

# Mandatory overtime is increasingly the norm for Canadian workers

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The eight-hour working day and forty-hour workweek are increasingly becoming a relic of the past in Canada and internationally. These fundamental advances, which workers fought and died for over the course of a century and a half, are now effectively a dead letter.

In spite of extraordinary technological progress and unprecedented productivity, workers in every industry are working longer for less. The endless drive for higher profits has corporations and capitalist governments forcing workers to run themselves ragged, while criminalizing efforts by workers to resist these edicts. The pro-capitalist unions, which function as an arm of management, dutifully enforce this retrogression in working conditions.

In August 2022, to protest low pay and poor working conditions at energy company Suncor's oil sands operations in northern Alberta, scaffolders employed by AlumaSafway refused to work beyond their ten-hour shifts and instead only fulfilled their contractual obligations.

Acting on Suncor's behalf, AlumaSafway responded by filing a case with the Alberta Labour Relations Board (ALRB). The board declared the workers' protest an "illegal strike" because workers had circulated an anonymous letter recommending that they refuse to accept the "voluntary" assignment and had thus acted in a coordinated manner. The ALRB backed this ruling with the threat of civil or criminal penalties.

In response, the United Brotherhood of Carpenters and Joiners of America (UBC), which represents the scaffolders, merely posted a copy of the ALRB order on its website without comment. They did not so much as issue a protest in defence of the workers.

This situation is not unique to Canada or anywhere in the industrialized world. The Canada Labour Code, which oversees federally regulated industries, only allows a worker to refuse overtime to address a family member's health care or educational issues, and only if "reasonable" steps to solve the issue have already been taken. Provincial labour boards across the country like the ALRB have ruled that workers cannot refuse overtime if they have regularly worked overtime in the past.

Mandatory overtime, or "voluntary" overtime under duress, is the norm for millions of Canadian workers. Adding to the mounting pressure on workers is the record number of job vacancies in the economy, which peaked at one million in May 2022. With fewer workers available to satisfy the demand for profit, employers are squeezing the workers they do have for

harder work and longer hours.

A major driver of this phenomenon is the attrition of the workforce caused by the impact of the COVID-19 pandemic, which has killed thousands of workers and forced many more into early retirement due to burnout or the effects of Long COVID. Furthermore, an aging population is leaving the workforce, with retirements up 50 percent year-on-year as of August.

## Public and private sector workers affected

One of the hardest hit sectors is health care, where more than one in five nurses worked overtime (21.6 percent) as of July, more than double the national average of 9.7 percent. Here, the burden of the capitalist "let it rip" pandemic policy is felt most keenly. Nursing job vacancies totaled 23,620 in the first quarter of 2022, or more than triple the number from 2017.

A November 2022 study from the Canadian Institute for Health Information found that 45 percent of paramedics, 34 percent of salaried family doctors, and 31 percent of respiratory therapists worked overtime in 2021.

Health care workers across the country often work long overtime hours to prop up a collapsing public health system, which is buckling under the weight of the pandemic after decades of systematic underfunding via capitalist austerity measures.

In Quebec, years of government budget cuts, health care rationing, and privatization by the Liberals, Parti Québécois (PQ), and now Coalition Avenir Québec (CAQ) have resulted in inadequate resources, short-staffing and forced overtime. Even prior to the pandemic, many Quebec nurses were routinely compelled to work extra shifts, depriving them of the personal and family time needed to physically and psychologically recuperate from their jobs. Since 2021, a wave of sit-ins by nurses has swept hospitals across Quebec to protest short-staffing and forced overtime.

It was the unions that proposed the PQ government of Lucien Bouchard use a scheme of voluntary retirements to slash health care spending in the late 1990s. Under this scheme, the government permanently eliminated tens of thousands of health care jobs, thereby diminishing the quality of care available to Quebecers, and significantly increasing the workload for the

nurses and other health care workers who remained.

This process is replicated across the country. In Ontario, hundreds of thousands of health care workers have endured decades of pay cuts, which were extended in 2019 by Tory Premier Doug Ford's Bill 124, capping public sector wage increases at 1 percent per year.

Union officials have not lifted a finger to mobilize their members for a political struggle against these disastrous conditions. On the contrary, they have served as the chief obstacle to all efforts by workers to fight back, whether it be against wage restraint or dangerous working conditions produced by the ruling elite's decision to let COVID-19 run rampant. Thousands of workers have left the public sector, compounding staff shortages and the need for overtime.

At the start of 2022, American railroad workers at the railway BNSF became subject to a punitive points-based "Hi-Viz" attendance policy. The policy, which effectively leaves workers on-call 24/7, binds workers entirely to their jobs with no time left over for their families.

Although all 120,000 railroad workers in the US were in strike position and were determined to overturn near-identical conditions across the industry, their unions barred them from striking and conspired with the Democratic Biden administration and railroad corporations to impose a sellout contract, which Congress enacted in December through a bipartisan vote.

Working in excess of ten to twenty additional hours per week is the norm, not the exception, for workers in industries like auto manufacturing. After decades during which unions like the United Auto Workers (UAW) in the US and UNIFOR in Canada imposed two-tier wage systems and rollbacks to benefits and pensions, workers have no choice but to chain themselves to their workstations just to make ends meet.

### **The workers movement and the fight for the eight-hour day**

The achievement of the eight-hour day was the product of sustained struggle by the working class throughout the period of capitalist economic development, culminating with the conquest of power by the working class under the leadership of the Bolsheviks in Russia in 1917.

Throughout the nineteenth century, the working day ranged from 10 to 16 hours, the work week was typically six days long, and the use of child labour was common. When the International Workingmen's Association took up the demand for an eight-hour day at its Congress in Geneva in 1866, it declared, "The legal limitation of the working day is a preliminary condition without which all further attempts at improvements and emancipation of the working class must prove abortive... The Congress proposes eight hours as the legal limit of the working day."

In addressing the deleterious health effects of long working hours, Karl Marx wrote in *Das Kapital* (1867), "By extending the working day, therefore, capitalist production... not only produces a deterioration of human labour power by robbing it of its normal

moral and physical conditions of development and activity, but also produces the premature exhaustion and death of this labour power itself."

Legislation limiting the working day was a fundamental conquest of militant labour struggles going back to the early part of the 19th century. The first Canadian legislation giving protection to unions emerged in 1872 in the aftermath of an unsuccessful agitation for a nine-hour day led by the Toronto Typographical Union. This was a common demand of the 1860s and 1870s in both Europe and North America. The first May Day, on May 1, 1886, saw 300,000 workers walk off the job across the United States in support of the demand for an eight-hour day.

The Soviet Union was the first country to adopt the eight-hour work day for all professions in 1917. In the industrialized nations, the eight-hour day was primarily a result of militant struggles led by socialist-minded workers in the 1920s and 1930s, inspired by the October Revolution in Russia. Canada adopted the forty-hour work week in the 1960s, but there has been constant pressure by employers, and constant concessions by the unions, which have weakened that provision ever since.

The current situation for workers has been decades in the making. Twenty years ago, under the banner of Ontario Premier Mike Harris' "Common Sense Revolution," the Tory government removed longstanding limits on the length of the workweek and changed the way in which overtime pay is calculated to the detriment of workers. This helped set a precedent for similar attacks by other provincial and state governments across North America.

As we wrote in September, "While big business is free to utilize all the instruments of the state apparatus and the courts to criminalize worker opposition to its relentless drive for profits, workers are prevented at every turn from responding collectively. The so-called 'labour relations' system, including collective bargaining, would in fact better be termed 'labour enforcement' by a collective dictatorship of businesses, trade union bureaucrats and governments over the working class. There is no way for workers to defend even their most basic interests through these rigged institutions of bourgeois class rule."

This points to the necessity for workers to form rank-and-file committees in their workplaces, which are independent of and hostile to the union bureaucracies, as a necessary first step to improving their wages and working conditions. Only by linking their struggles across workplaces, industries, provinces, and countries, in a common fight for socialism, can the working class in Canada and internationally end the intensifying levels of exploitation and achieve social equality. This is the perspective and strategy for which the International Workers Alliance of Rank-and-File Committees fights.



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