour colloquialism referring to the process where one union applies to represent workers already represented by another union.

42. William Patch, "Fascism, Catholic Corporatism and the Christian Trade Unions of Germany, Austria and France," in Lex Heerma van Voss, Patrick Pasture & Jan De Maeyer, eds., *Between Cross and Class: Comparative Histories of Christian Labour in Europe 1840–2000* (Bern: Peter Lang, 2005), 173–202.

43. Adam Cywinski, "Christian Labour Association of Canada: Competing from the Outside," MA thesis, McMaster University, 2011, <http://hdl.handle.net/11375/11282>.

are highly regulated, union jurisdictions over specific trades are also contested and not absolute.

Understanding CLAC's entire presence in Canada is a formidable task. Here, we focus primarily on recent developments in Alberta and in Ontario, home of the union's national headquarters. We first look at seven years of Alberta Labour Relations Board (ALRB) and Ontario Labour Relations Board (OLRB) cases in which CLAC was involved, before shifting to the example of the union's support for a recent anti-union private member's bill in Ontario. We then discuss the union's propaganda, to highlight the populism within CLAC's overall project and show how this populism is coherent with its overall geographical strategy.

### ***CLAC and the Alberta and Ontario Labour Relations Boards***

While CLAC has represented workers for over six decades, its most aggressive expansion has occurred over the last fifteen years in Ontario and western Canada. We examined 35 ALRB decisions and 68 OLRB decisions from 2009 to 2015 (inclusive) in which CLAC was named as applicant, respondent, or intervenor.<sup>44</sup> It is important to note that the bulk of cases before labour boards are disposed or concluded before a hearing.<sup>45</sup> The cases documented in decisions are, however, indicative of the sectors in which the union operates and of the types of activities in which it is currently engaged. A brief descriptive analysis of the cases points to some trends.

First and foremost, a majority of the decisions reached in both provinces involved the healthcare and construction sectors (as determined by the name of the employer) – not surprising given the CLAC's membership structure. While a few cases involved the representation of food services in Alberta, these were often related to food services work in the oil sands.

Second, these cases were not all frivolous. In fact, decisions were often favourable to CLAC, though more often in Alberta than in Ontario (Table 1). While one can criticize the legalistic framework upon which labour relations boards operate, the fact that CLAC wins decisions indicates that it does operate within the confines of labour law – even when it attempts to push its boundaries.

Third, the types of issues and decisions were predominantly related to certification and bargaining rights, as opposed to other day-to-day member grievances. Of the 68 cases examined in Ontario, 53 (78 per cent) pertained to certification of workers or questions of union bargaining rights (Table 2). The percentage of cases pertaining to certification is higher than the norm of the

44. These cases are not exhaustive of all filings (some cases may have been withdrawn or settled).

45. In 2014–15, the OLRB sent approximately 15 per cent of its cases to a hearing. Ontario Labour Relations Board, *Annual Report 2014–2015* (Toronto 2016).

**Table 1: CLAC OLRB and ALRB Decisions by Sector, 2009–2015****Alberta Labour Relations Board (n=35)**

Sector	Decisions favourable to CLAC	Decisions unfavourable to CLAC
CONSTRUCTION	15	9
HEALTH CARE	5	1
OTHER	3	2

**Ontario Labour Relations Board (n=68)**

Sector	Decisions favourable to CLAC	Decisions unfavourable to CLAC
CONSTRUCTION	31	17
HEALTH CARE	15	1
OTHER	1	3

Source: Canadian Legal Information Institute (CANLII) database, <https://www.canlii.org/en/>.

typical OLRB hearing caseload.<sup>46</sup> Similarly, the bulk of the decisions in Alberta came from cases with similar issues. The union's conflicts settled by the labour boards were often about collective representation in workplaces rather than grievances of members. Only rarely did grievances involve issues of individual members, the exception being a number (8) of duty of fair representation cases against CLAC by members in Alberta, though all were dismissed by the ALRB.<sup>47</sup>

At first glance, this might lead one to believe CLAC is a union that is more focused on organizing new members than servicing. But other aspects of the pattern must be considered. The bulk of these cases involved representation in construction, and unfavourable decisions were losses not to employers but to *other construction unions*. In fact, over 50 per cent of the decisions in cases involving CLAC in Ontario and Alberta involved in the construction sector were related to jurisdictional conflicts.<sup>48</sup> The number of such cases is disproportionate to the overall construction caseload at the labour boards. In the

46. Of the 568 cases that went to an OLRB hearing in 2014–15, the three largest categories were certification disputes, at 139 cases (25 per cent); construction grievances, 114 cases (20 per cent); and unfair labour practices, 92 cases (16 per cent), of which 23 were duty of fair representation cases. OLRB, *Annual Report 2014–15*.

47. In the case of the OLRB, which has a caseload almost five times larger than that of the ALRB, duty of fair representation (DFR) cases represented less than 1 per cent of all applications and hearings. OLRB, *Annual Report 2014–15*. The ALRB does not have DFR as a distinct category in its public statistics, but the fact that so many DFR cases are filed by members against CLAC is itself interesting.

48. In recent years some of the ALRB decisions were related to a merger between CLAC Local 6 and Local 150.

Table 2: CLAC OLRB and ALRB Decisions by Type, 2009–2015

Alberta Labour Relations Board (n=35)

Role of CLAC	Type of conflict		
	Certification/bargaining rights	Grievance	Other
INTERVENOR	0	0	0
RESPONDENT	10	0	8
APPLICANT	17	0	0

Ontario Labour Relations Board (n=68)

Role of CLAC	Type of conflict		
	Certification/bargaining rights	Grievance	Other
INTERVENOR	4	0	2
RESPONDENT	7	0	1
APPLICANT	42	8	4

Source: Canadian Legal Information Institute (CANLII) database, <https://www.canlii.org/en/>.

case of the OLRB, 996 of the 3,790 cases received in 2014–15 were construction grievances and only 41 were jurisdictional disputes in construction.<sup>49</sup>

CLAC has a select number of affiliated construction union locals that attempt to certify contractors already represented or to represent workers currently targeted by other unions. The unions being challenged by CLAC cover much of the construction sector (e.g., labourers, electricians, carpenters, plumbers), who vigorously defend their jurisdiction and reject CLAC’s multitrade model of organization. In fact, CLAC’s main arguments are that jurisdictions create bargaining inefficiencies, because contractors must negotiate with several trades on large projects and workers should have the opportunity to form non-traditional trade-based organizations.<sup>50</sup> “Raiding” allegations against CLAC by centralized labour bodies (to which it does not belong) are perhaps the primary source of tension with the general labour movement.<sup>51</sup> Examination of the ALRB and OLRB cases reveals that the union is pursuing small construction subcontractors (often prefabricators in Alberta) and small healthcare providers (e.g., nursing homes) represented by public sector unions (e.g., OPSEU, AUPE), but construction remains a primary target through appeals

49. Construction grievances are often over the remittance of dues, employer contributions to benefits, and hiring practices. OLRB, *Annual Report 2014–15*, 24.

50. See Andrew Sims, *Alberta Construction Labour Legislation Review*, report prepared for the Government of Alberta, 6 November 2013.

51. CLAC’s pursuit of construction and healthcare workers in Ontario has been vastly criticized. On its organizing of caregivers in Ontario, see Cywinski, “Christian Labour Association of Canada.”



to the labour relations boards, consuming significant legal resources for all unions involved.

CLAC has received both favourable and unfavourable decisions in representational conflicts in the construction sector, often over the union's collaboration with employers in certification drives. In a 2009 ruling involving a dispute with the United Association of the Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada (UA) Local 488 in Alberta, it was found that CLAC Local 63's response to a "raid" by the UA was actually within the expected actions of a union:

Upon hearing of the certification application and UA Local 488's campaign leading up to the application, CLAC's *senior management* reacted quickly and affirmatively. They quickly called meetings with employees to hear directly from them as to what their issues were with CLAC's representation and responded immediately. They heard complaints of non-responsiveness, a general lack of understanding of the industry, and a failure to adequately represent employees' interests. CLAC proactively replaced its employee representative for Willbros with another who quickly tried to gain their trust. He listened to their complaints and concerns and responded assertively. *All of CLAC's witnesses and the witnesses called by Willbros testified these changes were received well by the employees.* Even UA Local 488's witnesses testified that whereas all employees were frustrated with the former representative, the change was met with mixed emotions because the new representative was still a CLAC representative. After the change, CLAC had at least two more meetings with the employees before the vote. It also handed out "Vote No!" buttons and actively campaigned to retain its certification. CLAC responded positively with an aggressive "Yes We Can!" campaign to fully address employee concerns and to positively react to their collective agreement wishes and needs [emphasis added].<sup>52</sup>

Here we see that the decision by the board noted not only CLAC's expected and appropriate response to the raid, but also that the small employer testified on CLAC's behalf. Further, CLAC's response with an aggressive "Yes We Can!" campaign also illustrates how labour invokes populist rhetoric as it reaches out to members.

In another "raiding" case (which involved multiple appeals to the ALRB), again with the UA (as well as the International Brotherhood of Electrical Workers), an original panel decision was not favourable to CLAC due to the union-employer collaboration involved:

After concluding that section 148(1)(a)(ii) of the Code applied to organizing efforts, the Original Panel proceeded to consider whether the plans of UA and IBEW were sufficiently far advanced that it could truly be said they were in the process of "organizing." The Original Panel noted that the UA organizers had been present at the employee housing site well before the opening of the CLAC-Firestone negotiations. Witnesses admitted that both Firestone and CLAC considered the MVU [Millennium Vacuum Unit project] workforce an organizing target by the building trades. *The Original Panel concluded that Firestone intentionally interfered with the organizing efforts by engaging with CLAC in the "raid-proofing scheme" of early termination and renewal of the collective agreement with a predominant*

52. United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of Canada, Local Union No. 488 v. Willbros Construction Services (Canada), 2009 CanLII 60697 (AB LRB), 52, accessed 20 July 2016, <http://canlii.ca/t/26gdk>.

*purpose of closing the “open periods” and thus depriving the employees of the ability to choose to change their bargaining agent* [emphasis added].<sup>53</sup>

Collaboration with employers is a primary mechanism used by CLAC in organizing, but it is not uncontested or absolute. Despite the legal costs of labour board hearings, there is a *geographic logic* to CLAC’s sectoral strategy. These are fragmented sectors that allow CLAC a strategic opening. Smaller employers, as opposed to large firms, are within CLAC’s capacity to organize. Construction subcontractors and small healthcare providers cannot easily outsource jobs abroad, a fact that is attractive to all unions. They involve locally competitive employers, either in the private sector or funded and regulated by the provincial government. Lastly, especially in the case of the construction sector, there is a history of “bread and butter” business unionism, which emphasizes the values of economic growth and labour-management cooperation. CLAC’s willingness to work closely with employers has allowed it to enter Ontario’s construction sector and circumvent municipal industrial relations practices.

### **CLAC and Bill 73**

Again, CLAC’s determination to enter the construction sector and break the jurisdictional monopolies of the trades unions is an explicit geographical strategy. To its opponents, CLAC is merely a collaborationist union that employers approach as a union-avoidance strategy. However, it is dedicated to supporting policies that allow the contractors employing CLAC members to be included in municipal contracts that require specific union representation, from which they are presently excluded.

An example is CLAC’s support for Bill 73, the Fair and Open Tendering Act of 2013. The act was a private member’s bill tabled by Michael Harris, Conservative MPP for Kitchener-Conestoga. Bill 73 was an attempt to close a claimed loophole in Ontario’s Labour Relations Act that regulated specific municipalities, school boards, and hospitals to adhere to province-wide agreements in the construction sector that contain strong provisions against contracting out to non-union companies. In the Ontario legislature, Harris made his case:

Given the sound case for the proposal and the added provision to protect workers’ rights, I think it’s quite clear Bill 73 is not a union or a non-union issue. It is truly an issue of fairness – fairness for municipalities, for contractors, for workers and, ultimately, for taxpayers. Because of this balanced and fair approach, Bill 73 has won the support of *unionized contractors*, construction associations and municipalities across the province [emphasis added].<sup>54</sup>

53. *Firestone Energy Corporation v. Construction Workers Union, Local No. 63*, 2011, CanLII 62466 (AB LRB), 54, accessed 20 July 2016, <http://canlii.ca/t/fnbk7>. The MVU disputes are also discussed in Sims, *Alberta Construction Labour Legislation Review*.

54. Michael Harris, “Fair and Open Tendering Act” in Ontario Legislative Assembly, *Legislative Debates (Hansard)*, 40th Parl., 2nd Sess. (19 September 2013), accessed 13 July 2017, <http://www.ontla.on.ca/web/house-proceedings>.

The “unionized contractors” referred to by Harris were those represented by CLAC. These companies are excluded from the tendering process in a group of municipalities that includes Toronto. Allied with CLAC’s own employer association, the Progressive Contractors Association of Canada (PCA),<sup>55</sup> and Conservative politicians, including Harris himself, the union toured in the summer of 2013 speaking at pro-Bill 73 roundtables in Niagara Falls and London, Ontario.

The Association of Municipalities of Ontario endorsed the bill. Of course, there were opponents. The Ontario Construction Secretariat (OCS), the body that facilitates provincial collective agreements for 25 trades in the province’s industrial, commercial, and institutional (ICI) construction sector (and opposes CLAC and PCA contractors), unsurprisingly did not support the bill. The OCS, which benefits from the closed tendering process, sided with the trades unions opposing the bill.

Think tanks produced pieces in support of Bill 73. One such piece, *Construction Competitiveness Monitor: Ontario Municipal Construction Markets*, was released by Cardus in support of the new legislation in 2012.<sup>56</sup> Cardus, formerly known as the Work Research Foundation, is a conservative Christian labour social-policy think tank cofounded by its executive director, Ray Pennings, a past executive director of CLAC. The report claimed that the labour and construction monopolies in some cities were inflating the cost of infrastructure development and increasing the burden on taxpayers, especially in Toronto.

Bill 73 was tabled on 16 May 2013. While the proposal had the support of Toronto Mayor Rob Ford, it failed on second reading, on 19 September 2013. Unionized construction employers did not want to create instability in the sector, and the building trades had managed to counterlobby effectively and even arranged to participate in the CLAC/PCA roundtables, insisting upon a presence at the events. Ian DeWaard, Cambridge/Kitchener/Waterloo regional director for CLAC, stated,

Bill 73 would have provided needed clarity in [the] Labour Relations Act to prevent against construction labour monopolies in Ontario municipalities and school boards. ... We are disappointed that MPPs from the Liberal and NDP parties voted against this proposal

55. PCA was founded (by CLAC) in 2000, in opposition to other union and non-union construction associations. It claims to represent over 50 member and affiliate companies, with 25,000 workers across Canada. A slogan of the association is “PCA is not anti-union, we are anti-monopoly.” “The PCA Difference,” PCA website, accessed 13 July 2017, <http://www.pcac.ca/about-pca/the-pca-difference/>.

56. Brian Dijkema, *Construction Competitiveness Monitor: Ontario Municipal Construction Market* (Hamilton: Cardus, 2012). This document is no longer available from Cardus but is cited in the updated report: Stephen Bauld, Brian Dijkema & James Tonn, *Hiding in Plain Site: Evaluating Closed Tendering in Construction Markets* (Hamilton: Cardus, 2014), <https://www.cardus.ca/research/workandeconomics/publications/4290/hiding-in-plain-sight-evaluating-closed-tendering-in-construction-markets/>.

– especially because the consequences are the lack of fairness and increased cost to taxpayers.<sup>57</sup>

Again, CLAC's geographically informed accommodationist expansion strategy is clearly aimed at specific sectors. The union works very closely with employers and has earned the condemnation of the broader Canadian labour movement. The CLC has produced anti-CLAC fact sheets juxtaposing CLAC's accommodationist actions against the actions of "real unions":

There's no doubt that CLAC has been growing for the last 10 years or so. What we're worried about is not that they are growing, but rather what is behind the growth: it is because employers are often "choosing" CLAC to keep legitimate unions out and because workers are often not given the choice about whether they want to join or when they can leave CLAC. If workers had all the information about CLAC and were given a real opportunity to consider the benefits of joining a real, representative union, it is likely that fewer workers would choose CLAC.<sup>58</sup>

CLAC's success is interpreted by the CLC as merely sophisticated employer union avoidance. As summed up by a labour leader whose union had confronted CLAC, "they [CLAC] clearly advertise a non-controversial approach. They clearly advocate no strikes. ... It's a business-employer relationship ... and CLAC's resources in some circumstances are actually paid for by the business community."<sup>59</sup>

The above sentiment is shared by many if not most labour leaders in Canada. The problem is that these explanations do not account for the initial appeal that accommodationist unions may hold for some workers. Closer examinations of the union's propaganda and the elements of populism contained in such rhetoric must be examined.

### ***CLAC and Populism***

The essence of company unionism is collaboration with employers. Labour board disputes and the case of Bill 73 demonstrate collaboration as a mechanism to avoid established building trades unions. Yet workers employed in the sectors whose specific economic geographies are targeted by CLAC exercise some agency in determining their representation. While religious affinity is proposed as one explanation of workers' attraction to CLAC's non-confrontational approach, we turn to the populist language invoked by CLAC and emphasize its compatibility with sectors such as construction. Examining the links between labour and right-wing populism provides the means to explore the class dimensions of populist formations. We do not dismiss the historical role of religion in CLAC, but we find that populism provides a more fertile

57. CLAC, "Outcome on Bill 73 Disappoints PCA and CLAC," press release, Canadian Newswire (CNW), 19 September 2013, <http://www.newswire.ca/news-releases/outcome-on-bill-73-disappoints-pca-and-clac-512977951.html>.

58. CLC, "CLAC Alert: Factsheet #1," pamphlet, Canadian Labour Congress, n.d.

59. Authors' interview with elected labour official, March 2013.

ground on which to situate CLAC's attempts to reach workers. We argue that the populist and geographic strategies of CLAC are mutually reinforcing.

Fortunately for researchers, CLAC takes its populist propaganda seriously and produces a range of opinions on labour policy matters and releases defences of its unpopular actions.<sup>60</sup> First, CLAC is committed to productive economic growth within capitalism. In the late 1990s, the executive director of CLAC at the time told *This Magazine*, "You take work away from people and their completeness in lost."<sup>61</sup> A CLAC slogan is "A union that works"—a play on words with a double meaning that alludes to the efficiency of the organization as well as the union's hesitancy to engage in strike activity.<sup>62</sup>

For CLAC, unions must not impede the efficiency of capital. This strategy appeals to employers – and arguably to construction workers as well. The construction labour process is disciplined by project completion deadlines and even seasonality, and this is ingrained in work culture. What CLAC offers construction employers is "wall-to-wall" agreements that cover the entire job site rather than just a specific trade, reducing the industrial relations and labour cost to employers.<sup>63</sup>

CLAC blames traditional unions for their lack of productivity, as well as a variety of other social and economic ills. Indeed, *scapegoating* unions (communist and noncommunist) has been integral to right-wing populism and more extremist politics. CLAC's populist appeal to workers centres on blaming "labour elites" in traditional unions – while at same time defending unions as an institution. Again, using Orwellian doublespeak, CLAC leaders portray the union as "progressive" in terms of its position on work stoppages:

60. CLAC not only produces a significant amount of material, but it also engages in Orwellian doublespeak and wordplay. Dick Heinen, CLAC executive director, and Hank Beekhuis, CLAC Ontario director, provide much of the commentary and opinion in statements and interviews. In previous work, we identify specific elements of CLAC's propaganda that appeal to populist anti-union sentiments both within and outside the working class. See Tufts & Thomas, "Populist Unionism."

61. P. Jay, "Christians versus the Unions: The Christian Labour Association of Canada Likes to Talk about Its Own Improved Brand of Labour Relations," *This Magazine*, 1 January 1999.

62. See the CLAC website (<https://www.clac.ca/>) for these types of statements developing the CLAC brand. A more recent slogan featured on the site is "We think differently than other unions." See "About Us," CLAC website, accessed 13 July 2017, <https://www.clac.ca/About-us>.

63. See J. Barnes, "Five Minutes with Dick Heinen, Executive Director of the Christian Labour Association of Canada," *Engineering News-Record*, 25 February 2008, <http://enr.construction.com/news/work/archives/080225.asp>. Promoting a business-union approach, CLAC has even advocated for changes that capital has not prioritized, for example, competition in Ontario's workplace accident insurance system that would allow for private companies to provide the same coverage as the Workplace Safety and Insurance Board (WSIB).

*Progressive approach* – when we're negotiating or arbitrating on your behalf, you get to keep working at full pay (that's right, union doesn't have to mean strike, although CLAC has – and will – strike ... but as a last resort) [emphasis added].<sup>64</sup>

The challenge as argued by William Patch, a leading historian on German Christian labour, is that the “unity through cooperation” corporatism espoused by unions such as CLAC can quickly be abused by right-wing populist and extremist forces.<sup>65</sup> Yet in a twist of logic, CLAC manages to blame the rise of the right on the power and “resistance” of unions. In 2011, CLAC hired Craig Bromell, former president of the Toronto Police Association, as a “strategic advisor” as it geared up to expand into Ontario's construction sector. Bromell fit well with CLAC; as he told the *Toronto Star*, “There has to be better relations and common sense between unions and decision-makers like corporations.” In the same article, Sid Ryan, the president of the Ontario Federation of Labour, responded to Bromell's appointment to CLAC: “There is not a trade union bone in that man's body. The association [CLAC] and Bromell were made for each other.”<sup>66</sup>

A second appeal of CLAC to some is the idea that workers should be free to disassociate from the political ties of the leadership of their specific organizations. Again, CLAC promotes this as a “modern approach”:

Our approach is truly *modern*. ... We believe in cooperation, not confrontation. We work to make your workplace a better place – so that you and your co-workers can grow both as a workplace community and as individuals. It's why we seek to balance individual and collective interests when we negotiate. It's why we only strike as a last resort. It's why we don't tell our members where to work, or our signatory employers who they can hire. It's why we don't force anyone to join us, or fine them when they leave. It's why we use your dues money to represent and support you, not politicians or political parties [emphasis added].<sup>67</sup>

The call for “freedom of association” for workers is also extended to workers having the right to choose which union they wish to belong to, creating union pluralism in closed sectors. Lastly, the call is also for work that is tendered only to firms represented by specific trades unions to be accessible to all firms, as in the case of Bill 73 noted above.<sup>68</sup> From a geographical perspective, CLAC

64. “About Us,” *Leaders of CLAC Blog*, [http://clacblog.ca/?page\\_id=12](http://clacblog.ca/?page_id=12), accessed 13 July 2017.

65. See Patch, “Fascism.”

66. Tony Van Alphen, “Craig Bromell Joins New Union as ‘Strategic Adviser,’” *Toronto Star*, 6 November 2011.

67. “What Makes Us Different?,” CLAC website, accessed July 13, 2017, <https://www.clac.ca/About-us/What-makes-us-different>. See also a recent publicity piece about the union published in an online business magazine: Rajitha Sivakumaran, “An Independent Voice of Labour for 65 Years,” *Business Elite Canada*, March 2017, 14–21, [www.businesselitecanada.com/emag/march-2017/files/assets/basic-html/index.html#14](http://www.businesselitecanada.com/emag/march-2017/files/assets/basic-html/index.html#14).

68. Bill 73 is only a recent manifestation of this. In the late 1990s, CLAC sued the BC government over agreements that blocked CLAC employers from building a Skytrain extension. “Unions Sue NDP Government,” *CBC News*, 15 July 1999, <http://www.cbc.ca/news/canada/>

seeks to rescale the organization of work produced by trades unions and employers over generations through collective bargaining and negotiations with municipalities.

CLAC is somewhat consistent in extending its “freedom of association” position to foreign-born and nonlocal workers. This might be explained by CLAC’s Christian Reform roots in the Dutch immigrant community. Not unlike most unions in Canada, CLAC has been critical of the federal Temporary Foreign Worker Program and has clearly stated its preference for “Canadians first” in labour market policy. At the same time, however, it has openly sympathized with employers’ demands for imported labour. In 2005, Ledcor Industries (a contractor for SunCor in the tar sands) secured 680 foreign trained workers, many represented by CLAC. Earlier that year, Concerned Alberta Families, an organization sponsored by the Alberta Trades Council, mobilized a rally against CLAC for bringing in temporary foreign workers.<sup>69</sup> The Alberta Trades Council argued that CLAC, which represented workers at Ledcor, had reduced wages to such an uncompetitive level that the company could not attract labour even though there were people in Canada willing to work.<sup>70</sup>

In 2009, CLAC members from western Canada were the target of protesters in New Brunswick, who were upset that a natural gas pipeline construction firm had brought in workers from Alberta. CLAC found itself in a contradictory position in this case, as it clearly advocates for freedom of association and open tendering in construction markets. Yet, here it was: the recipient of nativism in the form of local populist sentiment directed against workers coming from outside the labour market to work on the pipeline.

It is important to note that union density in the construction sector in Canada has held steady for almost two decades at approximately 30 per cent.<sup>71</sup> Aggressive competition to represent workers in the sector has perhaps contributed to maintaining overall union presence. However, most union members are concentrated in industrial/commercial or large residential construction. CLAC’s strategy of organizing smaller construction subcontractors (and then lobbying municipalities to allow these firms to compete in union-only bid processes) brings them into contact with immigrant and racialized construction workers, who are concentrated in housing and other construction sectors.<sup>72</sup>

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unions-sue-ndp-government-1.173262.

69. AUPE, “AUPE Members Urged to Participate in April 27 Evening Rally at Legislature Targeting CLAC,” *AUPE News*, 24 April 2005, <http://www.aupe.org/news/aupe-members-urged-to-participate-in-april-27-evening-rally-at-legislature-targeting-clac/>.

70. “Trade Union Not Happy with Foreign Workers,” *CBC News*, 24 March 2005, <http://www.cbc.ca/news/canada/calgary/trade-union-not-happy-with-foreign-workers-1.560847>.

71. This is very close to the all-industry average. Diane Galarneau & Thao Sohn, “Long-Term Trends in Unionization,” *Insights on Canadian Society*, Statistics Canada – Catalogue no. 75-006-X (Ottawa: Minister of Industry, November 2013).

72. Similarly, organizing in the healthcare sector outside of large hospitals, in smaller



Closed-shop agreements for large projects that exclude CLAC have limited its expansion into the construction sectors in some provinces. CLAC interprets this as a *conspiracy* between unions and government against freedom of association and non-forced union membership. The union has also been expelled from central labour bodies. After a period of conflict, with CLC affiliates frustrated by CLAC's use of prohibited tactics to secure members (e.g., voluntary recognition by employers in exchange for noncompetitive agreements and raiding of affiliates),<sup>73</sup> the ITUC (at the request of the CLC) suspended CLAC. Although CLAC later conceded that the ITUC was not a "good fit,"<sup>74</sup> it complained vehemently at the time that the suspension was unfair:

ITUC has caved in to demands by the Canadian Labour Congress (CLC) to attack CLAC because it is afraid of the competition of a modern, progressive union that focuses on its members. ITUC's decision and its kangaroo court process are a clear indication that it is unable to escape the stranglehold of old time unionism...

CLAC is appalled at the lack of ethics of some ITUC members who leaked news of the General Council's decision before it was communicated to CLAC. Further, Ken Georgetti, president of the CLC, sits as vice-president on ITUC's executive board—a clear conflict of interest. ... CLAC refuses to succumb to these Old Labour style tactics. CLAC put the ITUC's platitude of "union pluralism" to the test and it failed miserably. CLAC continues to believe firmly in the rights of workers to make informed choices regarding which union they want to join and what working agreements they want to work under.<sup>75</sup>

A year later, CLAC announced at its national stewards' convention that it had joined the World Organization of Workers (WOW). Founded in 1921, WOW is an umbrella group for social Christian unionism based on a practice of labour-management cooperation.

CLAC's use of historically proven populist appeals such as productivism, scapegoating, conspiricism, unity, and freedom have a broad appeal. For private sector construction workers, productivism and cooperation, rather than conflict, especially resonate given the nature of the labour process (i.e., the necessity of working together to build something). Yet CLAC's populism raises significant questions and challenges concerning working-class mobilization.

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workplaces (e.g., nursing homes), would also include representing immigrant workers.

73. Ken Georgetti addressed CLAC and the ITUC in a speech to the International Union of Operating Engineers on 30 August 2011 in New Brunswick. Speaking notes from that presentation are posted on the International Union of Operating Engineers website, accessed 13 July 2017, <http://iuoe882.ca/wordpress/wp-content/uploads/2011/09/Ken-Georgettis-speech-from-the-Canadian-Conference.pdf>.

74. Richard Gilbert "Christian Labour Association of Canada Joins Global Organization," *Daily Commercial News*, 21 September 2012, <http://www.dailycommercialnews.ca/article/id51976/gtcontracti>.

75. This is an excerpt from an original statement rereleased by CLAC on 25 November 2011. It is no longer available on the CLAC website, but it can be found online: "Old Labour Tries to Oust CLAC from ITUC," WOW website, accessed 13 July 2017, <http://www.wownetwork.be/news/old-labour-tries-to-oust-clac-from-ituc/>.

## Conclusion

THE CASE OF CLAC UNCOVERS a specific geographical strategy that is reinforced through an appeal to populist tendencies. In a period of austerity, populist appeals to competitive producerism, “freedom of association,” conflict-free industrial relations, and distrust of established union bureaucracies and jurisdictions are attractive to employers and some workers. Reducing CLAC to “company” unionism does not explain all of its success any more than pointing solely to its populist appeals to explain its growth. It is perhaps the nexus of populism, accommodationism, and the specific geographical strategies of the union that may instead be fruitful.

CLAC’s specific strategies of expanding into construction and health care are compatible with its antistrike, cooperative, “progressive” or “modern” approach. A productive, growth-based philosophy appeals to construction workers who have specific labour-management relationships ranging from joint lobbying for public infrastructure investment to the provision of training. In the case of the health sector, where many occupations have already lost the right to strike and are deemed “essential” by the state, an antistrike union is perhaps even expected.

CLAC continues to expand, with a significant presence in the construction industry in the western provinces and growth in sectors such as health care elsewhere. Its accommodationist unionism is operationalized by more than simply undercutting the wages and working conditions of traditional unions. CLAC has a unique brand of anti-union populism that may be a basis for a new authoritarian neoliberal form of labour relations – another compromise with capital – that trades off obedience for continued existence. CLAC’s populist appeal may also prompt other unions to explore neocorporatist arrangements as traditional unionism continues to struggle.

More frightening is that unions such as CLAC are laying the foundation for a darker unity between labour and increasingly authoritarian austerity-driven capital. In the first week of US President Donald Trump’s administration, he met with a number of trade unions that had “construction on their minds.”<sup>76</sup> The union leaders praised President Trump’s plan to build infrastructure and restore the middle class, demonstrating how quickly some unions will adapt when confronted with anti-labour government. Historically, unions are not all innocent bystanders when right-wing movements are in ascendance.

On the other hand, there is a possibility that unions such as CLAC may inadvertently lead to class relations that are more promising. Ingo Schmidt argues that the fragmented workers of Europe who are expressing discontent, including in the form of right-wing extremism, could possibly be part of a “learning

76. Noam Scheiber, “Union Leaders Meet With Trump, Construction on Their Minds,” *New York Times*, 23 January 2017.

process” with the potential for broader class formation.<sup>77</sup> It is too early to see how the working class may be remade at this juncture, but it is clear that right-wing populist and increasingly pseudofascist movements must not be ignored.

For labour geography, other important questions are raised. Can labour geography as a project defined by labour’s role in shaping economic landscapes survive a more accommodationist unionism? In terms of agency, is it possible to view workers represented by a union that privileges labour-management collaboration and demonizes the withdrawal of labour as exercising real power? Here, CLAC is judged only in relation to the successes and failures of traditional unions with less cooperative relationships with employers. Workers are exercising minimal agency by joining a union that does not strike at a time when traditional unions are also avoiding strikes and achieving only small gains when they do. The adaptation and resilience of some workers and unions in a period when capital is seeking to avoid “real” unions are of minor consequence. As CLAC engages in intraclass conflict with traditional construction unions, resources needed to exercise redistributive agency are consumed by conflict, and any transformative agency is rendered almost impossible.

CLAC’s rescaling of construction to its own specific geographic capacities produces a scale of bargaining and mobilization below the one that traditional unions have built over decades. CLAC has chosen regulated, high-growth sectors where production is not easily outsourced to low-wage regions. Challenging the jurisdiction of unions, both geographical and skill/trades based, giving employers a “choice” of unions inserts wage competition into the construction and healthcare sectors, where it was once partially removed. Pressuring municipal governments to remove their specific “union shop”-only requirements also leads construction unions to compete with wages and working conditions.

Inspiring construction (and other) workers to join CLAC, changing government regulation of the geographical organization of construction, and engaging the mainstream labour movement are accomplished in part through populist appeals to freedom of association and taxpayer value. The case of Bill 73 was largely based on notions of competitiveness through open tendering that would lower the cost of infrastructure projects in Ontario. Such populist appeals are integrated into union strategies that involved rescaling municipal agreements with construction workers and contractors. Populism appeals to the geographical imaginations of workers and both enables and disables broader solidarities across space. Understanding how nativism and other xenophobic aspects of contemporary populism limit the ability of workers to produce scale is important to contemporary labour geography.

It is also important to consider the nexus between the geographical organization of workers and populism. In the current era of austerity, public

77. Ingo Schmidt, “The Downward March of Labor Halted? The Crisis of Neoliberal Capitalism and the Remaking of Working Classes,” *Journal of Labor and Society* 17 (2014): 5–22.

sector unions are increasingly demonized by populist politicians who position themselves as taxpayer friendly. Labour geography will have to engage more critically with the uneven development across sectors and investigate the role of the state in exacerbating divisions by privileging and protecting some groups of workers over others – the most obvious division here being between well-paid, unionized public sector workers and fragmented low-wage workers in the private service sector. As demonstrated above, divisions are also created through agreements and contracts that exclude workers as unions attempt to restrict the supply of labour to publicly funded projects. Populist attacks against “lazy” public sector workers and construction sector union “monopolies” demonstrate that any relevant labour geography must theorize the role of the state in mediating the tensions among competing groups of workers in their struggles to shape economic geographies.

Labour geography continues to be relevant, but it must, as others have argued, qualify workers’ agency in all its forms. The case of CLAC and accommodationist unionism indicates that labour geography must continue to refine its project and account for cases of worker organization that exercise power in contradictory and even reactionary ways. Labour geography will also have to confront, theoretically, a populist anti-unionism from within that challenges solidarity and broader class struggle.

In many ways, labour geographers have begun to explore new “populist” social formations that have moved beyond traditional union structures (e.g., Occupy, living-wage movements). Here, geographers are still drawn to the promise of progressive reformism and possibility of transformative politics. Yet a labour geography that restricts itself to the examination of labour’s progressive victories at the expense of its failures and reactionary unionism renders the project incomplete. As populism, and its more extreme formations, continues to infiltrate the working classes across space, a labour geography that addresses workers’ role in shaping regressive economic geographies is, unfortunately, necessary. An understanding of labour’s different agencies will assist us in the project of building working-class power that is truly transformative.

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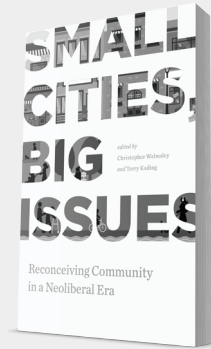
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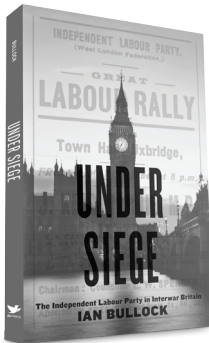


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