The Thicker the Agreement, The Poorer the Relationship:

An Examination of Public Sector Environments in Canada and the Intersection of Organisational Trust, COVID-19, and Collective Bargaining Agreements

by

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Acknowledgments

I never thought I would see the day this project would be completed. For those undertaking their doctorate, it is an entirely different experience than any other degree. At the same time, it should be given a responsible amount of thought before being embarked upon. A doctoral program requires support, trust, and jovial input from one's peers. I want to acknowledge what I have affectionately come to refer to as my “framily.” It is a hybrid term for my group of friends who have become closer than my family—Myles, Nikki, Robyn, Jason, and Jess; thank you for your support and encouragement throughout this process.

I became passionate about labour relations while working for the Alberta Union of Provincial Employees in 2016/17. I knew then that there was much work to be done, and that unions and public sector management had a lot of distance to close in coming to an alignment on the ‘right’ work environment. The universe saw fit to guide me to the management side of labour relations, and I did my best not to be one of those managers. This study is focused on the management perspective, and I would like to acknowledge the managers who may one day find value in this research as they navigate trying times like a future pandemic or climate disruption.

I would be negligent not to acknowledge the hard work and perpetual input of Dr. Carlene Boucher, my principal supervisor, and Dr. Deirdre Pickerell, my Canada-based associate supervisor. The two of you never stopped with encouragement and helping me to navigate and understand the world of academia and graduate research. I will forever remember the laughs we shared as we navigated trying to schedule a meeting in three different time zones: “How many doctorates does it take to schedule a meeting?” Mostly, I will remember your inspiration to “keep going” whenever I questioned whether the completion of the project would ever come.

My grandmother Dicksie Helm who, after suffering a stroke, held on long enough to “see the first doctor in the family.” She also taught me how to make a good pie crust and knew that pie is the key to many people’s hearts.

Growing up in foster care, I was fortunate to have been adopted by my loving parents at a later age. My parents gave me every opportunity to succeed and encouraged me to reach higher. While my parents have not fully appreciated what I have been doing with my time on this project, they have been supportive and encouraged me to see the thesis through. I would acknowledge my siblings Derek, Mark, Christine, Ian, Justin, Sheldon, and Kaylin, without whom I would not have grown to be an overachiever looking to change the world.

As a status first nation member of the Sturgeon Lake Cree Nation, I honour the land on which I spent the duration of my studies in Edmonton, Alberta. This is Treaty 6 territory. This is sacred land to many First Nation, Metis, and Inuit peoples. I want to recognise and acknowledge Indigenous values, traditional teachings, ways of being, contributions, and historical inequalities. I have been blessed not to become a negative statistic and to provide this research that can be leveraged to make the work environment more trusting and positive.

I want to acknowledge some of the people leaders whom I worked for over the past years while I was working on this thesis; their professionalism and dedication to being good managers that put trust at the forefront of their interactions was not lost on me. Tracy Wyrstiuk, Trevor Bergen, Kerri McPhee, Dr. Jay Makarenko, Dr. Mary MacDonald, and Carol Delainey—you have all demonstrated the best the public service offers. Finally, I would like to acknowledge some of the hardworking public servants in Alberta, like Ciara Reynolds and Jamie Primmett, who serve Canadians and Albertans every day. Both have supported me in this journey; I hope this project will result in a better working environment in your future and that my findings assist public sector organisations with becoming one of the country's most competitive and viable work environments.

Preface

A thesis is an iterative experience. Once the data is compiled, there is several rounds of writing, revision, and polishing. In one of the review cycles, a reviewer suggested a thesis should be able to survive “time and space.” Specifically, readers in the future should be able to read a thesis and understand the contextual nature of the document; moreover, the concept of space refers to future researchers who may have a different theoretical perspective and their ability to understand what is being explored. In both aspects, the reviewer thought an expansion of the COVID landscape would benefit the thesis. Within this doctoral study, the COVID experience for people leaders in unionized environments is explored in chapters 1 and 5. The story of COVID is briefly abridged in this section.

In March 2020, the World Health Organization declared COVID 19 a pandemic. Some three years later, the international health regulations emergency committee of the World Health Organization downgraded the COVID-19 pandemic. The International Labour Organisation (ILO) projected that almost 25 million jobs could be lost worldwide, and workers could lose some US$3.4 trillion in income by the end of 2020 as a result of COVID-19 (ILO, 2020; van Barneveld et al., 2020). Canada’s economy saw unemployment rates the highest since 1976, with a pandemic high of 13% in May 2020 (StatsCan, 2021). Further, Canada’s GDP recession was approximately 5%, resulting in an estimated $106 billion loss (Congressional Research Service, 2021). There was a harsh response in the market to COVID-19; for example, many businesses have closed, resulting in jobs, work, and income loss.

My personal observations include: seeing a complete lockdown of senior homes with isolation of the elderly, a restriction on the number of people that you could associate with, a cancellation of sporting events both professionally and amateur, the Canadian military being deployed to provide healthcare support to overrun healthcare systems, or the contingency planning of military tents to support extra medical beds. It was an unprecedented time.

Government involvement was broad. In many aspects, the way of life for the majority of the population changed and some of the public health measures imposed were the strictest dealings observed in many people's lifetime.

In Alberta, there was a published list of essential services and directives that non-essential places of business were not permitted to offer or provide services to the public at any locations which were accessible to the public. Essential services included health, medical, public safety and security, food and shelter, energy, utilities, transportation, industrial, oil and gas, construction, agriculture, essential retail, financial services, information and telecommunications, and public administration and government.

As part of the government's intervention, employers were asked to identify essential service employees and to have everyone else work from home. The urgency of the task was correlated to public messaging which purported that employees who stayed home would be at lower risk of contracting COVID-19 and would diminish the transmission rates of the virus in the general population.

In March 2022, the government of Alberta ended nearly all mask mandates and then began the return of employees back to work in their offices. After a two-year period of substantial variations to the personal and professional lives of many people, the lifting of restrictions started a path to normalcy.

COVID-19 presented a tumultuous time for many members of society, including, employers and union members who needed to adapt to a changing employment landscape. I hope this context assists in preserving this thesis' place in time and space and provides future reviewers with an academic framework with which to examine how to navigate major business disruptions in unionised environments.

Executive Summary

In late December 2019, a new and emerging coronavirus came out of Wuhan, China. The severe acute respiratory syndrome coronavirus 2, widely known as “COVID-19” (WHO, 2022), significantly impacted nearly every aspect of human life on Earth. This study, referred to throughout the thesis as a “project,” examined the intersection of collective bargaining agreements and COVID-19 in unionised environments in the public sector of Canada. Attempts were made to obtain participants from every province and territory in Canada; however, some of the invitees did not want to participate because of their own labour relations climate, or they did not respond.

The study had representation from a broad cross-section of Canada, including British Columbia, Alberta, Saskatchewan, Manitoba, Ontario (as representative of the federal public service) and New Brunswick. Participants (N = 16) ranged from front-line managers to the most senior executive management in the public service, often called chief human resources officers or deputy ministers. The participants came from workplaces with some essential services component and remained operational during the COVID-19 health emergency. Throughout the thesis, the terms “pandemic” and “health emergency” are used interchangeably and refer to COVID-19. Participants that contributed came from organisations that are funded by and encompassed the three levels of government in Canada: municipal, provincial, and federal. Some participants were from publicly funded post-secondary educational institutions.

The project was guided and constrained by three research questions:

> Q1: What role did CBAs and management rights play in how managers chose to manage their environments during the COVID-19 pandemic?

Q2: What were the shared opportunities and challenges (both economic and operational) created by collective bargaining agreements that unionised employers encountered during the health emergency?

Q3: How did managers manage the change to staff suddenly working from home?

Of note, vaccines and vaccination policies were outside the scope of this project.

Recommendations

In this thesis, after analysing the data and summarising the findings, there are four recommendations:

1. As measured by the items outlined by Dirks and DeJong (2022), the focus of the employment relationship in a public-sector unionised relationship should be one of trust, and this should guide the decision-making process.
2. Relationships that are fraught with challenges between unions and management should be examined with a focus on replacing the representatives to 'reset' the relationship.
3. Management and unions should explore the possibility of negotiating non-monetary items separate from monetary items and examine time-limitation clauses that automatically purge language from collective agreements.
4. There should be a renewed focus on items that serve millennial employees as an increasing representation of the labour market.

Thesis Overview

This thesis is divided into five main sections. Chapter 1 is the introductory chapter, which outlines the overview, research purpose and questions, and justification of the study. Chapter 2 comprises the literature review, looking at the history of labour relations in

Canada, collective bargaining agreements, COVID-19 as an organisational disruption, management authorities and recognition, and management in times of crisis. Chapter 3 explores the foundations of the research, including an overview, the format and methods of the project's interviews, participant demographics, ethical considerations, and some limitations of the study. Chapter 4 includes the data analysis with participant feedback summarised by the major themes that emerged from the study. Some major themes that arose were organisational change, the significance of relationships, management rights and authorities, and collective bargaining agreements. With respect to collective bargaining agreements, many participants identified that they needed to deviate from their collective agreement and did so through what this thesis terms "appurtenant agreements." Appurtenant agreements reference any formalised agreement that changed or turned from the previously bargained collective bargaining agreement. Chapter 5 outlines the discussion component of this paper. The research questions are answered, and the implications for unions and public sector management are canvassed. The future of employees and the linkage to this research are explored.

This project highlighted the differences between the literature and the potential for different results because of the research findings. When first conceptualised, the study focused on management authorities and crisis management, the study was underpinned by the notion that collective bargaining agreements as contracts were inflexible, and management would need to rely upon their authority to implement change in an expedient manner. Ultimately, this premise was not supported, and it became evident that inter-and intra-organisational trust was a primary driver in organisational responses to the pandemic. Moreover, the antecedent relationship guided how the parties were innovative and flexible during the health emergency. Those with a high degree of trust appeared to

demonstrate more flexibility, whereas those with lower trust appeared to demonstrate a more rigid adherence to their collective bargaining agreements.

Canadian labour relations have been bolstered by positive Supreme Court of Canada decisions. This has created a more hospitable environment of pro-union workplaces in Canada. However, labour relations derive their history from the need to resist unsafe and poor working conditions. In modern times, it could be suggested that unsafe and poor working conditions—especially in many public sector environments—are not as prevalent. The study discusses the role of millennials and their increasing presence within the work environment. Millennials are different employees. They have different motivators and drivers than those of the generations before them. As a result, public sector management and unions need to be more alive to the issues of this worker group, and potentially move away from the adversarial nature of labour relations.

The COVID-19 pandemic changed the way that many public sector organisations operate. This lends itself to the notion that public sector entities can change, they just require a reason to change. Some organisations are attempting to reverse course on the changes they have made, for example, requiring employees to return to the office environment, and this is being met with disputes by employees. Given the integral part that working remotely has played in the public sector over past few years, it is unlikely that public sector management will remain immune to the pressure of employees who want to remain working from home.

Conclusion

How management and unions choose to interact with each other is likely to dictate how they might approach challenges during times of crisis. The COVID-19 pandemic tested the boundaries of the public services across Canada with mixed results. There is the

potential for future pandemics, business disruptions, and climate related disruptions. Those organisations that thrived, seemed to embrace innovation, collaboration, and a willingness to work with their unions. This reinforced the overarching theme of this study: antecedent relationships within the union and management corps drove the response during the pandemic.

From a future-focused perspective, the adversarial nature of labour relations needs to be minimized. Organisations are no longer challenged with what modern day society identifies as occupational health and safety challenges or needed protection from at-will dismissal. By moving away from the adversarial and moving to a collaborative focus, unions and management may better move along their individual objectives.

This project excluded vaccination policies from the scope of the research. This continues to be an unresearched area. It may be worthwhile to explore vaccination polices and the context they were implemented within unionised environments. Vaccination policies appeared to be some of the most contested management policies that were implemented during the pandemic. It may be worthwhile to explore how management brought these policies into effect and what options the unions were left with in responding. Future research may wish to examine vaccination policies in unionised environments, the response of the unions, the mechanisms for change and implementation, and the absence of trust felt by union employees.

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1. Introduction

1.1 Overview

This chapter explores the overview, research objective, research purpose and questions of this dissertation, and justification of the study. A brief analysis of the impacts of COVID-19 and its impacts on organisations, managers, and employees on an international scale is conducted. The following questions frame the study: What were the shared challenges and opportunities (both economic and operational) created by collective bargaining agreements (CBAs) that unionised employers encountered during the health emergency? What role did CBAs) and management rights play in how managers chose to manage their environments during COVID-19? How did managers manage the change to staff suddenly working from home?

In late December 2019, a new and emerging coronavirus came out of Wuhan, China. The severe acute respiratory syndrome coronavirus 2, widely known as “COVID-19” (WHO, 2020), had a major impact on nearly every aspect of human life on Earth. As of July 17, 2022, the number of globally confirmed cases of COVID-19 exceeded 559 million people, and there were over 6.3 million fatalities (WHO, 2022). COVID-19 has been one of the biggest global health challenges in the past decade. The magnitude and evolving mutations have created a business environment rife with volatility, uncertainty, complexity, and ambiguity. There has been a multitude of challenges that have amplified unstable business environments. Challenges such as occupational health and safety, personal well-being, and employee engagement have become reoccurring items to mitigate throughout the pandemic (WHO, 2022; ILO,2020; van Barneveld et al., 2020).

The International Labour Organisation (ILO) projected that almost 25 million jobs could be lost worldwide, and workers could lose some US$3.4 trillion in income by the end of 2020 as a result of COVID-19 (ILO, 2020; van Barneveld et al., 2020). Those numbers

were not wholly outside of what turned out to be actuality. Some estimates by the United Nations put job loss as high as 255 million and $3.7 trillion in global domestic product loss (ILO, 2021). Canada's economy saw unemployment rates the highest since 1976, with a pandemic high of 13% in May 2020 (StatsCan, 2021). Further, Canada's GDP recession was approximately 5%, resulting in an estimated $106 billion loss (Congressional Research Service, 2021). There has been a harsh response in the market to COVID-19; for example, many businesses have closed, resulting in jobs, work, and income loss. No one knows whether this pandemic and the associated consequences on the work patterns in organisations will be temporary or permanent (Bartik et al., 2020).

COVID-19 was a significant disruption to the business environment (Campion et al., 2021; O'Neil, 2021; Kaine, 2020; Stewart, 2020). COVID-19 abruptly upended regular work routines and caused an acceleration of trends that were already underway involving the migration of work to online or virtual environments (Kniffin et al., 2020). The global pandemic was a new type of crisis and one of the only prolonged crises with unknown ramifications (EY, 2020). Fay and Ghadimi (2020) found that employers in unionised environments made decisions that impacted their CBAs related to factors including working conditions, compensation, benefits, and workforce reductions. Kaine (2020) found that employers had already started to seek labour relations reforms because of the impact of COVID-19 on their businesses. The topic of management response in unionised organisations during the COVID-19 pandemic is essential to the business community.

The economic challenges with COVID-19 have been widely reported, including reduced service demand, lower incomes, and higher costs. Zeitoun and Pamini (2021, p. 279) have suggested that unionised environments are rife with "implicit contracts" not included in CBAs. An implicit contract is a generally accepted term between parties that are not specified, such as work-from-home arrangements. The rationale is that making a CBA

encompassing every organisational contingency is too costly or impractical. As a result, these implicit contracts are standard practice in unionised environments.

Further, Roche and Teague (2014) found that when reacting to an economic challenge like a recession, management may intentionally breach those implicit contracts. Implicit contracts impact business and management if implicit contracts existed before COVID and became more widespread because of the COVID pandemic. Suppose management (un)intentionally broke their CBA and/or these implicit agreements. In that case, the violations could provide valuable insights into management practice, leading to the further development of management theories in the study of human resources.

The objective of this study is to understand how managers experienced managing during COVID. The study will focus on unionised work environments where employees were public sector or deemed essential (e.g., utility companies, healthcare). This study will examine common managerial issues in these environments by focusing on sectors where layoffs/furloughs were minimised. These themes could identify how to improve management in prolonged crises. Management theory improvements can benefit employers/employees because less taxing work environments can enhance worker experiences and lead to a more productive workforce.

For the purposes of this thesis, the Canadian public sector includes municipal, provincial, and federal government entities. This definition includes government services/agencies, Crown corporations, and government-funded organisations such as schools and healthcare systems. Statistics Canada estimates that approximately 78% of this workforce in Canada is composed of unionised employees. They also estimate that 336,000 employees are working for the federal public service, and a total of 3.6 million employees work in various government services, agencies, schools, and health care systems.

Public sector entities, especially Crown-led organisations, are typically structured in a similar manner across Canadian jurisdictions. Governments are formed by the political party that obtains the most representatives in a parliament or legislature. The government's cabinet comprises elected officials who are appointed as ministers of respective government departments. Each minister has a deputy minister, the most senior, unelected public servant overseeing the day-to-day and administrative functions of a government department. Variations of organisational structures are apparent throughout Canada and the provinces; in some fashion, there is a management cohort of a variety of levels, and at the bottom of the management regime, there is a group of unionised employees who perform tasks and provide the 'labour' portion of the employment relationship. An examination of organisational structures for various provinces, territories, and the federal government reveals that there does not appear to be known management-to-supervisor ratios or consistency in organisational structure.

The title of the thesis is a paraphrase of one interviewee's feedback; when it became clear that inter-and-intra organisational trust impacted the outcomes of the labour relations environment, the comment by the interviewee referenced those employers with a higher degree of trust and the ensuing development of a more mutualistic relationship. Thus, the reference to the thicker the agreement, the poorer the relationship. The inference being that those organisations where trust is low will have more defined and prescribed collective bargaining agreements.

The objective of this research project was to support organisations and managers by enabling them to prepare for future long-term business disruptions such as a pandemic or long-term disruption. Given the lack of research on public sector environments in Canada, there needs to be more research on the public sector and how these organisations managed during the pandemic while attending to the contractual obligations

of their CBAs. Additionally, the concepts of grounded theory and social exchange theory in relation to this thesis are explored.

1.2 Research Purpose and Questions

The central phenomenon this research topic will address is the experience of public sector and essential services managers in unionised environments during the COVID-19 health emergency. The study will focus on Canada. To date, there is little known (if anything) about the impact of COVID-19 on management in unionised environments.

Moreover, there are minimal studies on COVID-19 and human resource management (HRM) and the challenges and potential opportunities for HRM in organisations. Managers and HRM practitioners need relevant information to help them go through pandemics and health emergencies to respond effectively and efficiently (Hamouche, 2021). The purpose of this study is to outline key areas that management and unions can rely upon to craft responses in future business disruptions and to fill gaps in the existing literature.

To further understand the problem and to limit the scope of the project, the following questions will frame the study:

> Q1: What role did CBAs and management rights play in how managers chose to manage their environments during the COVID-19 pandemic?
>
> Q2: What were the shared opportunities and challenges (both economic and operational) created by CBAs that unionised employers encountered during the health emergency?
>
> Q3: How did managers manage the change to staff suddenly working from home?

The objective of the study was to support organisations and managers by enabling them to prepare for future long-term business disruptions such as a pandemic or long-term

disruption. In addition, this study aimed to add to the research on public sector environments in Canada. Public sectors are unique—while functioning like a privatised business, the emphasis is not on profits but on meaningful contributions to public policy and government deliverables. The nexus between business administration and industrial relations is such that readers of this study should find replicable mitigation strategies in their unionised environments.

1.3 Justification of the Study

Employees have long been defined as any organisation's most critical strategic asset (Elsafty & Ragheb, 2020; Bisht, Chaubey & Thapliyal, 2016). It must be managed, retained, and developed as with any asset. Elsafty and Ragheb (2020) suggested that during the COVID-19 health emergency, there was a lack of information about management's plan to respond to a pandemic situation.

Further, Elsafty and Ragheb (2020) wrote that as it relates to employee engagement, there needed to be more guidelines on how to operate a workplace during the COVID-19 health emergency effectively. Additionally, there needed to be more information available on how to navigate the pandemic. There are very few studies on COVID-19, the Canadian Public Sectors, and CBAs. Managers and academics need relevant information to navigate crises like a pandemic (Hamouche, 2021). Human resource management has a significant role in helping employees to overcome the difficulties brought by the unexpected changes in the workplace as well as in the society (Carnevale & Hatak, 2020).

There is a potential research gap in exploring how management navigated the pandemic in unionised environments and, particularly, how they did this in the context of existing CBAs. Practically speaking, management cannot plan for every contingency, so expanding best practices in CBA development could be a meaningful exercise.

In addition to the gaps in theory as it applies to human resources and COVID-19, there needs to be more data on COVID-19 and its specifics to unionised environments. The evidence of this was revealed in the lack of scholarly journals and peer-reviewed articles. Zhang and Shaw (2020) articulated that COVID-19 (and other global pandemics) have created research gaps. This was reaffirmed in the previous literature analysis, whereby there appears to be an absence of literature relating to collective bargaining, COVID-19, and unionised work environments.

Social exchange relationship theory is used to support this project. In this theory, one party provides a valued resource to another actor with the expectation that the other party will reciprocate. As each party in the relationship responds, their perceptions of trust in the other party will enable them to exchange resources (Cropanzano & Mitchell, cited in Dirks & de Jong, 2022; Kramer, cited in Skiba & Wildman, 2019). In the context of this research project, labour and money are the resources.

1.4 Summary

COVID-19 has been one of the biggest global health challenges in the past decade. The magnitude and evolving mutations have created a business environment rife with volatility, uncertainty, complexity, and ambiguity. The International Labour Organisation [ILO] (ILO, 2020) projected that almost 25 million jobs were lost worldwide, and workers lost some US$3.4 trillion in income by the end of 2020 as a result of COVID-19 (van Barneveld et al., 2020). COVID-19 was a significant disruption to the business environment (Campion et al. 2021; O'Neil, 2021; Kaine, 2020; Stewart, 2020). The economic challenges with COVID-19 have been widely reported, including reduced service demand, lower incomes, and higher costs. The central phenomenon this research topic addresses is the experience of managers in unionised environments during the COVID-19 health emergency. Elsafty and Ragheb (2020) wrote that as it relates to employee engagement, there needed to be more guidelines on how to operate a

workplace during the COVID-19 health emergency effectively. The objective of this research project was to support organisations and managers by enabling them to prepare for future long-term business disruptions such as a pandemic or long-term disruption. In addition, this study aimed to add to the research on public sector environments in Canada.

2. Literature Review

2.1 Overview

Chapter 2 encapsulates this dissertation's literature review, including the history of Canadian labour relations and an analysis of CBAs. Canada is a union-friendly environment. Three pivotal decisions have governed the case law surrounding unionised environments and collective bargaining in Canada, and those cases are explored in this section. The Rand Decision mandated that those who participate in collective bargaining must fund its efforts, a Supreme Court of Canada (SCC) decision reinforced the right of essential services to strike, and another SCC decision confirmed that mandatory union dues did not violate the Canadian Charter of Rights and Freedoms. This section includes three areas of literature: management authorities, management in times of crisis, and CBAs and COVID-19 organisational disruptions and negotiation.

2.2 Canadian Labour Relations

Employees in Canada started to organise and form trade unions as far back as the 1850s (Heron, 2020). Initially, unions began because of oppression and poor working conditions, for example, 7–10-hour workdays across 7 days per week. Fast forward to post-World War 1 (1920's), and unions became more substantial and widespread. The economic conditions of the post-war era included high unemployment and inflation (Heron, 2020). The agreement negotiated between the union and the management is called a collective bargaining agreement (CBA).

In June 1919, “Bloody Saturday” marked the end of one of the most significant labour strikes in Canadian history; the strike involved the public and private sectors and transcended a variety of industries (Heron, 2020). The day has been a critical moment in Canadian labour history, creating the country’s modern-day pro-union environment.

The Canadian labour movement has been bolstered by court decisions that have made the Canadian labour environment more encouraging for the labour movement. In 1946, the Rand decision prescribed that all employees who benefit from collective bargaining must fund the costs of negotiating, bargaining, and administering the labour relations contract (Canadian Labour Congress, 2019). The decision created mandatory dues withholding in CBAs and significantly changed Canadian labour relations. Before the Rand decisions, union members collected dues from members at the beginning of their shifts. It was infrequent and unreliable (Canadian Labour Congress, 2019).

In 1991, the SCC in Lavigne v. OPSEU (1991 2 SCR 211) held that mandatory union dues did not violate the Canadian Charter of Rights and Freedoms. As the highest court in Canada, this decision was binding for all lower courts and tribunals, including the Alberta Labour Relations Board (ALRB). The ALRB is a government tribunal assigned to hear and decide upon labour relations issues arising from CBAs. Many issues arose from the pandemic, including challenges to vaccination policies, layoffs, and complaints against the union for not fairly representing their members.

In 2015, the SCC reaffirmed all employees’ right to strike. Saskatchewan Federation of Labour v. Saskatchewan (2015 1 SCR 245) decided that legislation imposed by the government was unconstitutional in that it did not allow “essential employees” to strike. Additionally, the court outlined that the Canadian Charter of Rights and Freedoms “guarantees freedom of association that protects a meaningful process of collective bargaining and that provides employees with a degree of choice and independence

sufficient to enable them to determine and pursue their collective interests," (Mounted Police Association of Ontario v. Canada Attorney General, 2015 1 SCR 3, p. 6).

The combination of these decisions has uniquely shaped the landscape of Canadian labour relations through decisions that support the labour movement. The Supreme Court has reaffirmed that unions will be funded by all their members, there is a right to strike, and employees are guaranteed a meaningful process to pursue their collective interests.

In Canadian industrial relations, groups of employees are often clustered together, and legislative governance of industrial relations can be a federal or provincial responsibility. Regardless of the level of government which administers the legislation in labour relations, the commonality of clustering employees by the job duties performed often remains the same. For example, the Alberta Union of Provincial Employees (AUPE) is composed of provincial employees who are broken into "Locals" (broad sectors), and the locals are broken down into "Chapters" (employee groups by specific job duties). However, irrespective of the job duty being performed, the only employees in this bargaining unit are employees of the provincial government. Comparatively, at the federal level, the Public Service Alliance of Canada (PSAC) is one of the certified bargaining agents for its members. The PSAC negotiates for its members solely. Both organisations are bound by the legislation that governs their industries. The PSAC is often bound by federal legislation and the AUPE by provincial legislation, but both perform labour relations and collective bargaining administration for their members.

2.3 Collective Bargaining Agreements

"The essence of collective bargaining stems from the desire to achieve the best outcomes for the bargaining unit as a whole, advocating for those most affected and least advantaged" (Fay & Ghadimi, 2020, p. 817). The CBA is central to unions and unionised environments. The CBA is a contract between labour (the union) and employers

(management), in its simplest form. Having evolved from the situation in the 1850s, where the relationship was one of subjugation and management held all the power, CBAs now determine employers' and employees' rights and responsibilities (Heron, 2020).

COVID-19 has dramatically affected businesses in various sectors (Kniffin et al., 2020). Overnight, many organisations had to change their processes and day-to-day operations to adapt to the impact that COVID had on their businesses (Carnevale & Hatak, 2020). Some unionised environments were less flexible because of the inflexible terms and conditions negotiated and agreed upon in the CBA. It is also possible that they needed to be more focused on issues of importance (such as WFH) not being addressed in CBAs. There is currently no literature on this topic, and this is something the proposed study will be positioned to address. Organisations in non-unionised environments contended with similar challenges but with the freedom to act (afforded by not having a CBA). It is conceivable that a lack of a CBA made the approaches by management to mitigating COVID-19 in their organisations easier to implement than in union workplaces. Given the integral everyday role CBAs have in the workplace, they were presumably an essential consideration in the decision-making process around COVID; all the while, the CBA did not change during the pandemic; because they did not change, the evolution of CBAs is not the primary focus of this study. CBAs likely shaped the responses of many employers to the pandemic.

Collings et al. (2021) examined the work context within a pandemic. They found that organisations had varying responses to the pandemic. For example, some work environments could facilitate work-from-home (WFH) arrangements, while others (in the same business) could not WFH. WFH created the potential for fractures within the workforce (especially between those who could not WFH in the same workplace) and changed how jobs were organised/designed. Disparities in workplace consistency may be a potential area for further study.

Baccaro and Howell (2017) wrote that unions have historically (from the 1970s) endured structural and regulatory changes which have weakened wage determination and workplace decision-making. This includes decentralisation and restriction of trade union activities, changes to employment services, and legislative changes to the labour market. Markey (2020) wrote that the Australian Fair Work Commission varied awards to include "pandemic leave." In addition, CBAs were amended to change working hours, directions to employees to take leave, and changes in duties to adapt to government-imposed lockdowns.

Canadian unions have also observed legislative changes. In Alberta, the government mandated that employees who "could" WFH "should" be allowed to WFH. In both instances, government and regulatory bodies' public policy decisions altered working conditions (typically addressed by a CBA). The Alberta Union of Provincial Employees (AUPE) initiated court challenges to combat a bill they viewed as attacking their rights to meaningfully engage in the collective bargaining process (AUPE, 2020). Structural and regulatory changes during the pandemic may have created additional pressures within unionised work environments and increased concerns between managers and unions about CBAs. This is a potential area for academic exploration, as unencumbered government-imposed changes to CBAs could represent a significant shift in labour relations. Government changes to employment conditions without opposition or the ability to input legislative amendments (i.e., consultation) by employers/employees represent a change in industrial relations. Specifically, the power for governments to mandate WFH without deference to legal contracts poses a considerable shift in labour relations.

The root of unionised organisations traces back to the CBA, a contract where labour agrees to perform job functions and management provides compensation for the tasks performed. COVID has significantly changed the employment landscape with differences in employment conditions, job duties, and adequate supervision. Further impacting the

employment relationship during the health emergency were public policy decisions that led to fundamental changes within workplaces.

Governments required specific occupational health and safety restrictions in work environments that changed the employment relationship; some changes, for example, those that bolstered employee safety, were accepted, whereas unions did not as readily tolerate changes unrelated to COVID.

2.4 COVID-19 Organisational Disruptions and Negotiation

This literature focuses on what scholars have identified as COVID-19-related disruptions and the strategies some organisations opted for negotiation vis à vis managerial decisions. There is an absence of literature on COVID-19 in public sector organisations and the associated disruption. In addition to a lack of data in the context of the public sector, there are many unionised organisations that have not been thoroughly examined, and there is a general lack of literature on COVID-19's impact on these groups.

Gigauri (2020) interviewed several human resource experts and found that COVID-19, an unexpected emerging situation, yielded a shocking reaction, exposing companies' inexperience in crisis management (Gigauri, 2020). In the Canadian public sector, there were notable business disruptions. Health orders in response to COVID-19 disrupted the operations of nearly all public organisations (Fay & Ghadimi, 2020), which impacted the traditional work environment areas, for example, location and hours of work, compensation, and occupational health and safety. COVID-19 changed everyday routines and accelerated employment trends that had commenced concerning work migration to online/virtual environments (Kniffin et al., 2020). Gartner (2020) surveyed 229 human resource departments and found that 80% of employees were WFH. The work-from-home policies have had an impact on the trust and relationships with

organisational leadership, who typically rely upon face-to-face interactions to develop trust (Chen & Sriphon, 2021).

The pandemic came at a time when industrial relations were transitioning. Kaine (2020) argued that industrial relations participants sought workplace modifications that changed employers' economic and fiscal circumstances even before the pandemic. Chen and Sriphon (2021) reasoned that during times of change or difficulty, organisations need to make decisions on an expedited basis, focus on the core business, collaborate with stakeholders, and embrace the uncertainty of change while directing teams and organisational responses through leaders.

COVID-19 necessitated governments to mandate work-from-home strategies and physical distancing for those who remained in office (Chen & Sriphon, 2021). In Canada, the physical distancing requirements of remaining apart, including, if necessary, a 14-day self-quarantine period. This created an environment in which WFH became a critical component. In addition, there were other attempts to regulate COVID-19, which significantly impacted the business's day-to-day operations (Chen & Sriphon, 2021). Eaton and Heckscher (2021) found that large numbers of the workforce quickly transitioned to work-from-home models because of organisational responses to COVID-19; this led to challenging supervision models that were difficult to fit within established legal frameworks.

COVID-19 showed many organisations that they were not prepared for prolonged disasters (Wang, Hutchins & Garavan, cited in Hamouche, 2021). COVID-19 has limited academic data in the labour relations environment; however, it cannot be understated that human resource professionals need information that helps them navigate the crisis effectively and efficiently (Hamouche, 2021).

Stewart (2020) identified that while COVID-19 was a notable business disruptor, the response of employers and unions was pragmatic. He theorised that labour relations in the future would be susceptible to significant changes, as there has been a demonstration that employers and labour can quickly adapt when required to do so.

Kniffin et al. (2020) found that as a business disruption, COVID-19 disrupted a multitude of business components. The response by many organisations was to have their employees WFH and commence virtual teams. This led to various employee responses, ranging from decreased mental health and increased stress from loneliness, unemployment, and changing organisational norms. The authors further classified employees into three categories: (i) WFH, (ii) laid-off/furloughed, and (iii) essential/life-sustaining. Each category had a distinctly different experience during the pandemic.

Job totals throughout the pandemic were a concern. Gourinchas (cited in Hamouche, 2021), estimated that unemployment totals grew to approximately 50%, with furloughs and layoffs as the primary cause of unemployment in G7 countries. This unemployment led to a complex and demanding environment for managers and the field of HRM (Hamouche, 2021).

According to Kniffin et al. (2020), WFH because of COVID-19 negatively impacted employees. Not having dedicated space in their homes for work resulted in negative work productivity, creativity, and innovation. Workers found it challenging to maintain healthy work and non-work boundaries.

COVID-19 significantly disrupted the business environment (Campion et al., 2021; Kaine, 2020; O'Neil, 2021; Stewart, 2020). COVID-19 abruptly upended regular work routines and caused an acceleration of trends that were already underway involving the migration of work to online or virtual environments (Kniffin et al., 2020). The global pandemic was a new type of crisis and one of the only prolonged crises with unknown ramifications (EY,

2020). Fay and Ghadimi (2020) found that employers in unionised environments made decisions that impacted their CBAs related to factors including working conditions, compensation, benefits, and workforce reductions. Kaine (2020) found that employers have already started to seek labour relations reforms because of the impact of COVID-19 on their businesses. The topic of management response in unionised organisations during the COVID-19 pandemic is essential to the business community.

Fay and Ghadimi (2020) studied public labour relations and articulated the impact, effect, and implementation of bargaining in times of crisis. They found that pandemic bargaining created opportunities for improved working conditions, compensation, and benefits. There were five recommendations for negotiating during crises/pandemics:

- initiate negotiations with leadership early and often;
- mobilise union members and the workforce quickly;
- prioritise issues for the groups most affected by the crisis;
- integrate government crisis response into negotiations; and
- formalise bargaining agreements.

The economic challenges with COVID-19 have been widely reported, including reduced service demand, lower incomes, and higher costs. Zeitoun and Pamini (2021, p. 280) have suggested that unionised environments are rife with “implicit contracts” not included in CBAs. An implicit contract is a generally accepted term between parties that are not specified, such as work-from-home arrangements.

The rationale is that making a CBA that encompasses every organisational contingency is too costly or impractical. As a result, it has been argued that implicit contracts are standard practice in unionised environments.

Further, Roche and Teague (2014) found that in reacting to an economic challenge like a recession, management may be induced to breach those implicit contracts intentionally.

Suppose implicit contracts existed before COVID and became more widespread because of the COVID pandemic. In that case, this impacts business and management—suppose management (un)intentionally broke their CBA and/or these implicit agreements. Another element to consider in implicit bargaining is delay. Yates (cited in Fay & Ghadimi, 2020), found that where bargaining is intentionally delayed, participants may view the bargaining process as self-interested and reactionary, which can generate increased hostility and long-term resentments.

Zeitoun and Pamini (2021, p. 279) developed a theoretical argument that a “severe recession” represents an external shock that increases the pressure to breach implicit bargains with employees. This implicit bargain occurs due to the inability of employment contracts to encompass every scenario. Employment contracts, such as a CBA, are often vast and unable to incorporate every future contingency (Williamson, cited in Zeitoun & Pamini, 2021). There are many reasons for agreements not encapsulating every contingency, for example, those employees who demonstrate initiative, cooperate, create work protocols that adapt to a situation, work without supervision, and those who require flexible performance management strategies are exceedingly challenging to encapsulate in a contractual agreement. As a result, it is expensive and rife with challenges to create an employment contract that is enforceable in court (Posner, cited in Zeitoun & Pamini, 2021).

2.5 Theoretical Frameworks

2.5.1 Management Authority

Management is the Crown’s representative in a public sector organisation and an owner’s representative in the context of a private sector organisation. As such, they have a duplicitous role in advancing the government/ownership objectives while ensuring they are amenable to labour’s perspectives. Failing to balance this equilibrium can result in failed objectives or, in the context of a unionised environment, a strike or lockout; this

section focuses on management rights within Canada while looking at the historical considerations of management's authority.

The term "management rights" or "management recognition" is used in industrial relations to defer authority to management, where CBAs do not precisely specify a delegation of authority to labour. For instance, in the CBA between the Government of Alberta and the Alberta Union of Provincial Employees, management recognition is defined as "The Union recognises that all functions, rights, powers and authority which the Employer has not specifically abridged, delegated or modified by this Agreement are retained by the Employer" (GoA, 2021, p. 7).

Employment relationships will be a significant component of this study, as the relationship is integral to the employment contract, which has been defined as "the connection between employees and employers through which individuals sell their labour" (Budd & Bhave, cited in Hamouche, 2021). Biasi (2020) provides an exciting view that because of businesses' lockdown and mandatory closure, employers and labour could not accomplish their contractual obligations.

The traditional framework of employment was fundamentally changed (Leighton & McKeown, 2020; Spurk & Straub, cited in Hamouche, 2021), with employees WFH and pay structures being changed. Whereas private enterprise mainly focuses on profits, the public and charitable sectors often focus on deliverables and public mandates without much focus on profits. In the context of this research, public-sector entities were not as impacted by a 'lack of profit' as their private-sector counterparts. This differentiation could provide meaningful insights into how the public sector coped with changes to work environments and their CBAs; for example, government spending was increased, creating sizeable deficits at many government/public service levels.

Turner (1976), who was one of the pioneers of disaster research, found that organisations have a readjustment period to realign beliefs and norms in post-organisational disasters. It may be that temporary measures to mitigate the pandemic's impact on organisations are permanent; however, this has not been explored. This study could expand academic knowledge on how unionised environments adjusted during the COVID-19 health emergency and if those measures were temporary or permanent.

Management rights provisions are a fundamental component of CBAs because these contracts cannot encompass every possible scenario. Given the vital role management rights perform within the employment relationship in a unionised workplace, they will form a significant component of this study. It has been well established that the traditional framework of employment was changed, although the extent that public and private sectors have comparably changed is a question that still needs to be answered.

2.5.2 Management in Times of Crisis

As outlined, the COVID-19 pandemic created significant-and-substantial business interruptions. Whether it is described as a pandemic, health emergency, or prolonged business disruption, COVID-19 presented management with a plethora of decisions and forced organisations to change in ways they may not have been prepared for. This section focuses on management in times of crisis, mainly focusing on alternative work arrangements, for example, WFH.

Typically, research that has examined major incidents has focused on leadership in a crisis management type of response (Firestone, 2020). The "standard playbook" (i.e., typical responses to crisis management) is also likely to be less effective when examined with a change management view (Kalina, 2020). Firestone and Kalina (2020) outlined the standard playbook, which included contemporary theories that have traditionally been relied upon in human resource and change management. The uniqueness of the

pandemic is testing some of the traditional areas of literature. With the changes outlined by Firestone and Kalina, could the health emergency in businesses be considered a “crisis,” or given the pandemic’s duration, could it be considered a long-term business disruption?

Seeger et al. (2005) found that crises can motivate parties to consider several different responses. Evidence shows that employers made substantial amendments to employment, including duty changes and leave arrangements (O’Neil, 2021). The amendments proposed by employers were temporary; this study may elucidate how interim those measures were.

Chen and Sriphon (2021) found that during the pandemic, leaders needed to make crisis management decisions based on four components:

- decisions to stop production or work remotely must be made quickly;
- managers must retain the mission and DNA of organisations;
- management must collaborate in accordance with Maslow’s hierarchy of needs and people’s basic necessities; and
- managers must learn to lead through uncertainty while directing their team and organisation.

In response to the crisis, Eaton and Hecksher (2021) identified that school districts in New Jersey could respond to the pandemic with flexibility, creativity, and cooperation between labour unions and management. Many jurisdictions have moved to a WFH model; however, WFH schemes are challenging to regulate within established CBAs and require a shift in the understanding of work environments (Collings et al., 2021; Eaton & Heckscher, 2021). WFH is not suitable for manufacturing/construction industries, and it cannot be applied to all job positions (Bartik et al., 2020; Koirala & Acharya, cited in Hamouche, 2021). The pandemic created a challenging environment for managers to

venture into the corporate unknowns as they tried to help their workforce adapt to and cope with changes in many workplaces (Carnevale & Hatak, 2020).

Tham (2020) noted that the balance of power between employers and labour shifts towards employers in instances like a pandemic. There are financial/economic hardships, and labour is put into a precarious position. Employees could either accept modified terms of employment, for example, WFH and utilising employees' resources, or taking a layoff (sometimes referred to as a furlough), which leaves employees without a means to make a living (Tham, 2020). Employees overnight become employees who "worked from home," were deemed "essential," or lost their jobs (Kniffin et al., 2020). The study of Adams-Prassl et al. (2020) showed that employees whose job tasks are not performed from home were more likely to lose their jobs.

Historical research has examined leadership and crisis management in times of significant incidents. Management in times of crisis has traditionally focused on how leaders led or how organisations changed. O'Neil (2021) explored how employers adapted to various crises. Still, a question remains whether, at this point, given its longevity, the pandemic is a "crisis" or whether it was a long-term business disruption. The WFH model appears to have been the primary response by organisations to dealing with the pandemic; however, there are noticeable gaps in many industries where WFH may not be appropriate, for example, correctional guards in an institutional setting, or in-hospital health care workers.

2.6 Summary

To summarize this chapter, employees in Canada started to organize and form trade unions as far back as the 1850s (Heron, 2020). The Canadian labour movement has been bolstered by court decisions which have made the Canadian labour environment more encouraging for the labour movement. In 1946, the Rand decision prescribed that all

employees who benefit from collective bargaining must fund the costs of negotiating, bargaining, and administering the labour relations contract (Canadian Labour Congress, 2019). In 1991, the SCC in Lavigne v. OPSEU (1991 2 SCR 211) held that mandatory union dues did not violate the Canadian Charter of Rights and Freedoms. In 2015, the SCC reaffirmed all employees' right to strike. Saskatchewan Federation of Labour v. Saskatchewan (2015 1 SCR 245) decided that legislation imposed by the government was unconstitutional in that it did not allow "essential employees" to strike.

The combination of these decisions has uniquely shaped the landscape of Canadian labour relations through decisions which support the labour movement. The CBA is a contract between labour (the union) and employers (management) in its simplest form. Having evolved from the situation in the 1850s, where the relationship was one of subjugation and management held all the power, CBAs now determine employers' and employees' rights and responsibilities (Heron, 2020).

There is an absence of literature on the topics of COVID-19 in public sector organisation and on the associated disruption. COVID-19 showed many organisations that they were not prepared for prolonged disasters (Wang, Hutchins & Garavan, cited in Hamouche, 2021).

3. Research Approach and Methodology

3.1 Overview

This section outlines the approval process and methodology for the study and utilised qualitative research processes. Ethics approvals were obtained through the Australian Institute of Business Ethics Committee (AIB2022/L1/02). This study examined unionised workplaces within Canada that provided essential-or-public services to clients. Participants were considered management employees within their organisations. They were recruited by electronic means, for example, LinkedIn, direct email via open-source

email directories, and connections whom other participants introduced (sometimes referred to as “snowballing”). The invitation is shown in Appendix A. The total number of invitations that were sent to potential candidates was 75. Of the 75 invitations, 21 respondents agreed to participate. However, five respondents could not complete the interview for various scheduling, communication, or corporate permission issues. The total number of research participants who participated was 16. Each participant signed a waiver outlining the limits of confidentiality and their willingness to participate. Finally, participants received a summary information sheet (Appendix B).

Participants in the study were identified as management employees (i.e., those employees who are outside of the bargaining unit, including opted-out/excluded employees). The data for the thesis was obtained through one-on-one semi-structured interviews. Criterion sampling was used to ensure that individuals selected for the semi-structured interviews have the necessary and relevant experience relating to the subject matter being studied (Creswell & Poth, 2017). The project interviewed managers (N = 16) using a semi-structured interview approach to explore their experiences using their managerial prerogative in environments with a CBA throughout the COVID-19 health emergency.

The objective was to garner key themes surrounding how management utilised the “management rights” clauses in their CBAs and what common challenges/opportunities were encountered by management. At the same time, how participants tried to lead during the health emergency was explored. Data was analysed using thematic analysis (Braun & Clarke, 2006). Specifically, the approach focused on identifying, sorting, and interpreting patterns of themes that emerged from interviews.

This research technique used was the “Gioia method” (Gehman et al., 2018) as the primary pathway from the semi-structured interviews to research findings. Gioia (Gehman

et al., 2018) focused on grounded theory as a framework by which to generate new concepts and ideas. As with many academic paradigms, Gioia was focused on conceptual and analytical rigour which resulted in credible interpretations of data. This method aligned with this research study. As part of the research process, the interviews were transcribed and themes were identified, sorted, and interpreted based upon the data. The study was both deductive and inductive. Similarities and differences in the interviews were coded, and analysis was undertaken which sought deeper relationships between the data. Initially, the interviews showed preliminary findings that some employers had substantive challenges that related to labour relations throughout the pandemic, while other employers seemed to have a more cordial set of interactions between their unions and themselves. The process ultimately explored substantive variables which led to the focus on inter-and-intra organisational trust.

The study focused on management employees to better position employers for the future to prepare for business interruptions. Power dynamics between employers and unions are not equal, as noted in Chapter 1, collective bargaining agreements formed from areas where unions negotiated provisions from employers. The negotiations intended to shift power from employers and management to employees and the unions. Much of that work continues at the time of this document's creation; this is the reason for examining the management knowledge gained throughout this study.

Interviews were conducted at the participant’s place of employment, home, or in a public place via online platforms (WebEx, Teams, and Zoom). The interviews were expected to take 45 to 90 minutes, depending on the participant’s experience and willingness to share. A follow-up telephone call or email was initiated if clarification or additional information is necessary.

3.1.1 Research Format and Methods

The interview format was semi-structured, with five standardised and five demographical questions. The interview format was such that tangential discussion relevant to the baseline questions was encouraged, and data relating to the research questions were expanded upon. Most interviews contained background questions on portfolios, generalised experiences, and anecdotal work experiences. Semi-structured interviews are typically a successful way to collect data for qualitative studies such as this project. The researcher's questions can be reconsidered and adapted by engaging with participants' ideas, and the researcher can spontaneously respond (Merriman & Joseph, cited in Mikasko, 2020). Additionally, asking semi-structured interview questions to multiple participants promotes effective data gathering, which in turn promotes achieving data saturation. Without achieving data saturation, obtaining data would be an everchanging target (Guest et al., cited in Fusch & Ness, 2015).

The six standardised questions for each interview were:

i. What essential services did your workplace deliver during the COVID-19 pandemic?
ii. During the COVID-19 pandemic, how did your organisation change how it operated daily?
iii. What challenges were encountered within the day-to-day operations of your work environment?
iv. How did you use the "management rights" provision of your collective bargaining agreement to implement organisational changes?
v. What sort of negotiations occurred with unions during the COVID-19 pandemic? What were the outcomes?
vi. Did anything else happen that involved the unions, CBAs, or changes to work practices?

Demographic data was gathered in order to refine further and assess research participants. The demographic information includes whether the participant identified as male or female or a preference not to disclose. The participants were requested to provide their age range in a multiple of five. The length of the participant's management experience was sought, and participants were asked to classify the sector they were employed.

COVID-19 is a contemporary issue that precludes other qualitative study options, such as a longitudinal study. Interviews are successfully used in qualitative studies and can garner rich data filled with intricacies. This study ultimately provided a plethora of data on how managers experienced the pandemic in their unionized environments. Moreover, given the goals of finding new information that could form a framework for the future, other research options like surveys did not seem to be the best approach. From a post-graduate lens, the data obtained from the interviews could be used to develop a future theoretical framework and given the contemporary nature of the pandemic – a framework on how unions and employers navigated this crisis has yet to be created. With all the consideration to the contemporary nature of COVID-19, the absence of pre-existing data, and the exploratory nature of the study, a semi-structured interview approach seemed most suitable to this research.

A preliminary challenge within the interview framework was the term "essential services." For the purposes of the study, essential services referred to those organisations that provided services that saved or aided people's lives or livelihoods. During the interviews, it was challenging to inquire about what essential services were provided; some participants referred to the SCC decision, which referred to essential services as the minimum number of employees who maintain essential service organisations during a strike/lock-out. For the purposes of the interview, the term essential services was used to describe those activities or actions which organisations undertook to preserve the health,

safety, or economic stability of their citizens/clientele. Finally, one organisation deemed those who were essential as those who could not perform their WFH, for example, a zookeeper. One organisation provided a broad and encapsulating definition; the definition excluded "...non-essential and non-critical services. That meant in the civil services what was essential for health, safety, and so forth remained operational." (Research Participant FF, 2022).

The interviews were conducted through internet conferencing solutions, for example, Cisco® WebEx or Microsoft® Teams. Interviews averaged from 30 to 90 minutes and generally lasted about 60 minutes. Each interview was recorded to analyse after the interview. Participants generally provided helpful answers. There was a minimal delay in answers provided, and participants could articulate responses to the questions posed with ease. Throughout the interview process, it became apparent there were other areas to explore beyond management rights; specifically, interviewees had lots of information on enterprise communication, occupational health and safety, change management, and learning and leading in remote environments. Where relevant, I asked follow-up questions to obtain further information that may have proved relevant to the study. As a result, the interview evolved with each participant, while still including the baseline five questions.

After the interviews, I listened to the audio recording to gain further clarity on the information provided. The interviews were then transcribed and thematically coded. The coding created the opportunity to identify themes, which assisted in evolving the interviews and follow up questions between participants to obtain relevant information.

Coding included putting participants' responses into themes of commonalities. These commonalities formed themes that could be referenced among participants, for example, external usage of company resources. This coding method enabled me to refine the discussion from the transcripts to themes shared across the various interviews. The

commonalities, themes, and coding nodes appeared all interconnected. After the interviews were coded, information that was not coded was examined for coding. The information not coded was ultimately deemed irrelevant to the created nodes; for example, discussion unrelated to the research questions.

The initial primary coding nodes, drawn from the literature, were as follows: organisational changes, management rights, partners and stakeholders, occupational health and safety, communication, essential services, job duties and job responsibilities, mental health, public service commissions/agencies, and lockdowns.

Many participant responses necessitated taking some of the larger nodes and breaking them down into sub-nodes to refine some of the responses better. The sub-nodes that presented were WFH, technology, work hour deviations, CBAs, leading and supervising in a remote environment, trust and engagement, strategy, performance and expectations, external usage of company resources, and returning to the office environment. Nodes like technology, CBAs, trust and engagement, strategy, performance, and expectations were interwoven with the larger nodes identified in Chapter 4.

As part of the coding process, some of the nodes created were unusable because while they produced information, they were irrelevant to the research questions. Examples include nodes like mental health, public-service commissions/agencies, lockdowns, and work hour deviations.

Similar and repetitive answers to the questions posed occurred after the fifth interview. Follow-up questions obtained new data from participants based on their responses to the initial five questions. However, the data provided by the semi-structured questions remained consistent throughout the interviews.

3.1.2 Participant Details

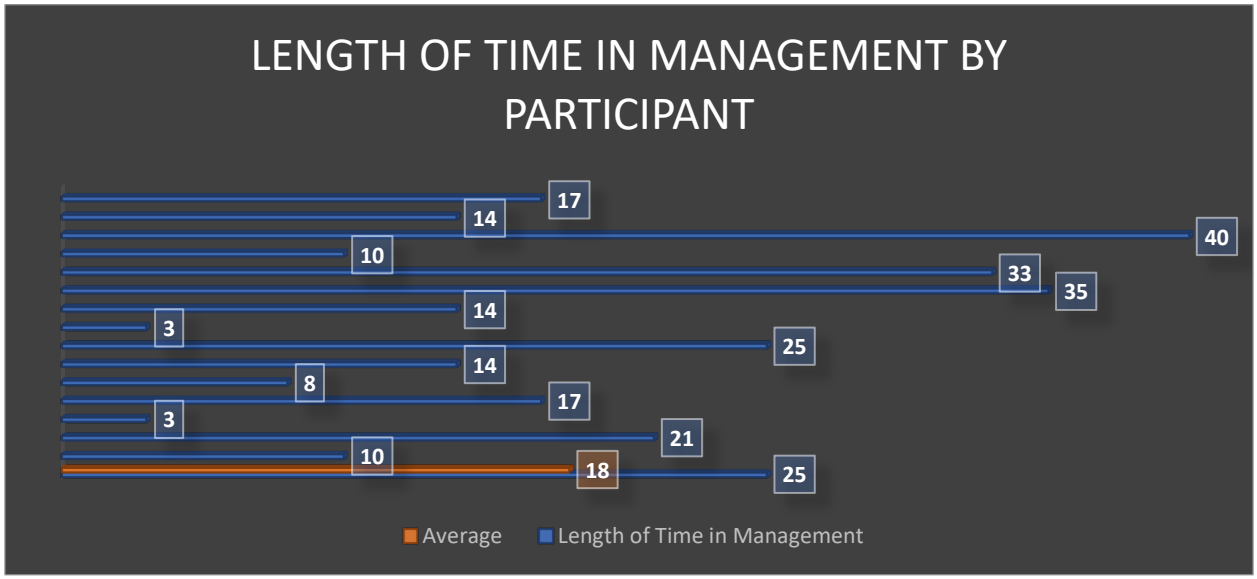
Looking at the structure of public service departments in Canada, the top elected official is a minister, and they are responsible for their departments. Ministers are typically accountable to the Premier of a province or, in the case of the federal cabinet, to the Prime Minister of Canada. The top-ranking public servant unelected in a federal or provincial government department is a deputy or associate deputy minister. In the context of municipal government, deputy city managers or chief human resource officers are the departmental heads of their respective departments.

In this study, research participants were classified by primary job function. Deputy ministers and associate deputy ministers were the organisational heads of their organisations. Executive managers reported to department-or-sub department leaders. In one instance, the executive manager was the head of their organisation. Senior managers (or directors) are managers who lead other managers, and finally, front-line Managers are managers who either directly supervise unionised employees or lead front-line supervisors. Study participants were management employees within unionised environments. Table 1 outlines more specific demographics of the participants, while Chart 1 outlines the number of years the participant was a manager.

Table 1: Demographics of Research Participants

PARTICIPANT	GENDER	AGE RANGE	SECTOR	CLASSIFICATION
1	Male	nil	Provincial Government	Deputy Minister
2	Female	40-45	Provincial Government	Senior Manager
3	Female	50-55	Municipal Government	Deputy City Manager
4	Female	30-35	Provincial Government	Senior Manager
5	Male	50-55	Labour Relations	Executive Manager
6	Female	30-35	Higher Education	Front Line Manager
7	Female	45-50	Provincial Government	Deputy Minister
8	Male	50-55	Municipal Government	Front Line Manager
9	Female	35-40	Municipal Government	Front Line Manager
10	Male	50-55	Provincial Government	Associate Deputy Minister
11	Male	55-60	Municipal Government	Chief Human Resources Officer
12	Male	55-60	Provincial Government	Deputy Minister
13	Female	50-55	Provincial Government	Correctional Institution Centre Director
14	Male	60-65	Federal Government	Executive Manager
15	Female	35-40	Law Enforcement Agency	Senior Manager
16	Female	45-50	Higher Education	Senior Manager

Figure 1: Length of Time in Management by Participant



3.1.3 Ethical Considerations

Canadian qualitative research ethics utilise the Tri-Council Policy Statement (TCPS) on Ethical Conduct for Research (TCPS, 2018). The TCPS also requires consent and protection of privacy/confidentiality. Further, given the nature of the proposed methodology, the TCPS requires that rapport is not predicated upon inducements. Interview subjects were solicited through email to ensure that participants contemplated no inducements.

TCPS denotes that ethics approval is the responsibility of the institution. In this instance, ethics approval by the Australian Institute of Business ethics review board was sufficient for the purposes of TCPS. “The institution remains responsible for the ethical acceptability and ethical conduct of research undertaken within its jurisdiction or under its auspices irrespective of where the research is conducted” (TCPS, 2018, p. 100).

The National Health and Medical Research Council (NHMRC) guides Australian research involving people. The National Statement on Ethical Conduct in Human Research sets

national standards for any individual, institution, or organisation conducting human research (NHMRC, 2018).

The primary guideline under the NHMRC (2018) is research merit and integrity. For the reasons outlined in Chapter 1, it is submitted that this research project has potential benefits to the knowledge and understanding of business administration. Merit and integrity also include the design and development of this study, an analysis of the research, and protecting of the research subjects. The Australian Institute of Business includes a supervisory team with the qualifications and competence to ensure the proposed research is meritorious and conducted with a high standard of integrity.

The NHMRC (2018) identifies “justice” as another guideline. This guideline ensures that the proposed research is inclusive, fair, and accurately describes the research results. Focusing on the justice guideline, the project included recruitment without inducement, optional participation, and a commitment to not harming participants. Within the framework of the NHMRC, the proposed risk to this research is a negligible risk because there is no foreseeable harm or risk to participants, and the most foreseeable risk is an inconvenience.

In addition to data encryption and safeguarding of the interview information, participants were guaranteed anonymity. Anonymity ensures an additional layer of protection not to harm participants and may encourage them to be more open/candid.

The NHMRC (2018) guidelines of beneficence and respect were given due consideration. In terms of beneficence referring to minimising discomfort and harm to participants, it is improbable that the study would see participants discomforted and/or harmed. Participants were interviewed in their home and work environments, facilitating a more comfortable interview experience.

Respect in the study was guaranteed, with participants being solicited through existing relationships and not ‘cold-called.’ Confidentiality were assured, as previously outlined in this section.

The informed consent process involves the development of a respectful, trusting, and collaborative relationship (CPA, 2017). Informed consent was reviewed with participants at the beginning of their interview and confidentiality parameters, risks, benefits, and regular activities as a participant were highlighted. A plain language statement and consent form was provided to all participants.

Participants were encouraged to ask questions throughout the research process and were notified of their right to withdraw consent before the data was analysed. Throughout the interview process, participants were checked-in with to discern if they were experiencing any stress related to the topic being discussed. The introductory wording of the interview also included where participants could go for mental health counselling without charge.

3.2 Summary

This chapter outlined the significant components which underpinned the research. This qualitative study was conducted through semi-structured interviews with five standardised and five demographical questions. The interview format was such that tangential discussion relevant to the baseline questions was encouraged, and data relating to the research questions were expanded upon. A preliminary challenge within the interview framework was the term “essential services.” For the purposes of the study, essential services referred to those organisations that provided services that saved or aided people’s lives or livelihoods. Research participants were managers from across the country, encompassing front-line managers, middle managers, and senior executives (sometimes called “C-Suite” executives). Canadian qualitative research ethics utilise the

Tri-Council Policy Statement (TCPS) on Ethical Conduct for Research (TCPS, 2018). The National Health and Medical Research Council (NHMRC) guides Australian research involving people. The National Statement on Ethical Conduct in Human Research sets national standards for any individual, institution, or organisation conducting human research (NHMRC, 2018). There is an absence of literature on COVID-19 in unionised organisations, and a lack of literature can create research gaps; however, this study did have some limitations relating to size, scope, and the lens of being a management-only study. This project does provide a foundational basis for future work in this area.

4. Data Analysis

4.1 Overview

This chapter presents the data analysis of the thesis based on the interviews with participants, as it relates to the research questions. A composite response was received from participants. While the study sought to interview parties whose work had an essential services component and who continued to deliver services throughout the pandemic, there was a significant discrepancy in what participants termed essential services. For some participants, those who delivered essential services were the employees who were essential by virtue of an operational definition, for example, healthcare and correctional institutions. For other participants, essential services were those who were essential by job function, for example, feeding elephants or payroll processors. The ambiguity of who was essential and how to determine those who are essential was an interesting finding of this research.

Management's residual right to unilaterally impose workplace policies and rules that do not conflict with the terms of the collective agreement are referred to as "management rights" (Brown & Beatty, 2006). In the context of labour relations, they form most, if not all, of the decisions that are made outside of the rights bargained for in a CBA. The

research showed that management rights were not the primary mechanism of imposing change. The project identified what are referred to as “appurtenant agreements,” being used in conjunction with CBAs. These appurtenant agreements modified or changed terms that would normally be followed in CBAs.

Organisational changes which encompass the external usage of company resources, communication, leading and supervising in a remote environment, WFH, returning to the office environment, occupational health and safety, and redeployments are all explored in this section. Overwhelmingly, WFH was the model imposed on public sector staff throughout the pandemic. This led to changes in how managers managed, communicated, and how the day-to-day operating environment of most public sector organisations adjusted. The relationships between unions and management during the pandemic are examined. Throughout this chapter, the term “antecedent” and “relationships” are used. It is prudent to heed some caution as these relationships are only strong casual inferences, and not quantitatively proven. In future studies, there may be merit in controlled experiments which could be helpful in providing clarity with regard to causality and causal directionality as relates to the findings, but this project can only correlate inferences from the interviews.

This chapter is aligned into the nodes used to code the data mentioned in the previous chapter: essential services, management rights, CBAs and appurtenant agreements, and organisational changes. Given the magnitude of information that was encompassed in organisational changes, the following sub-nodes are provided to greater integrate the findings. These sub-nodes include external usage of company resources, communication, leading and supervising their remote environment, WFH, returning to the office environment, occupational health and safety, and redeployments.

4.2 Essential Services

Essential services added a layer of complexity to this research. The SCC's decision to permit essential services to strike required employers and labour representatives to identify specific employees who were essential (Saskatchewan Federation of Labour v. Saskatchewan, 2015 SCC 4). The definition was not defined, and this was notable in many subject interviews. The research identified that employers either did not hold to a rigid definition of essential services, or they deviated from their definition of essential services, in what appears to be an attempt to maintain employees working and receiving an income: "Essential services are the matter of definition" (Research Participant AN, 2022). The study examined the context of organisations which offered essential services in organisations. This was a challenge, as some participants noted:

> It is the labour board that will deem for you what is essential, so there is often confusion amongst our operations people and what the (labour) board may decide is essential. (Research Participant AN, 2022)

> What is an essential service? The provincial government had certain programming and benefits which were available, and we ended up getting into who was included. There was some debate – could payroll to feed families be considered an essential service? We found the definition more encompassed relating to frontline service delivery and not so much external service. (Research Participant KA, 2022)

> True essential services like corrections, social work, healthcare, those are true essential services, and so at the end, those industries, they suffered hard because they're going into work every day. (Research Participant CS, 2022)

> We have (positions) completely independent of the pandemic. Part of the (negotiation) requires in the (legislation), for each round of collective bargaining is that an essential services agreement be signed. (Research Participant RD, 2022)

One organisation identified that at the beginning of the pandemic they utilized their formal and identified positions for essential services. However, as the pandemic progressed, they moved from their initial essential services definition to one that focused on " … critical services to vulnerable populations and protection of public assets. In the context of COVID, it became very much around supporting the whole system mobilizing and delivering essential services" (Research Participant RD, 2022). This was an interesting development, as it identified an employer who initially attempted to stay with their definition of essential services but identified that it needed to change.

What was challenging for employers in the context of essential services was that many appeared to rely on ambiguous definitions with respect to essential services. This was not unexpected. The SCC is the highest and binding court in Canada, and its decisions are law. The SCC in 2015 held that essential services can strike; this permission created a multitude of frameworks across the country with respect to who can and cannot strike (Saskatchewan Federation of Labour v. Saskatchewan, 2015 SCC 4), the SCC set the precedent for unions and employers to determine what was an essential service.

This ambiguity was outlined in a few participants' responses: "So what happened from our own perspective operationally meant a shutdown of all non-essential services. [We identified] non-essential and non-critical services, so that meant in the civil service that what was essential for health, safety, and so forth remained operational" (Research Participant FF, 2022). "There is kind of a sentiment that we are the police, and it does not really matter, we need to be in the office, even if, arguably, you could work from home. There was a general feeling (in our work) that we do not get to do what every else does" (Research Participant KM, 2022).

One participant noted a challenge with telling their unionised employees they were essential, although they did not fall within the definition of essential services. "If I put

myself as an operator, for example, or a frontline essential worker, the world is saying ‘Stay home, stay home, it is unsafe,’ but yet, the organisation is saying, ‘No, you still have to continue doing work’" (Research Participant LG, 2022). This participant noted she felt it was difficult to reinforce the reasons why their employee could work safely as an essential worker, when conflicted with her professional views on essential services. Another participant said, “There was a large contingent of our workforce that continued to work, even though, you would not have even deemed them to be remotely essential” (Research Participant AN, 2022), so there appeared to be variance in employees who were working as an “essential service.”

One interviewee who supported policing agencies identified that the pandemic created an environment which forced changes to their organisation and their day-to-day operations:

> We provide oversight of policing standards, which lay out a number of requirements for police in the province, and so, because they could not necessarily deliver on a lot of those requirements, we suspended the compliance timeline. So, if they had to re-certify on certain things within the year, we said, okay, do not worry about that until next year, (Research Participant WS, 2022).

In the context of their organisation this created some organisational risk. The participant further added, “things have gone wrong in the past, so (we) make sure it does not happen again, that kind of exposed us to some vulnerability” (Research Participant WS, 2022).

With one employer, the interviewee identified they were on the verge of a strike action. “We have been receiving some correspondence saying that (the union) are potentially going to strike vote, and I think that now has been opened up to employees, and primarily, the issue is around who is an essential service” (Research Participant WS, 2022). Ultimately, this employer did not have a strike, and their CBA was ratified.

In summary, while somewhat not expected, the term “essential services” was not consistently applied by the participants across their interviews. Essential services, and who was deemed essential appears to have been left up to individual employers to apply in their own specific work units. Although, it is unclear to what extent the unions were involved in this determination.

4.3 Management Rights

At the beginning of the research, it had been asserted, that based upon existing literature, management in a unionised environment would have relied upon their management rights provisions within their CBAs as the mechanism to introduce rapid change into their organisation during the pandemic. In unionised workplaces, management’s residual right to unilaterally impose workplace policies and rules that do not conflict with the terms of the CBA are referred to as “management rights” (Brown & Beatty, 2006). In the context of labour relations, they form most, if not all, of the decisions that are made outside of the rights bargained for in a CBA.

In the early stages of the data collection, it became apparent this was not the case. In one early interview, the participant indicated management rights provisions were not found within their collective agreement:

> [Management rights] are not in our collective agreement. I would view it that as per arbitral law, management has the right to manage the workplace except as restricted by the collective agreement and potentially, with some arbitrators. Arbitrators sometimes institute a test of reasonableness as well. Management rights are inherent, except where restricted by the collective agreement. I view them in some sense as redundant because if you do not have (them) in your collective agreement. What then? You do not have the right to manage except as restricted, I’m one that

> would say we do not need redundancy in our collective agreement. (Research Participant RD, 2022)

When considering COVID responses, many organisations focused on a policy response as compared to a management rights response; a participant said,

> You may remember the pandemic started with this whole issue of locking things down as it related to travel, so we came down with an interim employment policy prior to the negotiations with our unions on the framework where we said, this is how we were going to be dealing with people who were going to get caught up in (those travel restrictions). (Research Participant AN, 2022)

A recurring theme between organisations was what managers viewed as the reasonable usage of management rights through a compassionate or relationship-centric approach. Participants said the following:

> We wanted to exercise those management rights reasonably. We had very few of our collective agreements addressing issues like quarantine, whether it is a further curtail of management rights or clarity to how those management rights get exercised. We were kind of careful to (use management rights) as opposed to not overstepping and maintaining flexibility for the employer. (Research Participant FF, 2022)

> We never had to really expressly say to the (union), article number forces (management rights), we can do this, and we are doing it. So, with any of our unions we did not have to kind of pull that out to get our way. (Research Participant KM, 2022)

> You do not leave everything to management rights and actually try to negotiate everything you can on a number of things, then the parties know where they are at, and things will go smoother. (Research Participant CS, 2022)

No participants noted they used management rights in isolation to impose changes upon their unionised staff, although there appeared to be a gap between acknowledgment of the introduction of COVID-19 vaccinations and testing requirements, and the utilization of management rights. For example, participants had vaccination policies and did not obtain approval from their union counterparts. Specific study of vaccinations and vaccine policies were outside the scope of this paper; however, it appeared the number of grievances related to vaccination related decisions was high in comparison to other high conflict situations. This will be discussed in the final chapter as an area for future research.

> There was a point not too far after that where the trust with the union broke down a little bit, and I can explain what that was, but ultimately because the union, they too wanted to help. (Research Participant JB, 2022)

> There was a coalition meeting with health and safety, and member of the represented unions of the city. So, anything that we were rolling out, or at least it started to be this way, we were rolling out stuff as much as we could. We tried to give them a heads up…so we tried to keep them up to date as much as we could. (Research Participant, LW, 2022)

> What does this mean operationally? It was more about the impact on the workforce, and in some cases [when] to negotiate with the unions. (Research Participant FF, 2023)

Overall, the findings support the conclusion that management in unionised environments did not utilize their management rights in isolation to impose workplace changes, and that formalized management rights did not dictate how management responded during the

COVID-19 health emergency. This finding appears to be because of a lack of intersection between CBAs and management rights recognition. Instead, relationships and negotiation, along with policies, formed the basis for organisational change throughout the pandemic.

4.4 Collective Bargaining and Appurtenant Agreements

As a part of this research, one initial contention was the content of CBAs were compromised or ignored as a result of the pandemic. The underlying assumption being that CBAs were formed prior to any indication of a pandemic and would be inflexible when administered in a pandemic work environment. This was shown to be inaccurate, as there appeared to be some flexibility on the union's part to promote their members retaining employment and compensation. In summing up how the majority of participants outlined their experience during the pandemic, one interviewee said,

> I would say the collective agreement continued throughout the pandemic. There was not a formal unionised declaration or announcement or anything that (CBAs) things could change, but they had to change. (Research Participant AR, 2022)

There was some risk tolerance to deviation of collective agreements by certain participants: "Those are things [e.g., tolerating an employee not taking a rest period] that I can offer to my team now, knowing the union might come back and grieve me later," (Research Participant AR, 2022).

Participants were hesitant to identify deviation from their collective agreements; however, it generally appeared that the interview subjects acknowledged there was some non-conformity with certain articles:

> Our HR team and our leadership teams at [employer], our executive leadership, I think, made a broad enough statement to say that we should support people as we could, but nobody was willing to come out and say hours can be flexed, or you know,

> things can be different from the formal collective agreement. (Research Participant AR, 2022)

This related to hours of work where staff would work longer hours than usual to mitigate unexpected workloads: rest periods which were often forgone to support leaving work early; job classifications where employees were performing tasks that was not typical of their job duties; and places of employment which were altered to ensure that staff members could continue working, for example, home offices or completely different workplaces.

> I think the hope was that the union was not going to fight us on essentially trying to do our best for unionised staff. I think we as leaders just had to sort of determine what worked for our teams, and where we were flexing with the recognition that we still had to get work done [while] taking care of our people. There was just an understanding that things might just be a little more flexible than they had in the past, but that it was to deal with the worldwide pandemic and then we would sort ourselves out and go back to the way things were formally supposed to be when we had the opportunity to. (Research Participant AR, 2022)

On the other hand, this same participant noted there was some rigidity with their employees to their job descriptions as well:

> I think there is some entitlements that comes with (employees) recognizing that they are with a union and that there doesn't have to be any flex outside of job descriptions. (Research Participant AR, 2022)

Other participants found their employers were restrictive with respect to job descriptions; as one participant stated,

> You cannot give people free work above their classification, you want people to grow and see new subject matter, but in some cases we have people at a (junior) level who want to do work at a (senior) level, and you are like well that is not appropriate within the terms of your collective agreement, you have to be doing the job that you were hired to do. (Research Participant WS, 2022)

Short-term layoffs and layoffs were a recurring theme that emerged, as employers either did not have temporary layoff provisions, the temporary layoff language did not include a pandemic, or the CBA did not contemplate layoffs. A short-term layoff is separate to a layoff in that in a short-term context, a short-term layoff results in the expectation that the employee will return after a period of time:

> We needed some certainty and some clarity, and we needed some fairly simple guidelines and rules that were not going to turn the whole organisation upside down, to actually lay somebody over here, (because) you have to go through a list of 20 over there. (Research Participant AN, 2022)

> In lieu of layoffs, we agreed to keep people on payroll, so they would not lose earning but that is where we got the trade-off (from the union), was to allow the employer to deploy the staff. So, there was no right of refusal, you stay on payroll, no layoff, but the employer then got the ability to deploy staff to where it was needed. (Research Participant FF, 2022).

> I think because we were not forced to go down the avenue that some municipalities went with a massive layoff of permanent and non-permanent. (The union) saw the decisions we were making where more than generous in the present climate of what is happening. (Research Participant PR, 2022).

Enter the appurtenant agreements. This term came from agreements that are classically utilized in real-estate law. An appurtenant agreement defines a restriction or right in a

property transaction, and it transcends other terms of the deal; this was applicable for this research because the appurtenant agreements overlaid CBAs and permitted some deviation from the previously negotiated CBAs. For the purposes of this research, the term “appurtenant agreement” will refer to any pandemic bargaining documents which were negotiated, and either usurped collective provisions or created new frameworks for employers and the union to rely upon. This is irrespective of the form the document took, for example, letter of understanding, collective amendment, mobility, or subsidiary agreements. The most common appurtenant agreement appears to be related to mobility:

> In some cases, (employees) were not doing productive work at the time…we needed some relief on layoffs and transfers, and the unions were looking for some level of wage protection for impacted members. We would come to turn through the framework agreement; how we were going to pay these folks and for how long were we going to pay them. (Research Participant AN, 2022)

Some appurtenant agreements contained provisions that employees could be used in various unconventional means, so long as there were not layoffs;

> We signed a letter of understanding (with our unions) that allow us to redeploy staff as needed, and basically, at the employers will, so it was very much like we will tell the union what we are doing. (Research Participant KM, 2022).

This was correlated to another participant’s view on pandemic bargaining:

> Well, I think what you would hope is that society and labour relations would learn from what we saw, and I do not know if that is going to happen, we will see over time, but what we saw was, to use a sports term, a lot of running up the score. So, when employers had the opportunity to stick it to us, they did, and that is not going to be forgotten. (Research Participant CS, 2022)

> It allowed us to as needed to be able to transfer people who were either in areas that were temporarily shut down, or where the workload was deemed less urgent, [it was] less critical to move them to areas where we needed help. (Research Participant FF, 2022)

Appurtenant agreements appeared to arise from the divergence within an organisation's written collective agreements and the negotiated intent of a provision, for example, one participant identified the restructuring language in their agreement came from the 1970's, which did not contemplate movement of employees within other work areas. Most often, this language had some provision of bumping rights (an employee with more seniority can bump a lower seniority staff member if they have the skills and qualifications to perform the position). There was a recurrent comment from participants that they did not want to have to contend with redeployment of staff arising from another redeployment, and so for the most part, employers sought to have an appurtenant agreement that provided wage protection for employees while giving them the ability to abandon seniority provisions:

> There are all different agreements, we did fairly early on in the pandemic sat down with the three larger unions and negotiated what we refer to as framework agreements that set out the terms and conditions that we were going to modify our collective agreements (with) during the pandemic. (Research Participant AN, 2022)

> We did negotiate with (the union) in order to create a letter of agreement on what that would look like, as a few of the provisions for layoffs within the collective agreement would have resulted in bumping provisions, which would have created a logistical nightmare. If we are laying off 200 people, each of those can bump based on seniority. Layoff provisions are usually, if your position is being laid off, from your position and you have seniority, you are able to be bump down somebody else with

> less seniority out of a job where you have the appropriate skills in order to do that, and so we would have had a massive domino effect of layoffs and stuff like that. The union was quite reasonable in coming to the table and allowing layoffs to happen without public provisions (bumping rights). (Research Participant PR, 2022)

When asked, why the unions were willing to forego some of these provisions, a participant responded,

> They saw the writing on the wall, this was the only thing that could save jobs, where everything else was shutting down, and we could not continue (operating), the majority of people were being downsized or laid-off on the non-permanent side of our operations. (Research Participant PR, 2022)

This type of employment movement was also seen in other employers who created agreements to temporarily assign or redeploy staff to other work areas. Perhaps, the most innovative appurtenant agreement was the agreement that multiple unions agreed to which allowed their members to work in various program areas covered by other unions, for example, with school closures, custodial staff were deployed to hospitals, even though they were not members of the hospital's union. The employer was able to maintain paying the employee, while the employee was able to perform labour that was required:

> To allow non-union members to do the work in other areas, we had to work with unions to do things [to promote mobility]. We had 25 bargaining units, and in each of those bargaining units, we agreed to the mobility which allowed their members to go and work in other areas with other bargaining units, and also to receive workers who are not members of that work area on a temporary basis. (Research Participant FF, 2022)

The pandemic created notable gaps in already established CBAs; specifically, the intent of certain provisions:

> We had language and collective agreements to address quarantine, which the unions thought we should be using, but we said, no this is something different. I expect that we will probably see the unions come to the bargaining table over the next year or so, and the unions will probably be looking for some sort of framework to these kind of situations. (Research Participant FF, 2022)

Another participant outlined their organisation was planning for further pandemics, climate crises, and business disruptions related to changing weather patterns, and that it would become necessary to have language which governs these types of disruptions.

Employers seemed split on whether to include provisions relating to future pandemics/business disruptions. There was also no consensus on whether an employer policy or collective bargaining article or clause would be the ideal mechanism to address future disruptions:

> It would be more transparent probably for employees, and probably, helpful for management and the union to actually have a clause within the collective agreement that states something about following any public health orders that might come into play, or other emergency measures that are deemed necessary by law. Having something like that clearly stated in the collective agreement would give both the union and management something to point to for employees asking questions about it. (Research Participant JB, 2022)

Other employers were vehemently opposed:

> I think something like that in a collective agreement is a pipe dream, and anybody that tries to do that is going to regret it, the day they sign it. (Research Participant SD, 2022)

There is likely a middle ground in clauses that are flexible and transparent without being overly prescriptive:

> If we have more transparent clauses build into collective agreements about how we manage in these settings, or what takes precedence, that will provide more transparency, mostly for employees, and little more efficiency for negotiations between government and unions when those clauses have to be enacted. (Research Participant PR, 2022)

The rigidity of employers and unions on items in the CBA appeared to be an area which is not helping the field of labour relations to be innovative, modern, or dynamic:

> We have garbage in our collective agreements that have been there since they were first signed in the 1960's, they have no business there and the union knows that. The language does not mean anything, but we cannot get (the language) out. (Research Participant SD, 2022)

Conversely, another employer said,

> You do not leave everything to management rights, and actually try to negotiate everything you can on a number of things, then the parties know where they are at and things will go smoother. (Research Participant CS, 2022).

This dichotomy creates foreseeable challenges with attempting to build future CBAs which are responsive and adaptable in emergent situations, as one participant said,

> We are going to use that clause, this is what we are thinking, and we are able to jump past a step of talking about whether we can do it or not, that is just a waste of time, (more so) when you are in an emergency situation. (Research Participant JB, 2022)

It may be that future negotiators will shy away from formally putting language into CBAs, and instead drive parties towards employer led policy approaches:

> You cannot really plan for all the scenarios that potentially could happen. So, having some flexibility and some open-ended abilities will allow for some better conversations in my opinion, I would rather see (the response) as a corporate policy that gets implemented to allow more flexibility and when changing it, not having to negotiate or not have to change it because the municipality may implement something that is only a recommendation. (Research Participant PR, 2022)

The flexibility of employers and unions was something that likely only a major disruption could bring. While it did not shift the power imbalance between employers and unions, it did create an environment that could spur creative negotiations. Some examples of this included union members from other unions working in other workplaces, or movement from the regularly assigned job description or employee classification of any employee. No participants identified that they disregarded their CBAs throughout the pandemic, but there was strong evidence to consider that showed employers negotiated provisions that deviated from previously agreed to terms and conditions. The mechanism of this negotiation was through appurtenant agreements which modified certain details in a CBA.

4.5 Organisational Changes

4.5.1 External Usage of Company Resources

“Bring everything with you, we do not know when you are going to be back,” (Research Participant WS, 2022); “We were not setup at all to be a remote workforce,” (Research Participant KM, 2022). A theme of externally utilizing employer technological resources emerged. For the most part, participants identified that employers were apt and able to utilize company technology (for the most part computers) from their homes. The most common approach to transition was staff taking home their mobile computers (e.g.,

laptops). However, organisations that were reliant upon desktop and less-mobile computing solutions encountered challenges with moving to a WFH model. In one instance, “some people from mid-March to mid-June, the fact they could not work remotely meant they were not working,” (Research Participant FF, 2022). Another participant said, “the transition was easier for people that had laptops, and very difficult for people that had desktops,” (Research Participant FB, 2022).

Interviewees identified their IT security protocols as having created challenges with organisational change. According to one participant,

> We knew that we had to facilitate that [WFH] and ensure that people could come in and take their computers from work home, there was that capacity building that needed to unfold. Lots of people did not have computers at home that were [organisationally] aligned, and the cost and logistical nightmare of that one [department] would have pulled their hair out. (Research Participant CC, 2022)

In instances where employees were looking to maintain employment, but without corporate resources, they used their own devices “I would say a lot of people use their own devices that they would have had at home” (Research Participant KM, 2022). “We were definitely not prepared from a technology perspective, I was working on my iPhone and my iPad” (Research Participant KM, 2022). This participant identified not having corporate computer resources created a barrier to fulsome work, through either computer incompatibility or Microsoft corporate products being used on Apple products or vice versa. Another participant noted “from an organisational level, the day-to-day was absolutely upended in this portfolio because this portfolio relied heavily on paper and manual processes” (Research Participant FB, 2022).

In rare instances, employers were focused on the occupational health and safety of their remote workforce setups. Some employers were amenable to chairs, desk furniture, and

screen risers being taken home to ensure employees had access to ergonomically appropriate work areas while at home. Some employers identified that this appears to now form part of their negotiations—unions are seeking compensation for employees who are WFH for ancillary costs relating to WFH.

4.5.2 Communication

Throughout the interviews, a recurring theme of change emerged with every organisation reporting significant changes in their day-to-day operations. Not surprisingly, communication was a major area of focus for management during the pandemic:

> One of our biggest challenges was communication. We just had to make sure that all of our communication that went out had consistent messaging and we kept staff up to date as clearly as possible, and as efficiently as possible to quell the panic. (Research Participant DB, 2022)

> Public health advice changes constantly, so this was a very active file. So, we would update those as needed. So, it is quite regular. We would have to update these every few weeks, or a couple of months, or so, depending on the nature of the changes. (Research Participant FF, 2022)

Participants reported focusing on early communication to promote a feeling of safety and wellbeing in their organisations. In addition to early communication, some participants referenced directly working with their on-site union representation to promote messaging:

> We called in the union executive to advise on what we were doing, why we were doing it, how we were doing it, and they worked with us really closely, so that helped out. We were getting communication out to make sure everybody was wearing the proper PPE, and we were following the correct protocols, and we were networking closely with the medical officer of health, and public health to make sure we kept out staff as safe as possible. (Research Participant DB, 2022)

One key finding in communication was the need to ensure communication occurred from multiple levels in the organisation. This included daily virtual updates, email communications, and personal messages from supervisory positions below the message originator:

> There was lots of communication from me and my executive team. There was then ongoing updates coming out of the centre [of the organisation], out of the Public Service Commission, and then the Assistant Deputy Minister's themselves, (who) spent a lot of time sort of working with their executive teams and communicating. (Research Participant CC, 2022)

> Email blasts were a large part. I started putting them out under my own name, instead of the admin [istrative support staff]. Most people will read an email coming from myself as the director where sometimes they will ignore other emails. (Research Participant DB, 2022)

> Sometimes it was messages direct from the commissioner, other times, it was messages for myself as the assistant deputy minister for human resource operations. (Research Participant JB, 2022).

> [Information] went out in an email but was also posted on a board. It was reminding employees that they had to look at the board, and because of the constant changes, it was hard to keep up. As a person that was updating everything, it was hard to keep up, never mind being the end user. (Research Participant LW, 2022)

Also, "We had to make sure the employees are very clear on what were the safe workplace measures" (Research Participant FF, 2022).

Some participants noted that communication was a source of strength in their organisations throughout the pandemic.

There was a sentiment that if hierarchical communication, that is to say, employees who were only communicated to from their immediate supervisor, then communication failed. Participants referenced biases of supervisors in either not relaying information, or not relaying the correct information:

> The connection to the workforce [was missing]. Things were happening that they were unaware of, like basically changes throughout COVID. There was not that connection [to the workforce]. (Research Participant LW, 2022)

> We had to consider whether [the union] would settle because [management] was inconsistent in their practice. This was a big effort to really get the message out to deputies, assistant deputies, executive directors, managers, and supervisors that here is the rules of the game. (Research Participant RD, 2022)

> We found some of our frontline supervisors were fabulous with [communication] and made sure all their staff were updated. Then, we would find other ones that were not. So, it was trying to make sure that we got all that messaging out to all staff, even if they did not end up with their supervisor doing those mini musters. So, most of it was email communication, and then reports through the shift muster changes. (Research Participant DB, 2022)

The ability to communicate during the pandemic was a theme that recurringly arose. Participants said, “We’ve got staff meeting every 2 weeks where the whole time comes together,” and

> They work from home in different provinces, and so we as a team have just figured out how to have hybrid events. We just had a baby shower last week where they were streamed in and (some of us) were there in person. It has made the workforce or the workplace, I guess, a little bit different because we are constantly making sure

> that they are included and so everything is hybrid at all times. (Research Participant AR, 2022)

Some participants referenced that they moved one-on-one and team meetings to a virtual environment as a mechanism to maintain effective communication within their teams.

Some managers identified that they found it challenging to shift communication modes:

> I found it difficult to break from what was the tradition, not from the perspective of trust, that had nothing to do with it. But you could walk down the hallway and have a casual conversation. You can get something done. Now, you have to schedule a WebEx or pick up the phone, and then go like, oh, geez, I like the old way. So, I think, there's truth to these aspects of collaboration and team dynamics. (Research Participant AN, 2022)

> I think our whole team got to a point where virtual meetings were getting exhausting. The other thing that is so annoying, even to this day, is that people book meetings back-to-back-to-back. I had to block my calendar, because people were booking me in meetings, and I am like, I want to be able to eat. This is crazy! (Research Participant WS, 2022)

In some aspects staff were not helpful in communicating, because they did not believe in the pandemic:

> Some (staff) did not believe in COVID, they did not believe in everything that we were doing, so then, you would find those individuals were not as robust (with) sharing the information. (Research Participant DB, 2022)

Finally, the last barrier identified was organisational capacity, in the context of a busy operation, one participant noted, "sometimes it is pure busyness … they just missed passing on the information to their staff" (Research Participant DB, 2022).

4.5.3 Leading and Supervising in a Remote Environment

The extent and breadth of communication appeared to have a direct correlation in how organisations dealt with one of their biggest challenges during the pandemic—leading and managing in a distance environment. Many participants noted that once health orders were imposed, they were required to facilitate physical distancing with their employees and this transition caused employees to be sent to a WFH arrangement. Participants identified many of their organisations did not provide training or guidance on how to lead or supervise remotely:

> I guess I did not feel particularly supported in making that transition, just because, we had other things to focus on. There were certainly some learning curves, there was some, I think, major stress on management over those 6 months. (Research Participant AR, 2022)

There appeared to be a slow evolution of WFH behaviours and video conferencing:

> I think the first month in the pandemic, everyone is kind of like, cameras are not on and people are in their pyjamas, and then a year into the pandemic, most people kind of got their lives together in a way, people had setups and there is a clear expectation of how you present. My branch actually got a pretty strict talking to from our senior leadership, in that there were staff that were unprofessional on videos; that they were not showing up to videos. One thing that my senior leadership really does not approve of is people being in their cars taking phone calls or being on conference calls. (Research Participant WS, 2022)

One participant said, “it is definitely, as a manager, a different way of working” (Research Participant AR, 2022) and “I think it was a struggle” (Research Participant AN, 2022). Another participant identified that it seemed like the frontline management lost trust simply by virtue of the remote supervision:

> I think (remote supervision) was actually the area that we struggled the most at. It was having our supervisors and managers feel comfortable managing people. What was funny about that was that a bunch of them manage people from different locations, anyway. But suddenly, when they were managing them strictly over computer in an online interface or by phone, it was like the managers and supervisors suddenly lost a bunch of trust in their employees. (Research Participant, JB, 2022)

> We were getting pressed from the centre to be very structured, very tight in our relationships with the staff, and as I said, it was a culture of not a trusting one that was for sure coming out of centre, and just trying to find ways to ensure that everybody knew what was going on and we were as flexible as possible. (Research Participant CC, 2022)

Also, “We would have had to look at like, seriously consider our workforce, and what are they actually doing at home” (Research Participant KM, 2022).

However, some participants identified they did well with the transition:

> I think they did really well and I’m very grateful that they did, because I think in all aspects of work. I think that teams take on some of the values and responses of their leaders … the five managers that reported directly to me just really fell in step with the role modelling that I was providing and so I think their teams followed suit, and then I would also say something that helped is we increased the number of times we were connecting. (Research Participant FB, 2022)

Also, “My executive and I took a different approach to performance and expectations, and the flexibility and recognizing that we needed to make this work” (Research Participant CC, 2022).

It was evident from the interviews that managers who had good foundational traits consistent with prosocial management tendencies, such as patience, a focus on employee engagement, great communication skills, and confidence in their employees were better off then managers who did not have the same traits:

> I would say that managers that were stellar in leadership in person demonstrated a high affinity for strong leadership remotely. They just had a sense of what they needed to do stay connected with their teams to say on top of the work to make sure things still got done on the deadlines. I think really strong leaders that understand the importance of people went out of their way to connect more. (Research Participant FB, 2022)

Also, “I think those kinds of people skills were what really set that group apart” (Research Participant KM, 2022), and “I think for the most part, some managers are natural leaders and can figure something out, but on the flip side, there is some people who cannot” (Research Participant WS, 2022).

Participants outlined that for some managers it was difficult to not be able to view if subordinates were at work at their designated times. There appeared to be a general trend that the higher the level of manager, the more of a personal struggle with WFH arrangements and not being able to physically view the work—“the senior leaders are just not there, yet” (Research Participant JB, 2022). Frontline managers appeared to be more amenable to WFH, whereas executive level managers struggled with the notion of not being able to watch the employees’ work. With respect to a group of executive managers, one participant noted,

> … the argument we were getting from the centre [of the organisation] was how are we going to ensure that [employees] are performing. How are we going to ensure

> the work is getting done? They are all going to go home, and they are all going to sit on the couch and eat bonbons. (Research Participant CC, 2022)

Some of the managers who reported more positive transitions were those that demonstrated a willingness to be flexible and adaptable. For example, one participant said,

> I think we all developed a bit more of that flexibility and just had to adapt to getting work done when it could get done rather than when we necessarily thought it should be done. (Research Participant AR, 2022).

“It’s difficult to inspire people from the districts, so, I think a lot of folks including myself, have actually struggled with, how do you lead virtually?” (Research Participant AN, 2022). In municipal and provincial employers, this was a recurring theme, as participants stated,

> Do you have ongoing feedback and interaction with management to just partly see how people were. It is easily done when you are in an office environment. But, for our management to sort of ensure that they were actually touching base with their folks to see how that was going; what more do they need in terms of, and as we progress through the pandemic. (Research Participant CC, 2022)

> If the client was not complaining about not getting anything from those people, then again, I would assume that they are doing their job. If the work was getting done, I was of the view the team was doing the work. I gauged the output of the team by output and collaboration. (Research Participant LW, 2022)

Conversely, management reported challenges with the leading in a remote environment: “We were doing our best for students, and I think we did not have a lot of time to think about what the sort of management and day-to-day with our staff looked like,” (Research Participant AR, 2022). One participant felt that remote supervision increased their duties,

> I can only speak from my perspective, but half of my job every day, it was checking in with my team and calling or texting or video calling them everyday. Basically, we work on communication multiple times a day. We had members on our team whose partners got laid off or whose family members were sick, and so really just trying to take care of them as a person, and not just someone doing the work [was difficult through virtual means]. (Research Participant KM, 2022)

From a managerial standpoint, another participant identified a balancing act with job responsibilities:

> I would say that [employees] job responsibilities remained the same. They just were not doing them because they were at home. I would say the issue is probably more personal, and more morale [related]. I think those people who chose to come in, felt they were being dumped on by having to do everything that was sort of in person. (Research Participant JH, 2022)

Some participants outlined that the trust was needlessly eroded from the work environment:

> It took some conversations from the people and culture group to provide some resources to management. They would be like; I do not know if [person] is doing his work at home. But then I would be like, how did you know [person] was doing their work in the office, are you looking over his shoulder, could he be watching porn or playing online games. Make sure that you are giving him enough work to ensure [person] is not going shopping on company time and it will be fine. You will be able to understand his productivity by the output of his work. (Research Participant PR, 2022)

Other participants identified trust as a consideration in their organisation:

> I believe that (the senior leaders) had a very negative sense of the capacity and the honesty of our workforce. One of the things that we wanted to articulate to our managers was, as long as the work was getting done, we do not care. As long as it is working for our staff at home, we do not care. (Research Participant CC, 2022)

The mistrust at the executive levels was complex. It was shared across multiple employers and as one participant said,

> The deputy ministers were not located with the department offices, so the (deputies) never were around the (staff) anyway, (they) would not know if they were actually doing work except for the work that comes into their offices. (Research Participant JB, 2022)

Entrenched and traditional management styles did not seem to be conducive to remote supervision.

> I think the ones that really struggled were the I'm going to call them kind of the old school, like I need to see you in your office to know that you are working. I think they struggled with trying to manage remotely and almost, I think, feeling like they lost some control over their people because they were not there. (Research Participant PR, 2022)

Many of the human resources participants expressed having to provide senior leaders with advice about how to adapt to remote supervision. This involved helping their people leaders through their own bias or apprehension. Some advice which appeared to improve manager's experience was to include tangible metrics to gauge productivity or moving to a goal focused measurements rather than focusing on individual work products.

Many participants referenced the flexibility or the messaging surrounding flexibility to be demonstrated by their management teams in adapting to remote supervision and leadership during the pandemic:

> We had to figure out how to do everything we could for our staff to make sure that they were setup for success. I think as a manager and a leader, we also just had to become more flexible and understanding and empathetic of our teams, to recognize that things just may not get done at the same sort of hours that we used to expect. (Research Participant AR, 2022)

> I think we realized we were not going to get the productivity that we needed to if we drove it like a 9-5 kind of thing and held everybody to account. So, that was something—we had to—I think for a lot of managers, they had to get their heads wrapped around that one and that was probably the first kind of, I would say, one moments of conflict, was that sense of well I need you to be on this call at 8:30. I need this report by 8:30. How are we actually going to coordinate everybody to meet and started to realize that was not the case and from the executives perspective, we had to push (the messaging) down through the organisation, the sense of flexibility, and you are not going to get what you want from the good old days before the pandemic. (Research Participant CC, 2022)

> We were really pushing managers to be very cognizant and flexible, and this is not about working from 8:30 to 5, or whatever case it might be, it is about getting the work done when you can get it done. Anything that is not essential you delay, or you stop It is about what is needed immediately in the context. (Research Participant FF, 2022)

> I think there was a change in comfort level for some (managers) to understand; specifically, the concept of productivity, how you calculate productivity, and monitor

> productivity. If someone wants to do their work at midnight – do you care – as long as the work is done for the next day, then it is done. (Research Participant PR, 2022)
>
> I think most of us are at a place in our lives where sometimes people just cannot get childcare, and we would have people saying, I am going to put my kid down between two and three, I will get two emails than … I think a lot of people were pretty sensitive to the realities that we were in. (Research Participant WS, 2022)

Some of the flexibility that executive management was promoting created some downstream organisational challenges. One participant identified that one of their biggest challenges in a hybrid work environment,

> 'Was just as in the assigning of tasks.' This led to a managerial shifting in delegating workflows, because if a task needed to be completed it became a matter of who was physically present in the office. I would say this led to some morale issues and maybe some resentment between various bargaining unit employees, whether for those people who chose to stay in the office, versus those who opted to work from home. (Research Participant JH, 2022)

Other leaders expressed concern with team dynamics in a WFH setting:

> How do you be flexible without appearing to be providing favouritism to somebody, because if they do not know what is going on then it is like, oh this person just gets to work from home and do whatever they want. I think that was the major challenge with us, and then actually coming back and saying these are the expectations. (Research Participant WS, 2022).

This is aligned with some of the commentary from the larger organisations, who identified their biggest challenge was ensuring consistency in the application of directions shared amongst the various levels of the organisation.

There were numerous comments by interview participants that identified problematic management traits that were exasperated by the pandemic and the changes it brought. Leaders who were not comfortable with flexibility also arose:

> Some managers were like, I needed direction for this exact situation that I did not predict, so I would say that some managers really struggled with what their responsibilities and roles were supposed to be. There were some managers who if they did not hear back from their staff within a certain amount of time, were asking should I be calling the police to perform a wellness check. So, people were really extreme with some of their reactions when it was like – well obviously no. (Research Participant WS, 2022)

> I would say that either [leaders] have those soft skills and they were able to adapt them, and apply them, in a new setting, or you do not, and you struggled. (Research Participant FB, 2022)

Managers were expected to be flexible and accommodating; however, some unforeseen situations arose because of employees pushing professional boundaries. In the context of remote work, some participants identified that professionalism was tested by their unionised employees:

> I heard from some of my manager/colleagues, that they even had to talk to staff about not wearing (acne) or face masks on work calls. We had comments from upper management about professional dress and to make sure that [employees] were still in a presentable state. Kids in the background as well, like your kids should probably be in childcare not listening to you, given some of the confidentiality and sensitive materials in their job, or not wearing pyjamas while in work meetings. (Research Participant WS, 2022)

In one instance, a unionised employee dialled into a management teleconference on COVID response:

> Well, some of my friends in government had mentioned that (this call) was happening, and I wanted to see how we were going to be kept safe. So, I did not think it would be a big deal, if I dropped in, but now, that I know that I am being spied on when I go to these things, I will not call in. (Research Participant WS, 2022)

Remote supervision also necessitated remote performance management:

> It is a bit about the same as you would imagine in person, it is just that you have to have a video call to talk through whatever (the issue) is. We have had some issues with some team members maybe not completing everything they need to do, maybe some issues with motivation, and so there definitely has been some performance management. (Research Participant AR, 2022)

Some participants identified they observed performance related issues, like negative attitudes, interpersonal skills in meeting environments and dealt with those via video calls.

In one instance, a participant identified that poor work habits continued during the organisation's WFH model:

> Out of the 40 [staff], there were only two staff that struggled with remote work and when I say struggled, I mean they just were not very productive. These two staff have challenges when we are at work as well. So, to me, they are just challenging people, regardless of the setting they are in, and they need constant monitoring, regardless of whether they are physically in the office. (Research Participant FB, 2022)

4.5.4 Working From Home

"I think it has shown both sides that certain aspects of the work can be done differently," (Research Participant FF, 2022). One employer provided the opportunity to employees to take a voluntary lay-off as a mechanism to managing WFH apprehension by the employees:

> We did allow people the opportunity to determine, whether or not they wanted to continue working or if they wanted to get laid off in order to take advantage of other services, so we did have probably 10-12 who voluntarily asked to be laid off in order to take advantage of the Canada Emergency Response Benefit (CERB)[1]. (Research Participant PR, 2022)

Employees who voluntarily stopped working to collect federal benefits were starkly contrasted with those who wanted to remain working but wanted to WFH. In the current post-pandemic time, there is a high population of employees who do not wish to return to the office. Further, many employers reported high percentages of employees who opted-in to hybrid or full WFH arrangements:

> When the opportunity came to pick flex, it just made sense because [the employees] can do sort of do their work from home, and when they need to be with [clients], they can go into work when they need to be with [external partners], they can go visit those parties. (Research Participant AR, 2022)

Some participants noted the absence of personal interaction was a barrier to WFH:

> Some people strive to go out and have that interacting when they are living by themselves, and I found there were a couple individuals that struggled with that, as

[1] The CERB was a federal benefit which paid C$500/week to Canadians who were affected by COVID-19.

> soon as we were able to go back to the office, they were like, I'm there, I need to be there. (Research Participant LW, 2022)

Also, "You always had a percentage that found it more of a challenge, human interaction, separation of home, and work, and stuff" (Research Participant PR, 2022).

A benefit of the WFH model included multiple participants identifying decreased sick time usage; there appeared to be a general trend that employees who were WFH would be more willing to work while they were sick, instead of utilizing their sick time and not coming into the office. This is an interesting development, as one might expect during a pandemic that sick time usage would increase.

On the other hand, some employers did identify staff abused their sick time provisions because there was an apprehension to require physician certificates:

> I think we took a very kind approach; we deferred a lot to what the employee was telling us, we were not getting them to go to doctors and get all this medical information, we were really taking what they said at face value. (Research Participant KM, 2022).

It was felt that requiring employees to get "doctors notes" for COVID were an unnecessary drain on resources, which led to some employee benefits abuse:

> You always get a handful of people that are going to abuse the system, like taking their thirty-second COVID-19 absence because of the sniffles. You cannot take off 14 days on a rotating basis because you continue to have sniffles and stuff. When we saw people taking advantage of some of the things that were being set up, then of course, we had to deal with those conversations and questions. (Research Participant PR, 2022)

One participant identified,

> There is some pretty prominent issues that we are not on the same page. With working from home, there was a lot of direction that if your kid is out sick and at home, you cannot be working and providing childcare. So, if your kid is sick, you should be taking a sick day. (Research Participant WS, 2022)

This was a controversial position as this employer only offered an employee 75% of their regular compensation for sick days:

Because of this, what happens now is people will literally be sweating with a fever, and because they do not want to take their 75% pay, they will be WFH and probably should not be working. I think this has an adverse effect on staff, because I don't think people take sick days when they should, and I think it totally depends on your financial situation. (Research Participant WS, 2022)

Operational benefits with a WFH model included the technological change that arose; participants noted they moved from paper files to digital or implemented technology which could interface with their home computers or moved to cloud solutions that enabled teams to collaborate. Some participants identified they had been working to have remote technology options available for their workforce, and this greatly aided their transition to remote work environments, for example, virtual private networks (VPNs) or cloud computing solutions.

Some participants identified that it was very easy to coordinate who could WFH:

> They were continuing to work remotely, and who needed to be in the office, and they were continuing to work in the office, and so that part was not really challenging. We actually managed to do that fairly effectively. (Research Participant JB, 2022)

Some employers allowed their employees to determine who would WFH, when asked why certain members of their team did not WFH during the pandemic, the participants indicated it was employee preference.

There were some challenges with obtaining the necessary technology supports to enable a remote workforce:

> There was no one in the senior executive levels that were inclined to ever think that people would work 100% remotely after (the pandemic), so, why would we let people take their desktops home when they are just going to be bringing them back. One of the biggest challenges moving from in-person to remote were staff attitudes. (Research Participant FB, 2022)

> We only had about 20% of the eligible workforce who were able to work from home. For example, the example that comes to mind is the administrative assistants. I do not think there is a single administrative assistant that would have had a laptop, they are all working off desktops, but now they all have laptops. (Research Participant FF, 2022)

Given the popularity of WFH, and the ability to do so, many participants identified they had drafted telework or hybrid work arrangements. The policy is often guided from the lessons learned during the pandemic and differs from an emergent ‘sent home’ situation, by being a robustly developed policy. Some employers reported sharing the policy with their unions for feedback/consultation, while others indicated that policy development was the sole purview of the employer, and they would not consult their unions on a policy.

Some of the interviewees recognized,

> I think for me working in an organisation where there are a lot of frontline staff who legitimately cannot work from home, I think that my staff were in a position of privilege to kind of be able to have that option. (Research Participant JH, 2022)

From a federal standpoint, there is a number of essential services/core public administration which require employees to come into the office, for example, the Royal Canadian Mounted Police, the Coast Guard, and the military are all organisations that cannot by default WFH. This contrast does raise a dichotomy between unionised environments, and their ability to promote WFH arrangements.

In the context of public sector employers, participants identified the elected officials expressed caution about remote work:

> I will use an analogy, wandering around Home Depot trying to find someone to help you. They did not want government offices emptied out, and they did not want government offices in downtown cities to be emptied out and for frequenting downtown shops and restaurants. So, that kind of economic impact lens would not necessarily be something that would be top of mind for [the public service] but was top of mind for the [elected officials]. (Research Participant RD, 2022)

There was some notable friction between the expectations of frontline employees, employers, and elected officials with WFH practices:

> The baseline is not I work from home, the baseline is you come into the office five days a week, but the employees just do not see it that way. But there is nothing in anywhere in their employment agreement like in their offer letters, or in any policy, that guarantees people are able to work from home. But that is what (employees) are looking for, and that would be a fundamental erosion of management rights. (Research Participant SD, 2022)

This participant identified that giving unions (frontline employees) the ability to decide their work location would potentially open the employer up to arbitration decisions which dictates who needs to come into the office and who does not. This appears to be correlated to a negative relationship between the management and the employees. As stated by the participant, “I think there is an inherent lack of trust, the employees do not trust that our senior leaders will make fair decisions with respect to [this topic]” (Research Participant SD, 2022). Chen and Sriphon (2021) found that managers in WFH situations attempted to control and monitor employees at a more acute level than pre-COVID 19. This leads employees to have negative feelings about their manager. Therefore, it is not incomprehensible that management struggled with WFH to the extent that was noted in participants above responses.

Most interviewees reported no grievances arising from their WFH decisions, or their willingness to allow employees to WFH. When asked if staff wanted to WFH and did not want to return to the office, one participant responded,

> That would be the understatement of the century, I thought the most introverted person would appreciate being physically proximate to their teammates, and everyone would want to work with their co-workers, but people are loving work from home. (Research Participant KA, 2022)

Another responded, “I think as people started to work from home, I would say the majority of them started to enjoy it” (Research Participant PR, 2022).

4.5.5 Occupational Health and Safety (OHS)

“I think we are all more aware of health and safety at work that we have ever been, particularly before vaccinations and things coming about with the pandemic” (Research Participant AR, 2022).

> “The thing that really drove our relationships right from the start was health and safety” (Research Participant CC, 2022).
>
> “We focused on two or three main areas; one was obviously health and safety” (Research Participant FF, 2022).
>
> Every month, (senior management) would be like, okay these are some of the changes in the workplace, and this is what your messaging should say, and this is how we are going to keep staff safe. (Research Participant WS, 2022)

Many participants identified OHS as a critical driver of their decision-making process; however, this driver was nebulous, and participants often struggled with a rapidly changing OHS environment. When asked what a key driver of decision making was, one participant replied, “people safety” (Research Participant AN, 2022). Other participants described OHS as a “huge” undertaking. Many organisations identified they created specialized workplace teams to manage the OHS considerations for their organisations”

> We were not given a lot of direction with our teams. My team was feeling a bit frustrated that they were changing masks every two hours as you know, required by health and safety regulations, but they were having to purchase that on their own. I avoided the situation and just bought a couple of boxes of masks, even though we were not necessarily, well, we were just told we were not supposed to. So, there were times when I think the teams and staff wanted to be more careful just because the pandemic was a scary thing to face, and we did not have a lot of answers. The (employer) did the minimum, and so when we wanted to do more, we either had to put that on our staff members or for leaders who were not comfortable putting that on their staff, we had to circumvent the officials rules, and purchase things out of our own budgets and hope nobody noticed what it was we were purchasing, and to try to make sure that our staff were feeling as comfortable as possible while

> supporting our [clients] in a very strange and potentially unsafe environment. (Research Participant AR, 2022)
>
> You had two people managing the disease plan, you know, we had signage go up saying like, this is the direction you have to walk in, but we were so cheap that it was literally like the directional arrows were with duct tape, like there was nothing was provided. So, I think we had one box of disposable masks, it was just crazy, so wipes were provided, and a couple of things of sanitizer, but in general, there was a little bit of a dismissive attitude because we were not client facing, and that we [did not have clients] coming in, people would figure it out or it was not our problem. If you are providing a service to citizens or you are client facing, you should be doing all of these things, but then my ministry would be like, that is not us, do not worry about it. And so, it was like you had the admin[istrative staff] be like, I use the petty cash to get some hand sanitizer if anybody comes in. (Research Participant WS, 2022)
>
> We did have some (staff) who moved back to home quickly, partly because we needed to address accommodations related to health, because they were at risk and they were probably the first tranche of individuals that we moved home and the quickest, because we realized that they were at the highest level of risk. We needed to facilitate accommodation based on both the collective agreements, but from a health and safety perspective as well. (Research Participant CC, 2022)

In some instances, the OHS of staff while WFH was a consideration of the union, "… then the assurance that there was also the health and safety components of those individuals being at home as well," (Research Participant CC, 2022). "We did have the union questioned various pieces around that (WFH), and we have workplace health and safety, we have rules and processes already in place, so those just kicked in" (Research

Participant JB, 2022). Intriguingly, the unions consideration of OHS at their employees' home was not a routinely identified area of concern; it appeared the unions were primarily focused on staff in the workplace. One participant identified they created robust protocols respecting limiting interactions/transmissions, guidelines for interacting with co-workers in vehicles, cleaning protocols in workspaces, and struck a task force to address COVID-19 considerations in the workplace. Finally, one employer embedded a lawyer in their task force, because they were anticipating future challenges to their decisions by the union.

The union's advocation appeared to influence employers:

> I think that were was a lot of workplace health and safety complaints. I think the union being very on top of those things, I know that we had to be very careful in dotting our i's and crossing our t's, and being very responsive to any issues brewing, particularly in our [workplace] environments, during the course of the pandemic. (Research Participant JH, 2022)

Participants noted some noteworthy responses by unionised staff to organisational pandemic responses. One employer noted,

> We had hazard assessment, lots of PPE, and things that obviously, things that people needed, but just being extra cautious. I think, in addition to union, and a number of places, I think that were people who made complaints with Alberta Health/Alberta Health Services, but with respect to physical distancing and things like that. (Research Participant JH, 2022)

Other participants noted, staff would arbitrarily decide they were not going to attend their workplace based on their interpretations of health directives by health authorities. In other instances, because of their beliefs, staff declined to comply with OHS directives surrounding physical distancing and masking; one employer indicated they provided

letters of expectation (a type of formalized expectation management tool), and staff quickly became compliant.

Vaccines and vaccination policies were outside the scope of this research; however, in the context of OHS, this area seemed to be the primary focal point in managerial decision-making respecting OHS throughout the pandemic. This topic was raised organically with nearly all participants. Regular COVID-19 testing was an item that participants highlighted for those staff who were unvaccinated. Staff who were not vaccinated were expected to test approximately every 72 hours at their own cost and had to follow additional health and safety measures. This has led to considerable and numerous challenges for employers by way of grievances, arbitrations, and court reviews. Participants noted their human resource departments were tracking and monitoring staff who were unvaccinated; those staff who were unvaccinated were compelled to utilize paid leave ("vacation") days to supplement the days where they could not be at their assigned job location or were put on administrative leaves without pay. There were terminations which most participants found they were not "vulnerable" to in the grievance process because of the steps they took to work with employees prior to the terminations.

4.5.6 Redeployments

A different positive area noted by research participants was redeployments (for those employers that facilitated them). As most participants identified that redeployments were necessary to maintain staff in their employment, while attenuating the impacts of closures and layoffs. Some employers created databases of employees and their corresponding skillsets/training; this provided them with the ability to tangibly look at their employees who were in need of redeployment. In some instances, this process expedited the movement so quickly that the incoming employer was sometimes unready for the staff and needed to delay the process:

> … almost daily, the [program area] might say we need 20 people who can do this type of work. [We would ask] when do you need them—what training, what equipment access, what are the skills and credentials. We were able to temporarily reassign hundreds of our workforce to help public safety and public health during the first few months of the crisis. (Research Participant FF, 2022)

Other employers created ad hoc teams to provide redeployment opportunities:

> We established an office called the redeployment office, the people who were laid off, we were trying to use them. (If someone) needed extra cleaners, we repurposed staff as a cleaner where they would get full pay at their classification, and the union gave permission for employees to work in different unions areas. (Research Participant KA, 2022)

> What can we offer this person, we need them working, but what capacity, could we have them working in, so that they are able to protect themselves and their families. (Research Participant KM, 2022)

The focus on voluntary redeployments versus imposing transfers was an item that participants articulated:

> I would say instead of imposing the redeployment on the union, we decided to offer it as a volunteer opportunity for employees. I think it was the pandemic and responsibility to the public that was really the thing that allowed us to be, especially since we were going about it in a volunteer way, that allowed us to do the redeploying in a way that we really did not have any major union hiccups in regard to our redeployments. (Research Participant JB, 2022)

Also, “We did not do it with a hammer, we did it with a feather” (Research Participant PR, 2022).

One participant took a strong position on redeployments:

> [redacted] seem to relish in the power that was being given by the government, and the idea of it was okay to be nasty, and so that will not be forgotten for a long time. They tried to discipline people, most of that was removed, but so what it is, is they just kept coming after us and did not realize, they [the employer] were the cause of the whole thing. (Research Participant CS, 2022)

With respect to the larger employers, large swaths of the organisation were required to provide staff to redeployments, as one employer said,

> Almost all of our ministries gave up people, because a lot of the assignments that were there were some requests for things like nurses, and we had nurses in a correctional facility, but other work was making phone calls to say this person has COVID, they have given us your name as someone they might have come in contact with, you need to go get checked out. Some of these roles, do not need technical skills, like setting up appointments for vaccines, directing cars into a building we setup to have cars drive through and have people get their vaccine, people who directed the cards, people who directed the people to seats to wait for the next nurse were not technical roles. It was a generic skills set, so virtually every ministry provided people that could be deployed. (Research Participant RD, 2022)

Generally speaking, it appeared the positive relationship with the union enabled the encouragement of these inventory systems and for employees to participate in redeployments, while enabling management to quickly deploy the staff who were displaced:

> What was going to run, was needed to run, and then what were going to have to do to shut down. We did pivot staff, I mean we took some staff out of parks and libraries because the facilities were closed, and we gave them opportunities to work in other

> parts of the organisation, which ensured we would stay up and running. (Research Participant AN, 2022)

Another innovative response by employers was the appurtenant agreements respecting mobility. This allowed employees from other unions, other jurisdictions (provincial to municipal), and in some instances other employers (where the employer was funded by the province) to have employees temporarily move from their regular duties into temporary positions where they were needed for pandemic response. The relationship between the employer and the union needed to be positive to accommodate these changes; however, the employer held a significant amount of power, because the alternative would have been to layoff and not pay the union's members. This likely would have resulted in grievances and prolonged challenges by the union. So, while there appeared to be some innovation with respect to mobility agreements, there is a power imbalance which may have been a factor in compelling the union to agree to these ancillary agreements. The alternative would have been permanent layoffs. Most employers made no changes to rates of pay, payment for extra hours (overtime), paying employees while they worked for a different employer. The provincial employers seemed to have an advantage in payment continuity, as they were able to redeploy staff to areas where they might already provide funding arrangements, for example, ministry staff going to work for a health authority.

4.5.7 Returning to the Office Environment

Generally speaking, there has been a notable shift of employees seeking to return to work in their office environments. Many participants identified challenges with attempting to have staff return to work in the office:

> I know even right now there were a few folks in the other office who did have COVID this week, and [my employee] was telling me that she did not want to come in until

she knew that there was not going to be a transmission. As a manager, you are in this awkward space where you are like, okay well I support you, but at the same time, these are the expectations across the branch.(Research Participant WS, 2022)

So, in April 2022, everybody was required to report back in the office full time, and we had a number of family status requests come through, and we denied some of those. We have a few people that are saying, well I could work from home for the past two years with my kids at home, and now I have to put them back in daycare—that is a family status issue, and we [the employer] are saying, no we were in the midst of a work from home order, and now we are not, so things are different. (Research Participant KM, 2022)

We are in the process of moving back into the offices on a hybrid model, that is going to be starting in just about a month. Well, this worked great. Why do we have to come back at all? What can't we just come back when we feel like it? Why do we have to go on a hybrid model, like why can't we just work from home, this works great. The problem is it did not work great, we survived, we made it work as best we could, but it did not. (Research Participant CS, 2022)

I understand that telework agreements require that three days from us, but I think what I might consider as a duty to accommodate, my employee was telling me I do have some health issues. (Research Participant WS, 2022)

Some people wanted to come back, and some still do not want to come back. It does not matter what, and the managers what them to come back, and so, we have to navigate those issues. (Research Participant PR, 2022)

There has been some movement with people going, 'I do not want to come back to the office,' and basically, 'I am going to find either a job that allows me to work from home, or I'm going to go to a different place.' (Research Participant WS, 2022)

> The one thing that I would say that we did sort of start to track, and we were questioning, and again, that I think this just comes with the nature of management and labour relations is, as we get further into the pandemic, we started to see the numbers of sick time and sort of category of, and we would break (the category) down into childcare, illness, and why there were not available, or what the reasons why they were taking the time not to be engaged, and those numbers floated around. The issues there too, is what when we were seeing this, like when the schools were going back, and students were coming back, people were still saying as a childcare issues, well, is it really, or what is going on there?. (Research Participant CC, 2022)

Also, “So, once you have that work from home arrangement, it is like people really want to cling to it” (Research Participant JH, 2022).

PwC (2011) found that most organisations held to a rigid model of fixed working time and places which were better suited to historical times. However, there is evidence that employees are more productive if they have greater autonomy over where, when, and how they work. A millennial friendly environment may be fully digital, but it also needs to be comfortable and creative.

4.6 Grievances

A theme emerged throughout the study with those employers who could define their relationships as positive with their unions. In these cases, there appeared to be an absence of grievances relating to employer-led changes, innovation, and day-to-day communication. Those who had a more tenuous relationship had grievances and articulated some frustration with the labour relations between the employer and the union. A positive relationship within the context of this study were those participants who identified open and productive communication with their union counterparts. One of the challenges that was identified in participants was leaves without a specific type of trigger

point. Employers who had “miscellaneous” or “discretionary” leaves that did not have a specific requirement to be utilized seemed to generate more grievances than those employers whose agreements did not have these provisions. Employees seemed to want to access these leaves for reasons that were not envisioned during the negotiations, for example, childcare facilities being closed as a result of COVID and being unable to find childcare, or as a supplement to already exhausted leaves like paid sick time. As one participant put it,

> I mean if you asked me, where do we get our grievances, we got grievance on that leave with pay provision, and we got grievances on the vaccination policy. Our view was that (discretionary) leave was not designed to have people stay home for two years. There’s definitely grievances on that, where people felt they should have instead of being required to work, they should have been given leave with pay. (Research Participant SD, 2022)

Employers that were inflexible and unwilling to communicate with their unions observed grievances: “I know that there were quite a few [other union] grievances in some other areas [of our organisation] because those members felt very uncomfortable” (Research Participant AR, 2022). Those that focused on dialogue and communication saw positive outcomes. Some participants observed a notable decrease in grievances throughout 2020 and 2021. One participant suggested that the relationship between employers and the union drove the decrease in grievances:

> I think a lot of it was because we were all just really focused on getting through the pandemic and trying to work together that there was not a lot of things we were not agreeing on. There was also a suggestion that areas which commonly elicit a grievance response were decreasing, for example, recruitment and job postings. (Research Participant KM, 2022)

The trust between organisations, for example, unions and employers, and trust internally, for example, between employees and their managers, became a substantive element of this research project. The initial literature review surmised a framework of organisational disruption, management authorities, and crisis management responses. During the pre-research stage, one assumption that was conceived was that management rights and CBAs intersected as a mechanism to implement change in unionised environments during the COVID-19 pandemic. It was not a difficult conceptualization to suspect that CBAs would be inflexible and unyielding to a COVID-19 work environment; however, this turned to be inaccurate and incorrect; what emerged was a recurring theme of trust between organisations, or trust amongst people leaders and their subordinates. Accordingly, this project moved from a management-in-crisis focus, to a trust-centric research piece, and to frame this new perspective and to delineate the varying natures of trust, the project looks to the scholars who have distinguished between trust at the individual level (intra) and trust at and between the group level (inter), such as Langfred (2004) and Simons and Peterson (cited in Dirks & De Jong, 2022).

4.7 Summary

Chapter 4 encompasses this project's primary research findings. Not to be unexpected, essential services and the definition that participants applied was a gap. The SCC's decision to return essential service definitions back to employers and unions likely led to this differentiation between employers in how they identified what was an essential service. Some participants identified that their definition of essential services changed and became broader because of the pandemic. As has been highlighted throughout the study, the major findings of management rights were such that management rights/recognition/authority were not the primary means by which employers-imposed changes that might have conflicted with their CBAs in their workplaces. One participant identified they do not have management right provisions within their CBA, and a recurring

theme between participants was what managers viewed as the reasonable usage of management rights through a compassionate or relationship-centric approach. Moreover, this relational focused approach showed up in multiple participant interviews. There were efforts to change the way that day-to-day operations followed their CBA. Accordingly, this project terms what it calls “appurtenant agreements,” as the means that employers and unions used to modify the applicability of CBAs during pandemic operation.

Organisational changes were a substantive component of the study, changes were noted across all the organisations in a multitude of facets. The volume of data relating to change created a significant list of coding nodes: external usage of company resources, communication, leading and supervising in a remote environment, WFH, returning to the office environment, occupational health and safety, and redeployments.

External usage of company resources was an area that caught some employers off-guard. Removing office property for personal gain would typically constitute theft; however, employers found themselves facilitating the wholesale removal of their equipment to employees’ private residences—sometimes this was not particularly effective, for example, those employees who allowed employees to move computer work terminals without the corresponding network capabilities.

Participants appeared to focus on immediate communications, which promoted a feeling of safety and wellbeing in their organisations. Participants explored different communication strategies, including having immediate supervisors deliver messages or having higher-level management cascade emails throughout the organisation. The latter appeared to be the most effective strategy in getting their unionised employees to view their correspondence.

The discoveries of leading and supervising were some of the more interesting findings in this project. For future reference, those organisations that have management which is

prepared to remotely supervise will transition better to those situations where remote supervision is required. Some participants articulated that anti-social or poor management tendencies were exacerbated by the pandemic and the requirement to supervise remotely. Working from home was the primary mechanism that employers adapted to COVID-19 health restrictions, and the need for physical distancing. This showed that public sector organisations can do things differently. A benefit of WFH was the decreased sick time usage. Interview participants noted that employees were more willing to work when sick than using their sick leave benefits. One might expect that during a pandemic that sick time usage would increase. Where employers did not compensate their employees at 100% of their wages, one participant noted an increase in employees willing to work when they might be ill.

The union's advocation appeared to influence employers as it related to OHS. Some participants reported many concerns surrounding OHS, and the seriousness with which the union undertook members concerns. This was a challenge with employees who were WFH. Employees who were WFH needed to form some compliance with OHS, and that the union was heavily focused on OHS compliance both for those employees who worked in the office and those who opted to WFH.

There are a number of challenges with respect to those members who are required to WFH. Union employees have been WFH for much of the pandemic and are being required to return to the office—this has not been a satisfactory activity—many participants acknowledged the positive and pro-social benefits that emerge when employees are permitted to WFH. Simply put, employees do not want to return to the office environment.

Redeployments of employees to different work locations, sectors, or unions were something that was made possible through appurtenant agreements. Participants outlined the extraordinary efforts they made to redeploy staff. This kept staff working,

employed, and whole. However, this is now a challenging position to reconcile with those employees who do not want to return to the office environment.

Grievances emerged as a study component with a surprisingly little impact to employer activities throughout the pandemic. Those employers who could define their relationships as positive with their unions appeared to have an absence of grievances, and those who had a challenging relationship had an increased number of grievances. A central theme emerged that unions and employers should work together to diminish challenges where the focus of the employer is to promote positive relations and diminish anti-social leadership tendencies. Those participants who had a positive relation with their union found it easier to have employer-led changes, innovation, and day-to-day communication. Those who had a more tenuous relationship had grievances and articulated some frustration with the labour relations between the employer and the union. The majority of labour relation challenges appeared to emulate from distrusting relationships and/or vaccination policies implemented by the employer.

5. Discussion

5.1 Overview

The previous chapter explored the themes of trust and the more prevalent feedback from participants. These findings directly lead to the discussion of this chapter. Initially, the three research questions are revisited, and conclusions are drawn based on the data analysis. The three research questions were as follows:

i. What role did CBAs and management rights play in how managers chose to manage their environments in COVID-19 times?
ii. What were the shared opportunities and challenges (both economic and operational) created by CBAs that unionised employers encountered during the health emergency?

iii. How did managers manage the change to staff suddenly working from home?

There was an evident shift in focus for this project. Based on the literature, the project initially sought to explore how management imposed change under their collective agreements. This was a situation where the most logical perspective was that managers utilised their rights in the workplace. This ultimately turned out to be inaccurate. The findings suggest that trust, collaboration, and the antecedent relationship guided the parties during the pandemic, which will be discussed in detail later in this chapter. It does not appear that CBAs were a rigid guideline in workplace change during the pandemic. What appears to be the case is that in those relationships where the parties emphasised mutual trust, then those relationships fared better than relationships where there was an absence of trust or low trust. The Bhattacharya et al. (1998) trust model is explored in relation to this project's findings. The project found that this trust model drew an inference to existing trust research and the importance of trust within a workplace relationship.

Some of the opportunities for organisations to better position themselves in future crises include changing their communication styles from what might have been their typical models. There also may be benefits in demonstrating flexibility as a leader, especially to employees with personal circumstances that necessitate deviating from standard policies/procedures. Finally, those organisations that demonstrated trustful relationships found innovation and greater flexibility in managing their operations throughout the pandemic. In consideration of challenges, one of the predominant items identified was technology, specifically those systems not equipped for remote access. Additionally, those people leaders who were more authoritarian appeared to struggle with remote supervising and leading. Human resource departments that did not produce materials to aid supervisors in the transition did not improve this leadership style.

5.1.1 Response to Research Questions

As noted in the literature review, there is limited research on public sector organisations in Canada. The primary research question of what role CBAs and management rights play in how managers choose to manage their environments in COVID-19 times was a reasonable starting point. This research project and the question seemed logical and relevant based on the previous literature related to Canadian labour relations, management rights, and contractual obligations. Management actions appeared to be led by a desire to continue providing critical services to their citizens and manage workforce challenges from the pandemic's uncertainty and ambiguity. It does not appear that the previous literature on crisis management and reliance on management authority were the mechanisms by which management managed their workplaces through the pandemic. Instead, management and the unions took collective or individual actions to support trust within their organisation. This trust, coupled with the antecedent relationship before the pandemic, created opportunities for success or failure in workplaces.

The literature outlined the rigid nature of emergent situations and some of the complex situations which shaped contemporary labour relations in Canada. The findings of the project demonstrated that this research question was not helpful in understanding the events that happened. While some of the underlying assumptions were grounded in literature, there was no significant correlation in the observations concerning how management rights were utilised. Throughout the interviews, multiple viewpoints outlined participants' disinclination to utilise their management authorities. Instead of relying upon the CBAs and management rights, participants noted they focused on their employees' OHS while looking to modify their collective agreements through negotiated appurtenant agreements and focusing on the relationship (either with the union leadership or with frontline staff). This revelation ultimately led to a shift in focus of the research from using management rights to analysing organisational trust. Trust was a recurrent theme

throughout the interviews, and it was subsequently interwoven with some of the 'good' or 'bad' outcomes that participants reported in their organisations. Trust seemed an integral area to explore as a natural pathway to the potential linkage between individual/organisational trust and positive business outcomes.

5.1.2 The role of interpersonal and intraorganisational trust

Bhattacharya et al. (1998) created a trust framework that they formulated would put specificity and precision into the research of trust in organisations. This dissertation will use their research to analyse how trust frameworks inform this research because the current study provides a wide net that encapsulates much of the requisite trust measurements in a pandemic environment.

The five foundations of trust in an organisational context, according to Bhattacharya et al. (1998) are as follows:

- Trust cannot exist in an environment of certainty; trust exists in an uncertain and risky environment.
- Trust reflects an aspect of predictability to a level that rises to expectancy.
- Any definition of trust must account for the strength and importance of trust.
- Trust exists in an environment of mutuality which is situation and person-specific.
- Trust is good.

Within this research project, it has been outlined that COVID-19 created an uncertain and risky work environment. Participants outlined a sudden change in day-to-day operations with external usage of company resources and communication challenges. There were notable challenges with leading and supervising in remote environments.

The second part of the framework explores that trust relies upon expectancy. Specifically, a person's decisions within a trust relationship should be expected. For example, where the research participants noted that when they sent their staff home following health

directives—this was an expected response within their workplaces—and should have been viewed as a meaningful step towards building a trustful workplace. There were limitations in some instances, with participants reporting that certain positions, such as frontline nurses, would be unable to WFH.

The third framework is the most salient for examining trust within a workplace relationship; any definition of trust must account for the strength and importance of trust. For example, in the consideration of appurtenant agreements, there was a high-risk, high-reward scenario for both unions and employers. Employers contended with the risk that unions would not cooperate and could cause their workplaces to stop operating. However, unions contended with the risk of mass layoffs that would leave their members without income during a tumultuous time. On the employee front, there was an incentive to trust the decisions of management—the alternative to challenging decisions would likely have been some form of unemployment. The correlated benefits of employee trust in their leader were outlined previously: subordinates who feel trusted will feel more obligated to put forth extra effort to reciprocate and continue to expand the social exchange relationship (Bhattacharya et al., 1998). There was an incentive for people leaders to keep their employees by providing a trusting environment; this was a recurring theme throughout the participants at all levels of the organisational hierarchy. If trustworthiness is not demonstrated by leaders at the executive and senior levels, it will substantively create a more challenging work environment for middle and frontline levels to build trusting environments (Hungerford & Cleary, 2021).

For the fourth component of the framework, Bhattacharya et al. (1998) explained that the extent to which a party can be trusted will vary based on the situation and the individuals with whom they are interacting. There were varying situations during this research project which outlined varying degrees of trust; on the lower spectrum, employees who attended unauthorised teleconferences or participants who felt employers behaved improperly.

Towards the higher side of the trust spectrum were employers who were overly flexible with their CBAs (to promote employee engagement).

The final component is that trust is good; the inference is that trust leads to positive outcomes. It is possible that trust could be harmful, in the connotation that 'someone can be trusted to do the wrong thing.' During the course of the study, participants consistently referenced desired positive outcomes for their workplaces, albeit with some challenges related to budgetary constraints and communication.

Trust is commonly defined as

> the willingness of a party to be vulnerable to the actions of another party based on the expectation that the other will perform a particular action important to the trustor, irrespective of the ability to monitor or control that party. (Mayer, Davis, and Schoorman, cited in Pitesa et al., 2017).

This definition of trust is the definition adopted for this research thesis.

Trust research has been primarily focused on the psychological state of trust, trust within organisational/work settings, or trust at the individual level (Dirks & De Jong, 2022). Moreover, trust has been one of academic scholars most broadly studied phenomena in recent decades (Pitesa et al., 2017). It also is emerging as a "central construct" in management studies, focusing on performance with many definitions of trust and variation among many social sciences, such as economics, sociology, psychology, and philosophy (Paliszkiewicz et al., 2014). Trust is an essential component of the employment relationship, as an absence of trust can result in an organisation being unable to function effectively (Hungerford & Cleary, 2021). Trust can be viewed from various lenses (Paliszkiewicz et al., 2014), including economical in a reduction of risk and an increase in expectations and predictable behaviours, psychological as trust is the tendency to hold positive expectations of another person. Also, sociologists frame trust as having to do

with socially embedded relationship properties. In all instances, trust is predicated upon some interaction with another.

Dirks and De Jong (2022) conducted a summary of trust research spanning multiple paradigms and authors. Their analysis outlined a depth of literature correlated with increased positive team variables and decreased negative variables. Positive attributes of trust include:

- Team performance
- Individual performance
- Outcome for trustor's
- Organisational citizenship behaviour
- Team learning
- Team knowledge sharing
- Risk taking behaviours
- Integrative behaviours
- Creativity
- Innovative behaviour
- Job satisfaction
- Outcome satisfaction
- Team satisfaction
- Organisational commitment
- Team commitment
- Decision commitment
- Organisational identification and job involvement
- Thriving
- Team cohesion
- Team effort
- Psychological empowerment, ownership, and safety
- Satisfaction with leaders and positive leader/member exchanges

Dirks and De Jong (2022) outlined a decrease in negative workplace attributes:

- Counterproductive work behaviours
- Disruptive behaviours
- Employee turnover
- Organisational cynicism
- Perceived organisational politics
- Intention of employees to leave

There is value in trust research because there is a correlation between positive outcomes and decreased adverse outcomes in relationships with trust. It should be noted throughout this paper that the term “antecedent” and “outcomes” are used; however, many of the studies referenced have drawn upon cross-sectional studies. It is prudent to exercise caution in making solid causal inferences from these findings (Dirks & De Jong, 2022); future analysis of studies in a controlled experiment would provide more precision in the linkage between trust between causality and causal directionality.

Relationships between management, the unions, and their employees were a significant element during the COVID-19 health emergency. As previously noted, management rights and recognition did not appear to be a considerable component in management changes during the pandemic. Instead, the most significant element during the pandemic between unions and employers appears to be the antecedent relationship between management and labour representatives. This relationship guides both parties’ interactions, responses, and innovation during business disruptions like a pandemic: “I figure there was during that time, I think there was this sort of a unity of purpose” (Research Participant FF, 2022). One participant reported the impact of a union representative that was switched during the pandemic:

> We lost our MSO[1] [unclear] into the pandemic. I do not remember exactly, about 9-to-12 months, the MSO had been at the remand centre for many years, and he had a good relationship with us and the [union] executive. (Research Participant DB, 2022)

[1] A MSO refers to a membership services officer. A MSO is an employee designated by the Alberta Union of Provincial Employees to assist union members.

As noted in the collective bargaining and appurtenant agreement section, no participants identified an abandonment of their collective agreement throughout the pandemic:

> I would say the collective agreement continued throughout the pandemic. There was not a formal unionised declaration or announcement or anything that (CBA) things could change, but they had to change. (Research Participant AR, 2022)

Also, “We tried not to circumvent. We tried to stay true to the intent of the collective agreement”. (Research Participant PR, 2022)

With respect to CBAs, participants identified many positive relational items which likely contributed to a positive labour relation environment:

> ... my team, I think, enjoys that they maybe get a little extra flexibility than they would if we were looking at the union agreement every day, and making sure that we were following all the rules, and so definitely no grievances. (Research Participant AR, 2022)

Some employers deviated from hours of work and rest periods while employees were WFH, but did so cautiously:

> Existing hours or taking that lunch break, and there is two coffee breaks, even if maybe it does not fit within their day, [flexibility to not take them is something] that I can offer to my team now knowing that the union might come back and grieve me later. (Research Participant AR, 2022)

Innovation seemed to be correlated to those organisations which identified a positive labour relations relationship based on trust. This is not to be unexpected; employment relationships that contain trust-like qualities will facilitate more open communication, information sharing, and conflict management (Blomqvist, 2002; Creed & Miles, cited in Seppanen et al., 2005). The innovation by some organisations resulted in better

outcomes in minimising business disruptions. In one example, a union trained and received provincial health approval to have the union's administrative support staff conduct COVID testing for the union's members who had opted not to receive the COVID-19 vaccine. Like many in Canada, the employer had adopted a policy of being fully vaccinated or providing negative COVID tests before the start of the employee's shift. The testing by the union resulted in the members being able to maintain their employment without having to incur the expense of COVID testing every 72 hours. COVID testing was approximately C$50 per test. This action by the union was not insignificant; it likely led to the employer being able to maintain its service levels, kept the union members working and compensated, and reduced the exorbitant costs of future arbitrations for the union and the employer. Anecdotally, union arbitrations in Canada can easily reach costs in the tens of thousands of dollars. This was the only employer in this study that did not identify grievances and future arbitrations respecting testing compensation for their members:

> I think we tried really hard to work with people and understand that no one has lived through this before. I think the people who did well with this, I think they already had a good relationship with their staff, but I think it takes effort, and some people just do not want to put forward that effort. I think for those that did, it really has paid off. (Research Participant KM, 2022)

The effort by management to maintain positive relations with unionised staff was correlational to positive outcomes. Multiple participants identified that management, frontline staff, and union leadership coming together directly impacted the success or failure of initiatives. Those tenuous relationships appeared to have more friction than those in which there was mutual trust or negotiation.

Some participants brought their unions in to help craft their policy: "We provided the union with policy in advance (to) let them comment on it. They had no comments" (Research

Participant JB, 2022). “Anything that we were rolling out [as a policy], we tried to give [the union] a heads up, so, physical distancing, the fact we are getting people to wipe things down, and masking requirements” (Research Participant LW, 2022).

> We did have a couple of town hall meetings where some of the information shared at that time caused the city manager to pause and revisit the initial recommendation, and then not reverse it, of course, but just tweak it. We are spoiled here; we have a pretty good relationship with all of our unions. Anecdotally, I think we are less confrontational than most municipalities. So, we do work well together, and have some great conversations and stuff like that, so for the most part, we are able to get some fairly good joint decisions on issues that are affecting the workplace. (Research Participant PR, 2022)

Political relationships arose in a few interviews with participants identifying that elected officials sometimes wreak havoc on the effective operation of a public sector organisation:

> A politician swoops in at the eleventh hour, and we end up having to concede on something we have been fighting for months for. As long as it keeps rewarding that behaviour, the behaviour is not going to change. So, if you want things to change in the public sector, you need elected officials to say no and mean it. In the private sector, you will see one of two things, you will see unions that evolve as their employer evolves, and they have a recognition the business needs to survive for the good of everybody. I think the employer has to be able to compete. (Research Participant SD, 2022)

> You can call me cynical. I do not actually think (employee engagement) is strictly the motivation. I think that there were a number of factors when the government kind of came forth with this hybrid work arrangement. I think politically, we are getting

close to an election, and (WFH) is something that makes people happy. (Research Participant JH, 2022)

The ability to establish positive inter-organisational relationships has become a source of knowledge-based competitiveness and leads to increased capabilities (Eisenhardt & Martin, 2000; Teece et al., cited in Seppanen, 2007). Employees who trust their supervisors assume that actions/decisions made by leadership will take into consideration the best interests of employees (Bhattacharya et al., 1998). Dirks and Ferrin (2002) reported that trust was integral to the supervisor-employee relationship. In relationships with employees who trusted their leaders, there were increased transformational and transactional relationship benefits, participative decision-making, enhanced organisational support, job performance, job satisfaction, and more significant organisational commitment.

While there was no formalised measure of trust or positivity in this project, the trust between organisations was palpable in the analysis of the interviews. Given some of the feedback from participants, it appears that when unions and management trust each other, tumultuous situations (like pandemics) can be mitigated. This is evidenced by the fact that multiple participants noted that their pandemic bargaining was rapid and responsive. In contrast, normal bargaining is a drawn-out process over a lengthy period.

This research thesis cannot go so far as to say that trust between organisations and trust between individuals resulted in positive outcomes; however, there appears to be a casual linkage between innovation and positive business outcomes where union and management relations were positive. There are some previous findings of this nature; the trust between members in organisations can encourage a positive relationship that brings about positive performance in an organisational context (Chen & Sriphon, 2021). Trust

deficiency leads to negative organisational performance, while trustworthy relationships encourage positive organisational performance (Chen & Sriphon, 2021).

These findings aptly lent themselves to the ancillary research question of the shared opportunities and challenges (both economic and operational) created by CBAs that unionised employers encountered during the health emergency. Organisational trust research was conceptualised by Mayer (1995), who is consistently cited for his model of trust as a foundational and originating model of workplace trust (Dirks & De Jong, 2022). According to Dirks and DeJong (2022), applying the model allows the creation of a nexus of key relationships with antecedents and consequences to articulate how trust begins and grows in organisations. Mayer (1995) found that trust was proposed to be a function of perceived trustworthiness, both with the trustor's willingness to trust and the historical actions of the trustee that reflected trustworthiness. As a second part of the model, Mayer (1995) identified consequences and their role in increasing or decreasing the perception of trustworthiness. To summarise, where a trustor receives a positive encounter due to a willingness to trust, the trustor becomes more likely to trust the trustee.

Dirks and De Jong (2022) establish parameters to scale trust in workplace relationships further. Trust involves two or more parties, one serving as the trustor (recipient) and the other serving as the trustee (person demonstrating trust). Trust is a state and not a passing feature of a relationship. Trust is often psychological in nature and is predicated upon conditions of uncertainty, with a somewhat predictable action or intentions by others. This predictability enables trustors to accept that trustees will act positively and therein reinforces positive expectations of outcomes (Mollering, cited in Dirks & De Jong, 2022). These optimistic expectations demonstrate genuine care and concern, which can be reciprocal.

In situations where mutual trust is high, an “interaction effect” reinforces and increases exchanges between the parties (Blau, cited in Brower et al., 2009). Where there is a professional relationship with mutual trust, there is an environment that builds employees’ self-esteem, enables performance, and develops positive behaviours. However, when there is an absence of trust, both parties will be reluctant to initiate communications, which delays reciprocity, empowerment, and high performance (Pierce & Gardner, cited in Brower et al., 2009). In the current project context, many notable indicators of trust and mutual cooperation were components of the relationship between management leaders and their union counterparts. These observations reinforce the existing literature that trust relationships can result in positive business outcomes. In this research thesis, recurring themes of trust and mutual cooperation arose.

The COVID-19 health emergency created multiple shared challenges and opportunities, providing a foundation for future organisational responses. Organisations that successfully navigated the pandemic could likely be attributed to three key outcomes: a trustful relationship with their labour units, multi-level communication strategies, and flexibility by the management group to employees' personal circumstances. Conversely, the organisations that encountered challenges with their unionised employees exhibited a perception of lower trust between their union employees and, in some respects, took a more command-and-control approach to resolving their differences. Technology, or lack thereof, was another critical challenge some organisations needed help with.

As outlined, trust brings specific modalities to the organisational relationship, which have positive and tangible benefits. One of the primary opportunities in a unionised public sector organisation is the willingness to trust and change the working relationship dynamic. The research showed that there was a meaningful exchange between parties when organisations trusted each other, for example, no layoffs in exchange for redeployments to different positions/classifications. Unionised employees could maintain

their positions while contributing differently than they might have if they remained in their base positions. Employers were able to continue providing services to the public. This willingness to be flexible can be a source of conflict in non-crisis times. Many grievances between unions and employers stem from job postings, classifications, and job descriptions. There appear to be benefits to parties remaining flexible and moving away from entrenched positions during times of crisis.

The study of communication specifically is outside this project's scope; however, a plethora of research indicates that communication is a key attribute of successful organisations and employees (Wu et al., 2008; Hargie et al., 2004; Barrett, 2006). In the context of this research, multi-level communications strategies appeared to be the most effective in conveying information. Where executives communicated with their senior and middle management and frontline employees, there appeared to be a better response to messaging and compliance with organisational directives. It appeared to be deference to the direction ‘because it came from the top.’ In the context of future business disruptions or prolonged crises, management may wish to consider early and broad communication that encompasses multiple levels of their organisation.

Another clear aspect of where unions and management can come together and a potential opportunity for future exploration is assessing to what extent parties could deviate from the rigid interpretation of CBAs during times of need. Organisations that worked together to ensure service delivery through unique solutions saw successes. Specifically, the movement of employees into different work units and areas covered by different unions is a level of flexibility that would only likely present itself during a prolonged crisis. Arguably, this flexibility better enabled many union members to remain whole and compensated throughout the pandemic. It is noteworthy to mention that there are some risks to flexible interpretation as there is a potential to undermine the work that bargaining teams undertake through the collective bargaining process.

A lack of organisational trust was one of the biggest challenges to the nexus between management and unionised employees. Organisations that demonstrated a lack of trust, either organisationally or between the management and the employee level, appeared to encounter more significant challenges with navigating their business deliverables. Participants noted that communication was less effective, and tension with their unions or management counterparts was fraught with challenges. Those employers that took a rigid approach were met with resistance through either employee disengagement or passive participation in the direction, which created frustration for people leaders.

There are opportunities to improve crisis responses by improving technology. The issues and concerns (or lack of) technology challenges were interwoven throughout many interviews. Participants noted that their technology was not equipped for working remotely because their devices were not authorised on external networks or a different day-to-day dynamic, such as work requiring specialised software or devices. When the order came to work remotely (often in a WFH setting), many participants had bouts of unproductive time because they could not access needed work resources or the tools necessary to do their jobs. For the most part, many organisations have since resolved their technology issue, but future crises could more readily be managed by contingency plans for people to work offsite. IT departments should contemplate to what extent they can permit external access to systems and how that risk can be managed while balancing the employees' need to complete their tasks.

The last research question was one of the more complex queries, and it generated a multitude of pathways of response. How did managers manage the change to staff suddenly WFH? Research indicates that mutual trust is necessary for stable and ongoing cooperative relationships (e.g., Anderson & Weitz, 1989; Whitener et al., cited in Brower et al., 2009). A high level of trust in a supervisor (or an organisation) will promote affective, cognitive, and behavioural resources, which will allow parties to approach their work with

more energy or focus (Crawford et al., 2010, Paliszkiewicz et al., 2014). Subordinates who feel trusted will feel more obligated to put forth extra effort to reciprocate and continue expanding the social exchange relationship (Bhattacharya et al., 1998). If leaders do not demonstrate trustworthiness at the executive and senior levels, it will be more challenging for middle and frontline levels to build trusting environments (Hungerford & Cleary, 2021). Employees' trust in their leaders is correlated to their trust in the organisation (Paliszkiewicz et al., 2014).

Most trust literature is focused on subordinates and superiors:

> In a recent review of trust across organisational levels, the vast majority of the literature focuses on employees' trust and that there has been little comparable research on trust in employees (from a leaders' perspective). (Fulmer & Gelfand, 2022)

Most of the empirical research to date has focused on only one of these perspectives—subordinates' trust in their managers (Dirks & Ferrin, cited in Brower et al., 2009). Additionally, Bachmann and Zaheer (2006) have noted, "Scholarly work specifically dealing with inter-organisational trust is a more limited area of research."

Certain literature emphasised a micro-level analysis between two people (usually a supervisor/subordinate); however, Brower et al. (2009) identified trust as a joint transaction. This dichotomy creates the opportunity for broader analysis, such as organisation-to-organisation. High mutual trust produced more favourable outcomes than one party's trust alone. Appropriately, Brower and her colleagues identified that trust might not be shared, which can depend on different levels and types of risks. Further, managers and subordinates in the trust relationship may interpret the same events differently, leading to an assessment of fairness, credibility, and, ultimately, the trustworthiness of each party (Cole & Flint, 2005; Lind, Kray, & Thompson, cited in Brower

et al., 2009). This can be more acute when conceptualised from an organisational level, such as how a party conducted themselves during collective bargaining. Brower's assessment of trustworthiness can lead to individual differences in propensity to trust and can lead to two parties developing different levels of trust arising out of the same set of circumstances (Gill et al., 2005; Mayer et al., cited in Brower et al., 2009). Many participant interviews reaffirmed this literature, which outlined their assessments of fairness and the differing, sometimes opposing viewpoints of the right course of action as the participants negotiated the pandemic.

Research participants in most, if not all, of the interviews identified that some or all of their employees moved to an offsite (typically WFH) model. Public sector employers typically had their workforces on-site, so the movement to the workforce operating at home was a significant shift for a majority of the interviewees. Many of the people leaders identified they were left to try and inculcate their subordinates to effectively lead remotely—it was not an easy task.

At the frontline level, managers reported maintaining and developing relationships through online means, like ZOOM web conferencing or TEAMS meeting software. However, there were some notable challenges; participants noted difficulty connecting with their subordinates and virtual meeting overload:

> We did get some concerns from people like they have a hard time getting a hold of their supervisor; I would say, for the most part, people did quite well and really got creative with their solutions. There were lots of ZOOM team meetings, check-ins, or little challenges to keep everybody engaged … I would say that was not anyone's preferred style of management. I mean, it is hard to build relationships over ZOOM, so I think already having a good solid relationship for sure sets the relationship off on the right foot. (Research Participant KM, 2022)

Participants in the study suggested that virtual relationships improved their relationships with subordinates: “It actually forced me to have a better relationship with my team because I was required to check in with them” (Research Participant KM, 2022). Also,

> It was interesting, and I don’t think I’d change it. I feel like I got to know the individuals way better than I would have if we were in an office setting. Because we had to have conversations, we were able to talk way more often than it would be if I was in the office. I think I was able to get to know people more than I would have. (Research Participant LW, 2022)

> Without revealing too much personal health information, my staff has a medical issue, and so she was saying I live by myself, it would actually be helpful for me to let you know that I’m okay, so there were not really any problems with [checking in]. (Research Participant WS, 2022)

> We did some survey work and found that people felt despite being virtual, and despite all the disruption, and whatnot, there was actually increased scores on things like engagement and communication. (Research Participant RD, 2022)

Participants recurringly identified the relationship as a focal point within their teams, as one executive participant summarised,

> Part of my strategies were always how do I build strong cultural teams that focus on engagement, communication, less hierarchy, and certainly more on that creation of cross-functionality and understanding. It was really about the culture of trust and engagement that I think helped us quite a bit. (Research Participant CC, 2022)

This relationship building at the frontline level appeared to have some casual linkage to positive outcomes within teams. With respect to the management of personnel and morale issues, one participant identified,

> It is difficult, it is really difficult. I think that I was lucky in that nobody on my team really dug their heels in, and most people were sort of willing to, I guess, make a bit of an effort for the sake of their fellow employees. But it is hard to have those conversations remotely and by phone and by email. (Research Participant JH, 2022)

Many participants identified an increase in family status requests; there was a spectrum of responses to accommodation requests: “We got a lot of family status requests for accommodations, so people that typically would have to be in the workplace [would be at home]” (Research Participant AR, 2022). Some of the requests by employees for accommodation related to employees who had family undergoing chemotherapy or had a severe medical condition.

In one interview, the participant outlined that the employer had zero dismissal grievances during the pandemic. While there was no definitive mechanism to determine why this was the outcome, the interviewee indicated it was because of the amount of communication that surrounded the dismissals and, ultimately, led to the union’s acceptance of the termination (Research Participant RD, 2022).

> The other thing that had happened as well was when some people were trying to provide a rationale as to why they could not come in the office, three days a week, you were not allowed to use your commute for childcare as rationale. (Research Participant WS, 2022)

Those leaders with natural talents saw behavioural dividends from their leadership qualities through meaningful relationships that benefitted them as supervisors and enabled them to ensure their teams continued to produce deliverables. Those leaders that may not have possessed natural leadership talents had to work harder to adapt to the change in the work environment; however, there were some consistent struggles. Many employers had to cope with management employees who suddenly developed a

mistrust of their subordinates. Some participants found this confusing as the same deliverables, same quality of work, and same number of hours were worked. The absence of being physically proximate to employees created some perceived barriers to supervision.

On the more extreme side of the spectrum, managers who were rigid and used command-and-control methods to achieve their business goals struggled. This is expected; command-and-control management styles have an absence of trust, and the associated challenges with supervising are counterproductive work behaviours and greater organisational cynicism. Managers should heed caution as increased cynicism during periods of crisis or prolonged disruption is contrary to effective crisis management and prosocial business environments. Therefore, those managers who struggled with building collaborative environments during the pandemic should look introspectively at their role as remote supervisors.

Conversely, some participants identified that remote work environments caused them to be closer to their teams. In these instances, people leaders ensured they made time to connect with each of their team members on a daily basis; this was different from when the entire team was working in the office. Some participants identified this because when everyone is in the office, individual activities can keep people busy without the need to check in with their peers or supervision. However, those supervisors who identified personal daily contact reported positive benefits within their team dynamics. Specifically, one organisation required people leaders to connect with their teams daily, so one leader found a closer and more trusting relationship with their team because she was forced to check in virtually, which fostered a better relationship.

5.1.3 Implications for Unions and Management

So, what does this research mean for unions? This research examines how unions and management can better intersect and the resulting positive benefits of working together collaboratively in a trusting environment. This research offers some insight into identifying how unions and management can better work together with the commensurate positive business benefits when unions and management do work together.

Unions arguably have a poor reputation in contemporary business circles; a study by Laroche (2017) found that unionised members are more likely to attract people who are dissatisfied or who will work in a place where there are lots to be dissatisfied about. Laroche (2017) was quick to postulate that it is not the unions that cause their employees to be dissatisfied but that onus for workplace satisfaction is the responsibility of management. Still, some believe that unions represent and protect the less prosocial employee groups and are bound to do so by virtue of the duty of fair representation in Canada. The unfortunate position of the union is that it is saddled with representing often sub-standard employees. To contrast one aspect of the public and private sectors, unionised positions within the public sector are notoriously difficult to terminate, whereas the private sector faces limited challenges in terminating employees. This difficulty in removing employees likely means two things, one, people who are low performing, disengaged, and miserable in their jobs will stay because of job security, and two, organisational relationships will often be strained, impacting the trust potential of those relationships. In a time where it has been noted there has been a decline in Canadian union membership (StatsCan, 2022), the time has come for unions to progress their relationships with employers to focus on improved trust and collaboration; this shift in focus could lead to a re-empowerment of unions.

Moreover, the days of taking the canary into the coalmine as a test for poisonous gas in a mine are over. Many Canadian jurisdictions have rigid and strong workplace protections

for workers. For unions, a willingness to shift business relationships from the historical business focus of working conditions and wages to a more progressive relationship that looks at equality (ensuring that marginalised or minority union members are supported at a level to bring them in line with their peers), inclusion (contemplation of childcare or family responsibilities), or diversity (ensuring that members have workplaces reflective of the people they serve) could be a way to change the conversation to a more trusting and innovative discussion. This could also take contemporary labour relations to the next evolution.

The adversarial nature of labour relations has a deep and longstanding history. Conflict between unions and management is necessary for both sides to consider workplace problems seriously (Laroche, 2017). A forest fire is a necessary part of the forest life cycle where it removes deadwood and new growth; strikes/lockouts serve a similar 'reset' function in labour relations. In the participants that relayed they had recent strike action, they identified some barriers between themselves and their union counterparts, for example, a distrusting relationship for political gain, poor communication, or disagreements on salaries, wages, or benefits. Some relationships are too negatively charged and distrustful to be repaired, and those relationships likely need to start over. To this end, union and management representatives' effectiveness should be measured by their ability to complete negotiations on time and without strikes or lockouts.

Some research participants referenced their acrimonious labour relations, while others referenced their harmonious relationships. Having a foundational trusting relationship is a logical first step to better labour relations. However, what happens when those relationships break down? Both parties should look at their representatives and the nature of the relationship. Labour relations can often be adversarial, and at certain times the adversarial nature is required to elevate issues; for example, a union is highly unlikely not to challenge a wrongful termination or a contentious labour policy, and in the context of

operational management this should be a normal and expected part of labour relations. Nevertheless, if the parties' position is opposite as a matter of policy or personality, union and management decision-makers may want to examine their chosen representatives.

Bachmann and Zaheer (2006) caution against anthropomorphising organisations, specifically by treating inter-organisational trust as equivalent to individuals trusting one another. This position is counterintuitive in the study of labour relations and the findings of this thesis. In the realm of public service organisations and their union counterparts, organisations are represented by a select few individuals. These positions must trust each other; where parties do not trust each other, consideration should be given to re-examining if proxies or designates take over decision-making.

This thesis highlighted the innovation and mutually beneficial outcomes that can occur when leaders collaborate and work together, frequently at an organisation level. Conversely, there were some indications that where parties had an acrimonious relationship, there was evidence of more frustrated outcomes. In organisational settings, trust can be an important determinant of productivity in individuals, groups, and the organisation (Dirks & Ferrin, 2001, 2002; Kramer & Tyler, 1996; Rousseau et al., cited in Brower et al. 2009). There are positive business outcomes that are correlated with trust in an organisation. This includes cooperation, resource sharing, creativity, employee engagement, prosocial behaviours, job satisfaction, job performance, and retention (Bhattacharya et al. 1998). However, despite the desired business outcomes that connect trust with positive outcomes, there is a literature gap about trust at the organisational level.

This research attempts to negate this literature gap by reflecting upon the positive outcomes when organisations trust each other. Trusting others can yield many positive benefits, especially when the trustor and trustee are co-dependent. However, inter-

organisational trust can put parties at risk. However, when there are positive results, risk-taking can yield positive dividends to the relationship across a range of relationships and outcomes (Dirks & De Jong, 2022). Chen and Sriphon (2021) also noted that managers and employees lacked trust due to WFH protocols; managers disagreed with having employees work remotely. Command-and-control leadership without consultation/collaboration negatively impacts collaborative working and team dynamics. This trust discrepancy can negatively impact organisational performance (Chen & Sriphon, 2021).

The findings of this research should position public sector management for the future. If the COVID pandemic proved one thing, it demonstrated how the public sector can implement transformational change. One managerial participant who represented a national perspective felt that climate crisis, future pandemics, major weather events, fires, and floods would impact business continuity in the coming years and be a factor in business continuity. Management would be best served by positioning their organisations for future prolonged disruptions.

Some of the findings of this research support looking at the contingency operations as it relates to remote supervision and remote technology capabilities. If we are to assume there will be future prolonged business disruptions (as a participant indicated), then management needs to look at remote supervision training and front-end leadership training. One area of concern was managers who did not have the skill set to properly supervise and then had to fumble their way through becoming remote leaders. Putting together learning modules or training opportunities that cultivate remote supervision competencies in advance of their being needed will aid people leaders when they are called upon to supervise remotely. Remote access and technology capabilities are areas that presented themselves throughout the responses. Many organisations did not have the capability for their employees to WFH. Some of the common challenges were

computers that could not access networks externally because of security settings or those that did not have the needed functionality to run customised software or solutions. Some lost work time was reported while IT departments either purchased new systems or activated security protocols enabling staff to access their systems remotely.

Fay and Ghadimi (2020) noted that bargaining units must react as soon as possible in pandemic bargaining. They found that early and responsive bargaining helped to establish a sense of shared mission between management and labour in alleviating challenges presented by the crisis. Delaying negotiations and communications with the union can lead to unilateral decision-making by employers without consulting the union, leaving unions retroactively trying to combat issues that could have been circumvented (Faye & Ghadimi, 2020). The more extended parties go without responsive bargaining, the more significant communication barriers may be encountered. For example, aggressive language, biased interpretations, selective information, and dissolved collaborations can decrease the likelihood of agreement (Rainey, 2009). This finding was reflected in this dissertation, which identified positive changes through appurtenant agreements that were negotiated by parties in rapid response to gaps in the various CBAs.

Perhaps, some of the greater systemic and long-term changes that management could consider as a result of this study are fundamental changes to collective bargaining. There was no consensus on whether-or-not language should be put into CBAs that speak to following health orders or emergency measures. Some participants noted this would be advantageous, while others were opposed. One of the identified challenges was removing language from an agreement. There were concerns that language put into a collective is overly onerous to remove. From a management perspective, management may want to examine further what strategies can be undertaken to mitigate better and make it easier to remove language over the long term. This could be in the form of time limitation clauses

where items expire until both parties agree to a new language or agree to re-enter previously used language.

In the research, participants identified that money (salaries, wages, and benefits) occupies the majority of the collective bargaining. Monetary items appear to get a disproportionate amount of bargaining time, which appears to hinder the advancement of social-type bargaining items. Management may want to look at greater flexibility to encompass changes that can meaningfully support employees while moving the discussion away from monetary items; things like WFH or flexible work arrangements appear to be important items to staff and could lead to a more inclusive work environment for those who might have responsibilities that draw upon their time outside of work, for example, taking care of ailing parents or small children. The risk of demarcating monetary and non-monetary bargaining is the potential for increasing negotiation length and complexity; often, non-monetary benefits are added to offset monetary asks. However, this only serves to accentuate the emphasis on monetary items.

While the public purse has limitations, the limitations differ from those of a private-sector employer. In a recently negotiated settlement, a major public sector employer in Canada settled their employment dispute with a 12.4% compounded wage increase. For many private-sector employers, this wage increase would be unattainable. The wage increase likely came at a trade-off of avoiding language guaranteeing WFH or hybrid arrangements. This is an area where public sector management needs to improve; at some point, the solution cannot simply be to throw money at a problem.

Notwithstanding that increasing money does not require trust, it is somewhat easy to direct money to resolve the problem. However, workforces continue to become more diverse, and a more comprehensive range of complex problems exists. Public sector

management will inevitably need to shift their positions on challenging more social and non-monetary problems.

In contrast, private-sector employers may have to address solutions that do not involve direct compensation. As a result, these employers may find themselves with greater levels of trust within their organisations. This comes from providing non-monetary benefits that overall have a positive benefit on their employees' lives. The improved trust could result in improved employee engagement, improved motivational factors, and greater psychologically safe work environments. Items like WFH or flexible work arrangements were incredibly popular with employees and could potentially decrease overhead costs. Management should give deference to permanent, long-term WFH strategies. Public sector management should not be excused from forward-looking solutions, like WFH, because they have the economic leverage to change the conversation.

5.1.4 The Future of Employees

Ultimately, any shift in labour relations that unions or management undertake should be done with an employee trust focus at the forefront. Employees are the centre of this research and the future of pandemic responses by the public service. Employees were sent to work remotely throughout the pandemic, so it is not unexpected that after a 12-plus month duration of WFH, employees would insist they be permitted to do so permanently. The dichotomy of employees returning to the office is challenging to reconcile. Employees were required to WFH, which necessitated that they had to produce deliverables remotely. As pandemic restrictions subside and employees are required to work from the office they pose a legitimate question: If they were trusted to WFH, why can they not still do so? Allowing employees to work remotely could mitigate future challenges with prolonged business disruptions.

Further, contemporary labour relations need to evolve by unions and management to stay competitive and to address the modern-day workforce. Millennial and Generation Z employees continue to represent an increasing number of employees in the workplace, and their values and reward systems are different from those of the baby boomer and Generation X employees. Millennials need their work to have purpose, to contribute, and be that which they can have pride in. Millennials' use of technology is a distinctive feature of these employees (PwC, 2011); this group has grown up with digital connections. They have been raised with information at their fingertips and the answers to queries at almost instantaneous speeds. This has been summarised as a future with less focus on intelligence quotients and more on emotional quotients. As a result, they are the first generation to enter the workplace with a better grasp of information technology than their senior peers (PwC, 2011).

There is some literature that millennials are 'different' employees (Brack & Kelly, 2012; Myers & Sadaghiani, 2010). As millennials increase their ranks in the workplace, employers must be mindful of rigid corporate structures with little room for progression or a lack of stimulating work. Millennials are not as loyal as their Generation X or boomer counterparts. Development and work/life balance are more important than fiscal compensation (PwC, 2011). PwC (2011) found that 41% of millennials prefer to communicate electronically at work rather than face-to-face or over the telephone. Many millennials do not want to work in the office, and as their numbers increase, so will the demands for flexibility and alternative work arrangements.

Public sector managers need to take note. Unions and their bargaining agents need to take note. The traditional emphasis in negotiations is going to expire and coupled with the possibility of a workforce that does not value corporate loyalty, an unwillingness by unions to move away from the stereotypical union models, and management who does not acquiesce to the needs of their workforce; these factors could lead to the public sector

facing a dramatic change and a significant talent gap that forces privatisation. This will be exasperated in unionised environments where unions fail to adjust their relationships with their management counterparts and management does not heed the social needs of their employees.

Whether millennials are entirely different to previous generations is immaterial in many ways (PwC, 2011). The demographic challenge means that public sector organisations need to mitigate the issue, that is, to ensure they understand the millennial generation and are acting to attract and inspire the best of millennial employees. This may require an organisational shift, as outlined in the previous sections, on the part of unions and public sector management.

5.2 Summary

Organisational trust, be it intra-organisational between people leaders and their subordinates or inter-organisational between unions and management, is an integral component of the workplace relationship. Trust coupled with the antecedent relationship between parties before the pandemic was what directly created (or diminished) opportunities for success or failure in workplaces. This finding appears to transcend all the participants, suggesting consistency in this finding across jurisdictions.

There is a clear demarcation between the SCC's definition of essential services and the practical definition when contemplating who remains working and getting paid during a sustained crisis like a pandemic. This could be a future area of research, as the ambiguity of essential services across sectors, employers, and jurisdictions likely contributes to an environment of uncertainty. The thesis found that some CBAs were ill-equipped with the language needed to enable the parties to navigate the pandemic; this led to agreements that overlaid or, in some instances, supplanted previously negotiated CBAs. This project referred to these agreements as appurtenant agreements, which enabled both parties to

be more flexible in their pandemic responses. The most common item changed was layoff and recall language, where parties could permanently or temporarily end the employment relationship. Typically, layoff/recall language hinges on seniority or “bumping rights” (the ability to move into a job that is not the employee’s regular role). The project found that this language was modified to enable employees to move into workplaces they may not have previously moved into or to add language permitting layoffs instead of termination.

The COVID-19 pandemic created many challenges and opportunities for public sector organisations with unionised staff. All participants described some level of organisational change. Most notably, employers permitted the complete removal of equipment to facilitate employees WFH. There was a mixed response to communication, and it became evident that solutions involving multiple levels of the organisation were more effective than relying on frontline supervisors to transmit messages only. Communication was a challenge in some respects, namely with messaging and ensuring current and relevant dissemination. This was especially acute when health regulations and orders were changing regularly.

Leading and supervising in a remote environment was an area with a vast range of results. Supervisors with natural leadership tendencies appeared to have a positive transition to working remotely, and their teams functioned well. Those leaders who were more distrustful or required the physical presence of their subordinates to feel their teams were achieving results had a steeper learning curve to becoming remote supervisors. WFH was the employers' primary mechanism to manage health safeguards and compliance with physical distancing or self-isolation requirements. Most participants identified this measure as promoting OHS. Additionally, many participants reported that their jurisdiction mandated a public policy of WFH.

As the primary response of organisations during the pandemic, WFH or working remotely (those employees permitted to work somewhere other than remotely) was a vital component of these research findings. Overwhelmingly, it appears that employees do not want to return to the office environment. There are some operational benefits to allowing employees to remain WFH; some participants identified innovation, improved deliverables through flexible hours, and decreased sick time. The challenge will arise when citizens accustomed to in-person service delivery do not adapt to remote services. This will be especially critical for those with disabilities who require accommodations or those who do not have reliable access to technology.

What does this thesis mean for academia moving forward and how does it contribute to the study of human resources and labour relations? A theme of trust emerged throughout the findings, and the trust discovery became an essential component of the results that connect many of the themes of this research. Among other outcomes, this study highlights the importance of non-adversarial relationships between unions and employers.

In the context of future business disruption and challenges, this research would support the notion of positively improving the relationship between the union and management before the next pandemic or crisis. A positive relationship has the ability to potentially diminish complications which can result in cost-savings, improved productivity, and lower overhead costs (e.g., those costs associated with people working in an office environment).

This study reinforces previous research about trust and the pro-social impact it can have on workplaces. Moreover, ancillary benefits of multi-level communication strategies and flexibility by management to employee's personal circumstances were highlighted in those organisations who mitigated, or all-together avoided, the costly challenges of litigating with their unions.

This research should be meaningful for those in business who want to prepare for the next major disruption, or who want to better position their organisations, for example, negotiating pandemic provisions into their collective agreement.

5.3 Limitations

The lack of previous studies in this area of research is a challenge, limitation, and opportunity. A review of the literature has shown a small number of studies to date, and they are focused on COVID-19's impact. A lack of literature can translate into a research risk or limitation because literature helps identify and shape research. This area of study in human resources is developing and contemporary with no clear guidance. This lack of direction could translate into findings refuted by future studies.

As referenced earlier, there is an absence of literature on COVID-19 in unionised organisations, and a lack of literature can create research gaps. Moreover, relying upon a qualitative approach without any landmark or distinctive identifier could mean the research could be rife with uncertainty. This research has risks and limitations: data is either misinterpreted or lacks the insight and breadth provided by a mixed-method or quantitative approach. This research could provide a foundational basis for quantitatively measured study when contemplating future studies. The conclusions could be tested against a regression analysis or quantitative instrument that supports or refutes these findings. Moreover, a future study could examine the position of unions and labour representatives to compare and contrast the results of this thesis.

A further limitation includes the scope of the research. The research focuses on unionised public-facing environments, such as the public sector and various government industries. This population is a specific type of industry/sector and could limit the broad interpretation of this study's potential findings. While only interviewing management and not union members present one view of a complex problem, it should be noted that labour and

management are often opposing in their views. Attempts to blend this opposition could overly broaden the study resulting in incompatible and challenging data analysis. Further, this study focuses on management to examine how to better manage responses in unionised environments for future long-term crises.

5.4 Future Research

This thesis excluded vaccination policies, and this continues to be an unresearched area for many organisations in Canada. It may be worthwhile to explore vaccination polices and the contexts they were implemented within unionised environments. Vaccination policies appeared to be some of the most contested management policies which were implemented during the pandemic. How management brought these policies into effect and what options the unions were left with in responding could be insightful. Future research may wish to examine vaccination policies in unionised environments, the response of the unions, the mechanisms for change and implementation, and the absence of trust felt by union employees.

The structure of this thesis, interviews, and analysis were looked at with a management lens—plainly, this was a management study; given the sometimes adversarial nature of labour relations, a future research project could examine the unions perspective of the same questions. One could speculate that the findings might move from the role of trust in an organisation to power dynamics. Unions may have their own challenges or input to the items that this research explored. As partners in the employer-union relationship, the insight of union representatives could be valuable to what the next evolution of labour relations may be, and some of the undertakings needed to move forward with the evolution.

5.5 Conclusion

The COVID-19 pandemic tested the boundaries of public services across Canada with mixed results. Those jurisdictions prepared for prolonged business disruption, technological deficiencies, and leadership with a remote supervision component did well. There were varied approaches by the research participants in this study in managing labour relations and issues they had never encountered before. The organisations that thrived embraced innovation, collaboration, and a willingness to work with their unions. This reinforced this study's overarching theme, which was that the antecedent relationship between the union and management corps drove the response during the pandemic. Those organisations with low trust struggled with bold and reformative practices, whereas those with high trust conceptualised innovative and flexible approaches to managing during a pandemic.

In a future-focused orientation, the adversarial nature of labour relations needs to be minimised. Organisations are no longer challenged with what modern-day society identifies as OHS challenges or needed protection from at-will dismissal. There is a mechanism for employees to dispute improprieties through their union grievance process. However, that may not be the most effective mechanism for challenging dissatisfaction with management processes, as the processes are drawn-out and may not lead to success.

There is the potential for future pandemics, business disruptions, and climate-related disruptions. How management and unions choose to interact with each other will likely dictate how they might approach challenges. Public sector management entities would be wise to allow the external usage of company resources with a focus on OHS and resolving disputes within their CBAs before they become more significant issues during the bargaining process.

How can a union demonstrate forward-thinking approaches without betraying their position to their members and union bosses? One solution could be to create CBAs that support results instead of the location or hours worked. Simply put, the focus should be on performance-based processes, not metrics that identify just attendance. Focusing on the millennial element, staff want to work where they feel like it. As technological experts, the increasing millennial staff of the public sector are obscuring the work between home offices and public sector offices. Intriguingly, millennials would prefer to work alone and want to come into the office for meetings and then leave. The pandemic only highlighted these desires.

The pandemic taught public sector organisations about organisational change. Specifically, organisations might have technological gaps, and supervisors might not be equipped to supervise in a remote environment. WFH and remote work arrangements is likely to become one of the most significant contemporary issues in labour relations, and this research supports allowing employees to WFH in a manner that is commensurate with achieving deliverables.

As previously mentioned, this thesis excluded vaccination policies from the scope of the research. This continues to be an unresearched area. It may be worthwhile to explore vaccination policies and their implementation context within unionised environments. Vaccination policies were among the most contested management policies implemented during the pandemic. It may be worthwhile to explore how management implemented these policies and what options the unions had in responding. Future research may examine vaccination policies in unionised environments, the response of the unions, the mechanisms for change and implementation, and the possible absence of trust.

With the conclusion of this thesis, the current study would offer four recommendations:

i. As measured by the items outlined by Dirks and DeJong (2022), the focus of the employment relationship in a public-sector unionised relationship should be one of trust, and this should guide the decision-making process.
ii. Relationships that are fraught with challenges between unions and management should be examined with a focus on replacing the representatives to 'reset' the relationship.
iii. Management and unions should explore the possibility of negotiating non-monetary items separate from monetary items and examine time-limitation clauses that automatically purge language from collective agreements.
iv. There should be a renewed focus on items that serve millennial employees as an increasing representation of the labour market.

My research findings have implications and can tactically position public sector organisations in climate crises, future pandemics, major weather events, fires, and floods that may impact business continuity in the coming years. It requires unions to shift how they deal with management (requiring management to change the workplace atmosphere with unions) and how public sector representatives might reposition themselves during significant business interruptions.

During a pandemic or prolonged business crisis, employers must explain what they are offering a potential employee vis à vis remote work arrangements or organisational redeployments and what management may expect in return. It is time to shift focus from salaries and money to other compensation elements. There is a significant gap between perception and reality regarding the inducements and compensation of public sector employers. If public sector employers want to continue attracting millennials, who increasingly comprise the workforce and are the more competitive candidates, this should be addressed.

“All labour that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence.”

- Dr. Martin Luther King Jr. (1963)

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Appendix A: Invitation to Participate

Participants were solicited by email, and they were sent the following message:

Hello,

I am currently completing my doctorate in business administration at the Australian Institute of Business. My field of study looks at the intersection of collective bargaining agreements and the COVID-19 pandemic. Specifically, I am examining unionised environments with essential services elements, e.g., public/government sector, healthcare, and utility companies. This project has been approved by the Australian Institute of Business Human Research Ethics Committee and will be carried out in line with the National Statement on Ethical Conduct in Human Research (2007).

I am examining how collective agreements impact management rights, what are common challenges and opportunities encountered, and how did managers 'manage' throughout the pandemic taking into consideration individual collective agreements within their environments.

As a HR manager within a unionised environment, I am seeking your participation in an interview by online web conferencing. The total time is expected to be 30-60 minutes and will cover your experience leading during the COVID-19 pandemic. The findings of the study may provide advice to managers and organisations on how to manage such events in the future. There will be no direct benefit to you, but I hope that you will give consideration to participating, and if it works for your schedule, please feel free to reply to this email.

The Participant Information Sheet is attached, and it includes more detail about what being in the study entails. As a larger unionised environments, I am hoping to gain your participation, as I think your contribution could be important to the data findings.

If you are unable to participate but have a colleague who might be interested, would you kindly forward this invitation to them.

Teigan

Appendix B: Participant Information Sheet

Participant Information Sheet

HREC Project Number	AIB2022/L1/02
Project Title	COVID 19 and the Intersection of Collective Bargaining Agreements in Unionised Workplaces in Canada
Chief Investigator	Dr. Carlene Boucher
Associate Investigators	Mr. Teigan R.G. Lawton
Partner Investigators	Dr. Deirdre Pickerell
Version Date	April 20, 2022

You are invited to participate in a study of COVID 19 and the Intersection of Collective Bargaining Agreements. The study will be undertaken by Teigan Lawton, a DBA Candidate at The Australian Institute of Business and supervised by Dr Carlene Boucher.

The objective of this proposed study is to gain a greater understanding of how collective bargaining agreements and management rights intersected in unionised environments during the COVID-19 health emergency.

The proposed study will involve talking with managers in unionised environments where the workplace provided essential services (i.e., work that is necessary to prevent any endangerment to the life, personal safety, or health of the public).

Your participation will help to understand:

- What were the common challenges and opportunities (both economic and operational) created by COVID-19 that employees and employers encountered during the health emergency?

- What role did CBAs have in how managers choose to manage their environments in COVID-19 times?

- How did managers manage the change to people who were working from home?

It is anticipated the research will glean how CBAs and management rights during the COVID-19 pandemic intersected. This information creates a benefit for participants, organisations, and the broader academic community by providing information on where the advantages and disadvantages arose during the pandemic for unionised environments.

The potential benefits for managers, unions and organisations could include a greater understanding on how CBAs impact organisational responses; which could better position negotiators in labour and management to have more effective crisis responses in the future, and ultimately identify how CBAs could be written to be more beneficial in the future. It remains to be determined how organisations were negatively (or positively) impacted by their CBAs.

A comprehensive analysis of the pandemic impacts on unionised organisations will create a greater knowledgebase for future research. The benefits of this could be to lessen the degree to which future researchers need to delve into this issue and could provide a greater reach for their own research.

There are minimal risks to you in taking part in this study, other than inconvenience. If you are concerned about some of the questions asked during the interview you can opt to not answer those questions.

Taking part in a research project is voluntary. You are free to withdraw from the project at any time or you can choose not to answer any questions. By participating in the interview process, your consent to participate is implied. As a part of this consent process, it is understood that you have read (or had read to you) and that you agree to take part in the research project as described above. Please ask me any questions you may have.

If you have any questions about this research project or anything further you would like to add, please contact me at your earliest convenience.

All research in Australia involving humans is reviewed by an independent group of people called a Human Research Ethics Committee (HREC). The ethical aspects of this research project have been approved by the Australian Institute of Business Human Research Ethics Committee (HREC) and has approved this study (#AIB2022/L1/02). This project will be carried out according to the National Statement on Ethical Conduct in Human Research (2007).

Should you wish to discuss the study with someone not directly involved, in particular, any matters concerning the conduct of the study or your rights as a participant, or you wish to make a confidential complaint, you may contact the researcher at (teigan_lawton@hotmail.com), the study supervisor (carlene.boucher@aib.edu.au). Should you wish to discuss the study with someone not directly involved, in particular, any matters concerning the conduct of the study or your rights as a participant, or you wish to make a confidential complaint, you may contact the Research Program Coordinator (RPC) on rhd@aib.edu.au.