

CUPE 3902 Backgrounder on Precarious Employment Research and Initiatives

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Introduction

The term “precarious work” or “precarious employment” (PE) is often used to describe work of short duration with little certainty of continued employment. Typically, the working hours are erratic or insufficient, benefits are poor or lacking, and earnings aren’t enough to meet basic needs. For most precarious workers, the only regulatory protection they have is the minimum provided under employment standards legislation. However, this is often insufficient for two reasons. A worker’s entitlement to such protection hinges on their legal status as an employee, but this is often a difficult thing to establish given the precarious nature of the work. Second, even in cases where workers are afforded some level of regulatory protection, the precarity of their work makes them extremely vulnerable to employer reprisals if they file a complaint. Overall, the constant insecurity and poor remuneration associated with this kind of work suggests that precarious workers some of the most vulnerable groups of people in the labour market.

This document provides an overview of key research and initiatives on precarious work in Canada since 2007. This year was chosen to keep the review manageable and relevant to current issues. It was also chosen because, as the explosion of reports and initiatives since this time suggests, the growth of precarious work has become a major concern since the economic shock of the Great Recession over a decade ago. The brief is divided into four sections. The first section summarizes the major research and initiatives in Canada with respect to precarious work, followed by a more specific discussion of the research on precarious academic work (PAW). The third section reviews what has been done with regard to ameliorating the effects of precarious work in Canada, while the final section notes some of the areas open for future research. To assist the reader, see the accompanying spreadsheet listing the major publications and initiatives reviewed for this brief, and their accompanying web links.

Precarious Employment in Canada

While PE is widespread across Canada, the extant research focuses almost exclusively on Southwestern Ontario and the Greater Toronto and Hamilton Area (GTHA). This is not surprising. As one of the most densely populated, culturally diverse, and economically robust areas in Canada, the GTHA continues to be a choice destination for all types of opportunity-seekers. At the same time however, these pull-factors have also led to the region becoming one of the most polarized in terms of wages and job quality – making it a popular location for learning about what is clearly a more nation-wide problem.

The United Way, in its 2007 report *Losing Ground*, was one of the first to identify the scope of PE in the GTHA. Among its key findings was that over 40% of workers in the GTHA are working in some degree of precarious employment (temporary, contract, or other). The research also suggested that employment precarity was aggravating many of the social problems facing the GTHA (growth in low-income families, social isolation, increased reliance on food banks and fringe-lenders). The results of this report led to the founding of the Precarious Employment and Poverty in Southern Ontario research group (PEPSO), a joint initiative between McMaster University and the United Way. It also paved the way for PEPSO’s *It’s More than Poverty* (2013) – a more in-depth report on the impacts of PE on individuals, households, and communities in the GTHA. Based on a survey of over 4000 workers in the

GTHA, the research suggested that an even higher percentage of individuals in the area (60%) were precariously employed in some way. One interesting tool that came out of this 2013 PEPSO report, is a 12-item questionnaire that can be completed online to understand the relative precarity of one's job. The purpose of the tool is to promote awareness of the prevalence of work containing the features of PE. See the accompanying spreadsheet for the link to this questionnaire.

In 2015, PEPSO released *The Precarity Penalty*. In a second survey of workers in the GTHA, the report explored deeper issues connected to PE, including a sense of being trapped in a cycle of precarity that makes it hard to build a secure, stable life. The report outlined opportunities to modernize policy and programs for today's labour market, and also recommended developing a business case for more secure employment - essentially recommending that employers become better educated about the financial benefits of maintaining a more secure workforce.

In June 2018 PEPSO released another report titled *Getting Left Behind*. The report examines who gained and lost ground in the search for secure jobs as the GTHA economy improved between 2011-2017. The unique findings of this report, along with others, are elaborated in the next subsection documenting the groups most affected by the growth of PE in Canada.

Reports in Anticipation of Ontario's Changing Workplace Review

Between 2015-2017, a cluster of independent research on PE emerged in preparation for the Wynne Government's consultation with stakeholders about updating the province's labour legislation. Several groups contributed to this discussion through suggesting amendments to labour law and regulations informed by their own research. For example, in a 2015 report titled *Still Working on the Edge*, the Worker's Action Centre (WAC) of Toronto collected interviews from workers that demonstrated how gaps and exemptions in the Employment Standards Act (ESA) is aggravating low wages, insecure work, and the erosion of minimum standards. The major recommendations from this report included closing the employment standards gap by mandating equal wages for temporary and part-time workers, amendments that close loopholes permitting the misclassification of employees as independent contractors, laws mandating more predictable work hours, and expanding the ESA to include migrant workers.

The Canadian Centre for Policy Alternatives (CCPA) released a similar report in 2015 based on a longitudinal analysis of Statistics Canada data. Along with similar recommendations, the report concludes that there is scope for raising the minimum wage, that the province should set a higher standard for paid leave benefits, and that it should be easier for low wage workers to unionize. This was followed by another CCPA report in 2017 focusing on how those precariously employed in the digitized on-demand service economy (e.g. Uber drivers) could be better protected through the Liberal Government's labour reforms.

In late 2016, the Ontario Federation of Labour (OFL) released the results of its *Precarious Work Engagement Survey*. This survey was the product of the OFL's "Make it Fair" campaign focusing on mobilizing labour unions to fight for employment law reform during the Ontario government's review process discussed earlier. The survey was meant to profile Ontarians' feelings and experiences about precarious work, and giving them a voice as the Wynne Government decides on the nature of the reforms. In addition to many of the labour reforms already mentioned, the OFL campaign also championed a \$15 wage, paid sick days and paid vacation.

Groups Affected by Precarious Employment

While PE can be found across all industries, it remains particularly high in the service industries, having risen 70% between 1997 and 2015, and by 100% in health and education (PEPSO 2018b:15).

Consequently, groups disproportionately concentrated in these industries tend to be the ones most exposed to precarious work arrangements and its associated problems. In general, those working in precarious employment tend to have less opportunity for training and career advancement, have greater fears about raising issues of employment rights at work, experience more anxiety in their lives over the uncertainty of their work, feel trapped in a cycle of PE, have greater difficulty meeting the costs of daily living, and experience greater obstacles balancing work and personal life. As a consequence, those in PE also frequently report delaying major life decisions like getting married, having children, buying a house, and tend to be less involved in community and volunteer activities. These experiences should therefore be viewed as more than an individual problem because they have wider effects on the health of the economy and society.

Beyond these concerns common to all precarious workers, it is consistently documented that PE and its negative effects can be particularly pronounced among groups already in socially marginalized locations. A series of reports by the Law Commission of Ontario provides a comprehensive overview of PE as it relates to many of these vulnerable groups who include: women and single parents (the majority of whom are women), racialized groups, new immigrants, temporary foreign workers, indigenous persons, persons with disabilities, older adults, and youth. (LCO 2012a, 2012b, 2012c). The discussion in these reports is similar to the findings of other reports focusing on the causes and effects of PE among marginalized groups (UW 2007; PEPSO 2013, 2015, 2018; WAC 2015; RCSIA 2016). Typically, these groups are more likely to hold precarious jobs than others because of factors related to labour market discrimination, and supply and demand-side factors constraining their access to education, skills recognition (in the case of immigrants with foreign credentials), and training.

However, current research also recognizes that the experiences of these various equity-seeking groups are not all the same. For example, in PEPSO's recent report examining who gained and lost ground in the search for secure jobs as the GTHA economy improved between 2011-2017, it notes that while gender, race, and having a university degree are crucial determinants of employment security, the intersectionality of these characteristics paints an uneven landscape around who benefits the most (2018). And, while new immigrants are typically most vulnerable to precarious employment, immigrants in general have a much higher probability of being in PE than the domestic-born population even up to 20 years after arrival (PEPSO 2013). Solidifying this precarity for the future is the fact that racialized groups and recent immigrants also tend to have less access to union membership (CCPA 2015).

The Emerging Research on PE and its Implications for Various Groups

The new research on PE falls into five areas. The first concerns millennials (born approximately between 1982-1995) working in PE. Millennials have recently been a central topic for investigating the effects of PE. This is likely because statistically, they have been a demographic that is overrepresented in PE. Now in their mid 20s to 30s and highly educated, this group is supposed to be entering their prime earning years. However, a significant portion are working in low-paying jobs with poor security and benefits, while carrying large student debt loads. Contradicting the popular notion that this generation is to blame for its problems because it is lazy and entitled, the problem is more accurately explained as a generation that was unable to gain enough entry-level experience in the labour market because of the timing of the Great Recession. In the wake of a recession which left even fewer "good jobs" than before, these debt-saddled millennials are now competing for entry-level experience along with succeeding cohorts. Consequently, this demographic has been described as a "lost generation" of skilled workers who are trapped in a cycle of precarious and gig work (PEPSO 2018b; CCPA 2017a; Huffington Post 2017).

In an effort to develop solutions to this generation's plight, millennials have increasingly turned to organizing through grass-roots initiatives and social media. For example, *The Precarious Generation: Millennials Fight Back*, was a massive forum organized in 2016 by NDP MP Niki Ashton where tens of

thousands of millennials took their concerns about precarious employment to Parliament Hill. In a more permanent initiative launched by NDP MP Andrew Cash and a communications consultant, *The Urban Workers Project* was born. This project, which participants connect with online, is intended to link and advocate for the demographic of younger, precarious workers who largely fall outside the scope of traditional union structures and labour laws. For more information see: <http://www.urbanworker.ca/> .

In a report more critical of the employment precarity claimed to be facing millennials, the McKinsey Global Institute released, *Independent Work: Choice, Necessity, and the Gig Economy*. In 2016. In this report, the term “independent work” is a metaphor for work associated with PE. The report claims that the dominance of millennials in such work is an ongoing myth because according to their statistics, they comprise less than 25% of all independent workers across all countries. However, this conclusion should be viewed with caution because of the representativeness of the data used, and because of the selective interpretation and presentation of the statistics on this group.

Precarious work as it pertains to refugees is a second emerging topic. While there is abundant research documenting immigrant and migrant workers’ experiences with PE, little of this research has examined this extra-vulnerable segment of Canada’s precarious workers. One such report, released by The Centre for Research in Critical Social Inquiry and Action (RCSIA) in 2016, explores the precarious employment of racialized and immigrant refugee women in Canada.

The third area involves the first research of its kind documenting the rise of precarious working conditions among professionals in Canada. It finds that at least 1 in 5 professionals has precarious employment conditions, and that those 55 and older are at higher risk of being in such arrangements (CCPA 2018). The fourth area involves another first-of-its kind study on PE by focusing on perceptions of this issue from the demand-side of the labour market. Conducted by PEPSO via KPMG and the United Way, it examines how Canadian employers view various types of precarious employment, their perspectives on its benefits and risks, as well as potential solutions (KPMG 2014). The fifth area, which is discussed in the next section, involves research on the proliferation of PE in the post-secondary sector.

Precarious Work in the Post-Secondary Sector

CUPE National is one of the leading labour organizations studying this issue. In 2017, it held cross-country townhall meetings with PE workers in the post-secondary sector. The main issues and recommendations coming out of these meetings were released in a report later that year. In general, the report suggests that PE is growing rapidly in Canada’s post-secondary institutions, and it corresponds with a decline in the state’s funding of higher education. Also at issue is the difficulty of obtaining useful data on PE in this sector because of general employer reluctance to release it, and the technical difficulties of tracking it. Further, precarious academic work is also being used for more than the filling of temporary vacancies, with some staff teaching the same course consecutively for years on contract, and other schools relying increasingly on the labour of students. Precarious academic workers report issues similar to PE workers outside of academia because of their work - the anxiety and health problems over the lack of job security, poor wages limiting major decisions and life choices, more difficulty defending their employment rights, and problems with accessing government programs and policies. They also report their precarious position makes it harder to be good at their job, and participate in their communities because of the resource and time constraints associated with their precarious work. Nevertheless, contract academic workers also face challenges that are unique to their work, most of which stems from the immense time and energy spent commuting to multiple worksites in order to cobble together a living. The demands associated with this hyper-commuting can vary depending on region, but it is particularly straining to those in Southwestern Ontario or Vancouver – where the high cost of housing poses an additional set of challenges. The report discusses strategies to

combat the proliferation of precarious academic work, with an emphasis on more organized resistance, and the better collection of data on precarious work in and working conditions (CUPE 2017).

The rise in precarious academic work corresponding with a decline in state funding for schools is not an issue that is unique to Canada. As discussed in a 2016 article in the *Atlantic* magazine, the article points out the increasing polarization at US universities because of the increased channeling of revenue and resources away from academic staff, and towards the expansion of its administration and infrastructure. The end result is a very complacent and growing legion of university bureaucrats, while the quality of student education suffers by an increasing reliance on underpaid adjuncts (Atlantic 2015).

Contract academic staff have reportedly been more reluctant to defend their rights as workers for fear of losing their precarious positions, but this also has the longer-term effect of silencing free speech on campus. Since a precarious academic worker's job security depends largely on how they are perceived by their administration and FT colleagues, this type of work inevitably leads to self-censorship, and a compliant pool of workers less willing to challenge the status quo. As universities increasingly rely on contract academic workers, the crisis of free speech on campus will potentially deepen (The Walrus 2018).

In 2016, the Ontario Confederation of University Faculty Associations (OCUFA) chaired a large conference examining the realities and impact of precarious academic work in Canada, and its potential solutions. Speakers included researchers, activists, and policymakers from Canada, the USA, the United Kingdom, and Australia. Key themes included current realities of precarious academic work and the impact on faculty, students, and higher education; learning from the experience of precarious labour in other jurisdictions; responding to the challenges of precarious academic work; current directions and future needs; and re-imagining academic work for the future. See the accompanying spreadsheet for the links to these proceedings and presentations.

The year 2018 is an important year for research and discussion on precarious employment in academia. This year has seen the release of three major reports acknowledging the issue, along with the launch of the *College Task Force* (CTF) under the former Liberal Government of Premier Wynne. The aim of the task force is to make recommendations to support the delivery of high quality career-oriented education and training that will support an ever changing economy and labour market. Some topics that it plans to explore have relevance to the issue of precarious academic employment, such as its intention to review staffing models that would enhance program quality and the student experience. While the CTF was originally slated to release its recommendations in December 2018, the group was disbanded without explanation shortly after Doug Ford's Conservative Government came to power.

In early 2018, the Council of Ontario Universities (COU) released a report on the composition and activities of Ontario universities' academic workforce. This particular report is special in that **it includes for the first time, statistics about part-time instructors at Ontario's universities**. Its presentation and interpretation of the data challenges the perception that most who work as part-time academics desire full time employment in this area. Instead, the report shows that the composition of the part-time workforce is diverse, and presents evidence that a large proportion of those teaching part-time are not eligible for, or not at this time seeking full-time academic positions. In response to this controversial finding, OCUFA released an open letter challenging the assumptions the COU used to present such a rosy picture of the data. Please see the attached spreadsheet for a copy of this letter. The resulting controversy arising from the COU's biased presentation of this data has resulted in its 2018 report being conveniently hidden from view on its website, and replaced with a 2014 report.

In February 2018, the CCPA released *No Temporary Solution: Ontario's Shifting College and University Workforce*. Using Canadian Labour Force Survey data, this report explores the extent that employment

on university and college campuses in Ontario is becoming more precarious, for whom, and for what reasons. Findings show that 53% of post secondary workers in Ontario are precariously employed in some way - part of a trend that began in the late 1990s in which campuses began to increasingly rely on temporary work. This corresponds with an increase in multiple job holding among such workers. Unpaid overtime has also increased among temporary workers on campus, and data also shows a growth in work categories that are more precarious (e.g. TA, RA, and a corresponding decline in traditionally less precarious work categories (e.g. librarian).

Lastly, the Canadian Association of University Teachers (CAUT) released a major report in September 2018 on contract academic staff in Canada. Based on a national survey of over 2600 precarious academic workers, it is the first comprehensive profile of the working conditions of such workers. The study looked at the motivations, interests, and working conditions of these workers, and how this type of employment impacts work-life-balance and mental health. It also sought to go beyond research in this area by including variables on race and sexual orientation. Contrary to COU findings, the CAUT report finds that over half of respondents want a tenure track university or FT permanent college job. Job security remains a top concern for these workers, with only 21% of respondents having non-academic, non contract type work. Women and racialized CAS work more hours per course per week than others, and are more likely to be in low income households. Over two say their mental health has been negatively impacted by the contingent nature of their employment, and less than 20% think the institutions where they work are model employers.

What has Been Done to Ameliorate the Problem of Precarious Work in Canada?

As highlighted in the reviews of many of these reports, organized resistance has been an important part of the proposed strategy to fight back against the spread of precarious work. This includes raising awareness of the problem through building solidarity among precarious workers in the form of political and grass-roots groups, more research documenting the specific problems facing these workers, and organized labour groups picking up the cause in their bargaining platforms. All of these proposed courses of action are made even easier by the ready availability of social media.

A major part of this organized resistance also involves recommendations encouraging various groups to lobby for changes to outdated labour laws by closing the legal loopholes that encourage exploitative employer practices. The Wynne government's recent amendment to the ESA through Bill 148 seemed to be good start in levelling the uneven playing field faced by precarious workers in Ontario. However, as recently announced by newly elected Ontario PC Premier Doug Ford, his government has plans to repeal the amendment.

One of the novel approaches towards addressing the growing problem of PE is based on a recent joint initiative between The United Way and KPMG to explore the benefits reaped by employers through maintaining secure employment for their workers. The results of this initiative were communicated in a 2017 report called *Better Business Outcomes through Workforce Security (2017)*. The report is unique because the benefits of secure employment policies it outlines are communicated through a business case framework. The report also contains a guide and tools that employers can use to assess their current employment practices. It lays out some of the leading practices in the area of workforce security, and illustrates that these practices can be practical and mutually beneficial. The report also includes a maturity model to support organizations in assessing how comprehensive their current practices are in providing security for workers in non-standard roles. This approach is novel in that it attempts to address the problem of PE by speaking directly to those who have the power to change it – the employer, using a logic they would be more apt to listen to – the business case.

Areas Open for More Research/Action

This is not an exhaustive list, but there are several areas/issues that could be examined in more depth as it pertains to the issue of PE in Canada, and among precarious academic workers in particular.

- More thorough tracking of data pertaining to the posting and hiring of academic staff in precarious employment
- Leveraging the power of “big data” to help uncover, track, or predict areas where issues related to PE is a concern
- More empirical research on:
 - how precarious employment could be affecting academic freedom on campus
 - trends in economic and resource polarization between the administration and contract academic staff. Essentially, taking a closer look at where university revenues and funds are being allocated over time
- An application of KPMG’s workforce security tool to inform employers about the state of their workforce security practices, and how it may be affecting their bottom line
- More surveys and research probing students’ perceptions and understanding of the issue of precarious academic workers, and its effect on their quality of education.
- More detailed research on certain equity seeking groups, and the unique problems they face in precarious academic employment. For example:
 - Indigenous groups
 - LGBTQ groups
 - Those with disabilities
 - Immigrants