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Window on the North: Women's Issues & Labour in Canada

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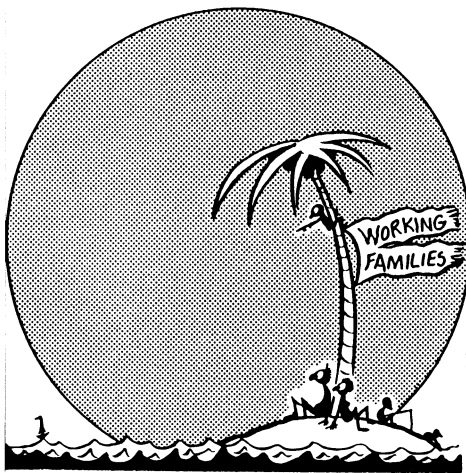
Window on the North: Women's Issues & Labour in Canada

Abstract

[Excerpt] Canadian trade union women have witnessed important developments over the past few years. Gains are being made on issues of concern to us, such as pay equity, child care and paid leave of absence for family-related illness. These issues are being addressed more frequently at the bargaining table and through legislation.

Keywords

Canada, United States, coalitions, trade union, gender, women's wights



HI, I'M YOUR EMPLOYER. AND I'M GOVERNMENT. WE HEARD YOU WERE STRANDED. WHAT YOU NEED ARE GOOD JOBS, CHILD CARE, GOOD HEALTH COVERAGE, FLEXIBLE WORK HOURS, JOB TRAINING, ETC...

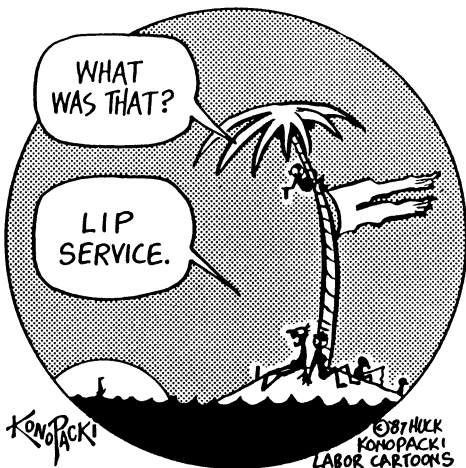


YUP, THAT'S WHAT YOU NEED!



WHAT WAS THAT?

LIP SERVICE.



KONOPACK!

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KONOPACK!
LABOR CARTOONS

Sisters at the Borders

Window on the North

Women's Issues & Labour in Canada

■ *Jane Stinson*

Canadian trade union women have witnessed important developments over the past few years. Gains are being made on issues of concern to us, such as pay equity, child care and paid leave of absence for family-related illness. These issues are being addressed more frequently at the bargaining table and through legislation.

There are many similarities between Canada and the United States, but there are also important differences. We have three main political parties, for example. The New Democratic Party, a social democratic party with strong ties to labour, has recently moved from third-party status to become a serious contender with the Conservatives and the Liberals. The Conservatives are currently the governing party at the national level. On the labour front, Canadian unions continue to represent the same proportion of the workforce, around 40%, unlike American unions who have watched their proportion of the workforce decline over the past decade. At the bargaining table Canadian unions, like those in the

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U.S., face employers who seek tough concessions against a back-drop of conservative government policies and slow economic growth, high unemployment and layoffs. But most Canadian unions still struggle against concessions and seek gains in accordance with their members' needs. Women have played an increasingly important role in pushing for improvements in areas of particular concern to us.

The formation of coalitions has become more common over the past decade, particularly between labour and women's groups pressing for legislative improvements on issues such as pay equity and child care. This strategy has achieved some success.

Life is far from ideal for Canadian working women, but small steps towards equality are being made as employers and governments bend to pressure on certain fronts.

Pay Equity

With Canadian women making about 65% of men's average full-time earnings, it is clear that a lot needs to be done to raise women's wages. New legislation requiring employers to initiate pay equity plans provides hope in three of Canada's ten provinces — Manitoba, Prince Edward Island and Ontario. But analysis of the legislation also shows the need for increased union attention to pay equity at the bargaining table.

The New Democratic Party (NDP) provincial government in Manitoba took the lead in 1985 by introducing pay equity legislation for the public sector. The Manitoba law gives the employer and unions eight months to analyze the workforce and develop a single, gender-neutral job evaluation plan. If the parties cannot agree, the Labour Board will impose a plan. They then have 15 months to apply the plan to selected job classes and determine the appropriate pay adjustments. Pay equity adjustments are separate from regular wage negotiations and are not to exceed 1% of payroll per year, to be phased in over four years.

Rural Prince Edward Island is the most recent province to introduce pay equity legislation. It was an unusual step for this historically conservative province, but the recently elected Liberal provincial government (the first in about 40 years) decided to answer the demand of the Island's women for a pay equity law. Legislation similar to Manitoba's has passed first reading, but it has to go through a number of other stages, and it is too early to say what the final law will look like.

In Ontario better pay equity legislation was promised in 1985 as part of an historic accord put forward by the New Democratic

Party after a very close election. The NDP agreed to support the Liberals as the ruling provincial government, provided the Liberals implement a program that includes pay equity improvements. Because the business community launched an unprecedented lobbying effort to scuttle the legislation, however, getting a new law drafted and implemented required an intense, broad-based political struggle. This campaign was led by the Ontario Federation of Labour (OFL) and the Equal Pay Coalition (composed of a variety of women's groups from the YWCA to the Professional and Business Women's Organization as well as a number of local unions and the OFL).

Hundreds of labour and women's organizations made presentations to a special committee set up by the government to get input prior to drafting new legislation. The OFL organized a provincial lobby of all members of parliament in their home offices. Numerous educationals were organized to raise awareness about the need for new legislation and what it should contain. Examples of low wages for women were frequently brought to media attention throughout the province. And the NDP kept up pressure in the legislature.

Aspects of the Ontario legislation deserve special attention. This is the first pay equity law in Canada that covers the private sector, where 80% of the province's working women are employed. This is a major step forward, but it seems that many of the women who need help most will benefit least from the new law.

Many women working in female job ghettos, such as daycare centers and nursing homes, will not benefit because the law requires comparisons with male jobs in the same establishment and in most of these workplaces there are no men employed or their wages are no higher.

Women working in small businesses (with fewer than 10 employees) are not covered by the legislation. These women usually work part-time at minimum wage and are among the most exploited workers in Canada. Private sector employers with fewer than 100 employees also get off easy. They have up to five years to develop a plan and are not required to involve the employees or their union. It is conceivable that these employers could get away without doing a plan, as the legislation leaves it up to employees to file a complaint if their employer is not living up to the law. About 30% of the province's female workforce is affected by these loopholes.

One of the most positive aspects of the new Ontario law is that it does not specifically require the use of a job evaluation plan to address sex-based inequities. The legislation simply states that

a system of comparison must be used which takes into consideration skill, effort, responsibility and working conditions. These are the main factors in a job evaluation plan, but since it is not specifically required by the legislation, the door may be open to allow unions to develop a variety of collective bargaining approaches to narrow the pay gap.

There are many advantages to having the union identify the pay inequities first and then develop methods to eliminate them through bargaining. One advantage is that union members, male and female, participate in identifying sex-based inequities in their workplace and then decide how to correct them. In so doing, it builds on traditional approaches used by the trade union movement and draws upon the philosophy of the movement to raise wages for an exploited group of workers. It involves union members more in the process so that they understand and are committed to implement pay equity.

Legitimate concern exists about heavy reliance on job evaluation techniques to address women's low wages. One problem is that traditional job evaluation methods are not gender-neutral and therefore will not automatically narrow sex-based pay inequities. Unless a lot of work is done to demystify job evaluation and point out that it is not a scientific, objective and impartial tool, union members may be hoodwinked into adopting a plan that will not be effectively designed to close the pay gap.

The process involved in doing job evaluation creates fundamental problems, even if the plan is a good one—i.e., if the job characteristics to be analyzed and the weight assigned to them are based on feminist and workers' values. With job evaluation the union does not consciously decide first, based on discussion with the membership, what the specific amounts of pay equity wage adjustments should be. Instead the pay adjustments are the end result of the plan, which has usually been removed from the membership, has had many technical steps and has not actively involved the union and its membership in the whole decision-making process. Since the end result has not been fully discussed, debated and agreed to by the membership, it's not surprising that the results tend to create divisions over who got wage increases and who did not.

Some bargaining approaches a union could initiate under the Ontario law might include:

- identifying obvious sex-based inequities in the wage schedule and negotiating specific wage adjustments for poorly paid, predominately female classifications.

- eliminating pay inequities for the lowest paid female workers in an establishment by equalizing wage rates between predominately male and female entry-level classifications.
- merging or eliminating increment steps which usually are much longer for female classifications.
- establishing the same wage rate for part-time as for full-time workers.

The union would have to take into account differences in skill, effort, responsibility and working conditions between the predominately male and female classifications to comply with the legislation. But those factors could be used in support of specific goals of the union rather than becoming the sole criteria for identifying and determining pay inequities.

Reactions to Ontario's new pay equity legislation are mixed. There is hope that the new law will be a useful tool to narrow the pay gap between working women and men. But there is also recognition that it falls far short of what is really needed in order to actually close the pay gap, not just narrow it slightly.

It is clear in Ontario that the campaign for pay equity legislation has served to point out many examples of unfair wages for women and will spark more unions to address the problem independently, even if the legislation does not. The campaign has also called attention to the fact that raising the minimum wage is the single most effective way to narrow the pay gap for the lowest paid, most exploited group of women workers.

If the results of the first large set of pay equity negotiations in Manitoba are any indication, Canadian unions are going to have to continue to hammer away at the wage gap at the bargaining table and not wait for legislation to solve all our problems. In Fall 1987 the Manitoba Government Employees Association won wage adjustments averaging \$1.85 an hour, or about 16%, to be paid out over the next four years. There is no doubt that an average 16% wage increase for the provincial government's female workforce is a major improvement. But it only makes up for about half of the difference in pay between women and men when compared to the national average.

Child Care

Nearly 60% of Canadian mothers with children under six years of age work for pay. Only one in ten of the 2 million children who need high quality, publicly supervised non-parental care receive

it. The situation for infants and school-age kids from 6 to 12 is even worse. Only one in 20 infants and one in 33 school-age children are in supervised childcare arrangements guaranteed to meet provincial standards.

The cost of high quality, licensed day care is prohibitive for most women. The average cost is estimated to be \$4,000 or \$5,000 per child per year, which is almost one-third of the annual average wage for women.

The importance of affordable, quality childcare as a condition for women's equality has been recognized by a number of Canadian unions and the Canadian Labour Congress for many years. Many Canadian unions have longstanding policies on the need for universally accessible, publicly funded, non-profit child care.

Since 1982 there has been a coordinated campaign supported by labour to push child care into the center of the national political stage. It has been led by the Canadian Day Care Advocacy Association (CDCAA), representing a broad and diverse membership from the daycare community, women's organizations, labour and others. There has been some success. Child care was an issue in the 1984 debate between the federal party leaders. A national Task Force on Child Care was established by the Liberal government in 1984, followed by a Special Parliamentary Committee on Child Care set up by the Conservatives after they were elected federally.

In the spring of 1987 the Canadian Labour Congress participated in a joint campaign with the CDCAA and the National Action Committee on the Status of Women to pressure the federal government to put more money into creating licensed daycare. In one month, more than 150,000 signatures were gathered in hundreds of communities, large and small, across Canada.

Despite this and other pressure tactics, the government has opted for tax credits to parents as the main answer to the problem. The government's proposal will only marginally subsidize the cost of child care, while doing little to help create more and better quality programs. One of the most dangerous features of this recent federal proposal is that for the first time in Canada federal funds would be made available for operating commercial child care businesses. There has been strong opposition to this from labour and the CDCAA.

In recent years the daycare debate in Canada has shifted away from whether there should be public money spent on daycare to how it should be spent. Labour and CDCAA are pushing for money to go into direct grants to daycare centers so that more licensed spaces can be created and so that daycare workers' wages

can be raised to a decent level. The CDCAA and labour want this money to go to non-profit centers and not private, profit-making ones. The Canadian Union of Public Employees (CUPE), the nation's largest union, launched a major attack on for-profit daycare when the American-based Kindercare started to set up centers in Canada a few years ago.

For some time now Canadian unions have been actively involved in efforts to expand a publicly financed, high quality child care system. But in the meantime, in response to parents' immediate needs, a small but growing number of unions are also tackling this issue at the bargaining table. The Canadian Auto Workers (CAW) had the most notable success with this approach last fall.

The CAW successfully negotiated special childcare funds paid by employer contributions with all of the Big Three auto companies. In each case the employer contributes a half-cent per hour per employee to the fund. The union expects a total of about \$600,000 to be generated by the end of the first year. The fund will be jointly administered by the union and each company to best meet the childcare needs of CAW members in each plant.

At the AMC plant in Stratford, Ontario, where 85% of the 1,000 autoworkers are women, a previously negotiated childcare fund is being used to "purchase" (or guarantee) daycare spaces for CAW members in an existing licensed center. The childcare fund pays 40% of the cost per child.

While the CAW breakthrough took many people by surprise, it was the product of lengthy internal discussions. At GM, for example, the union had been working on the childcare issue for three years and a special task force had been established to look into the problem. As a result of this groundwork having been laid, childcare was made a priority issue in last year's bargaining.

Other unions are involved in setting up workplace childcare centers and are starting to address the issue at the bargaining table. And within the union movement, it is much more common to have quality childcare provided at union functions or, alternatively, to pay union members for their babysitting costs during union conventions, educationals and other functions.

Paid Maternity Leave

Canadian unions have been trying to solve other problems faced by women in their role as mother and primary parent. The greatest success has been achieved in negotiating paid maternity leave where the employer supplements Unemployment Insurance maternity benefits.

By law, any female employee who completes 20 weeks of insurable employment in the past year will qualify for maternity benefits paid by the federal government through the Unemployment Insurance Commission (UI). These benefits amount to 60% of her average weekly insurable earnings up to a certain maximum amount (in 1987, the maximum weekly benefit was \$318). UI maternity benefits are paid for 15 weeks, after an unpaid two-week waiting period.

Canada's first paid maternity benefits over and above what is provided through UI were negotiated in 1979 by unions in the Quebec Common Front, representing public sector employees in the provincial government, health care, education and social affairs sectors. Approximately 200,000 workers won a contract clause providing maternity benefits for 20 weeks at 93% of salary. The employer pays the full 93% for the first two weeks and the final three weeks. For the 15 weeks during which UI maternity benefits are paid, the employer makes up the difference in pay between UI benefits and 93% of regular earnings.

Bargaining for paid maternity leave did not really catch on outside Quebec until after it received a lot of attention as a major issue in the 1981 national strike by inside postal workers. Since the postal workers' victory, an increasing number of unions have bargained some form of paid maternity leave. Today it is a benefit enjoyed by almost half (43%) of Canadian union members covered by major collective agreements (500 or more employees).

The greatest headway has been made in the public sector. A recent *Labour Canada* survey of contract provisions shows that more than half (53%) of public sector employees covered by major contracts have paid maternity benefits ranging from 76% to 100% of salary for 17 weeks or longer. In the private sector, however, the vast majority (85%) of employees covered by major contracts still do not have any form of paid maternity leave.

Other types of family-related paid leaves of absence now require more attention at the bargaining table. For example, negotiated paid time for fathers to participate in childrearing is virtually nonexistent. Two-thirds of the major contracts for all industries provide no right to paternity leave, paid or unpaid. And despite the fact that UI now provides benefits for adoption, only one union member in ten covered by a major contract has any form of paid adoption leave.

More attention also needs to be given to negotiating contract clauses to provide paid leave to care for ill family members, accompany children to medical and dental appointments, and attend parent-teacher interviews. The fact that statistics are not

kept on the latter two is an indication of how rare negotiated paid leave is for these reasons. Some progress has been made in negotiating paid leave for illness in the family. Almost one-third of employees covered by major agreements enjoy this right, but again the situation is much better for public sector than for private sector workers.

Looking Ahead: Free Trade & Organizing

In looking ahead, an ominous cloud on the horizon is the free trade agreement between Canada and the United States. There are many concerns about the likely negative impact of the free trade agreement on Canada, but a few key issues are particularly worrisome for women's equality.

A lot of talk surrounding the free trade negotiations has been about the need to create a "level playing field" between the two countries. This can be interpreted to mean that Canadian social programs are at risk because they constitute an "unfair subsidy" to businesses operating in Canada. For example, industrial labour costs in Canada tend to be lower than in the northern United States because our government pays for the cost of important social programs such as health insurance, where in the U.S. corporations pay for their employees' private medical benefit plans. If a more integrated continental economy develops through free trade, it will provide an opportunity for even more comparison between government programs in Canada and the U.S. Given the current political reality, it is likely that our superior social programs will be sacrificed before they are created in the U.S. And it will strengthen the move toward the takeover of our public sector by profit-making entrepreneurs, many of them from the United States.

Thus, free trade arrangements with the U.S. not only threaten Canadian social programs, which are central to establishing equality for women, they also threaten public sector employment where significantly better benefits have been negotiated to enable women to more easily combine their dual responsibilities in the home and paid workforce. Of equal concern is that jobs which are the mainstay of women's employment in the Canadian economy may be virtually wiped out by free trade. Even supporters of free trade recognize that the most vulnerable jobs are those held by women in service and manufacturing industries.

Canadian women have benefitted from unionization. Generally speaking, both at the bargaining table and in pressing for better legislation, labour has been addressing the issues that are crucial

to establishing equality for working women. And it will be extremely important for the labour movement to fight against a free trade deal that will have such negative consequences for women.

But with only one-third of the female labour force represented by unions, it is important that more and more women's workplaces be organized. While this is not an easy task in many sectors, it is encouraging to see one of the largest organizing drives ever

Hangin' In, Solo

(So What's It Like To Be the Only Female on the Job?)

*On the sunshine rainbow days
womanhood
clothes me in a fuchsia velour jumpsuit
and crowns me with a diamond hardhat.
I flare my peacock feathers
and fly through the day's work.*

*Trombones sizzle
as my drill glides through cement walls
through steel beams.*

*Bundles of pipe rise through the air
at the tilt*

of my thumb.

Everything I do

is perfect.

*The female of the species
advances 10 spaces and
takes an extra turn.*

*On the mudcold-gray-no-
sun-in-a-week days womanhood
weighs me down in colorless arctic fatigues;
hands me an empty survival kit;
and binds my head in an iron hardhat
three sizes too small.*

*I burrow myself mole-like into my work, but
my tampax leaks;
my diamond-tip bit burns out after one hole;
my offsets are backwards;
all of my measurements are wrong.*

*At each mistake, a shrill siren
alerts all tradesmen on the job
to come laugh at me.*

Everything I do

must be redone.

underway. The Communications Workers of Canada is once again trying to unionize the 17,000 clerical employees at Bell Canada, located in offices throughout the provinces of Ontario and Quebec. If successful, this will be the largest single private-sector group to be unionized since the organizing drives of the 1940s. And it will be an important step in continuing to strengthen women's presence in the Canadian labour movement. ■

*The female of the species
loses her next turn
and picks a penalty card.*

*On most days, those
partly sunny days that bridge the
rainbow sunshine days and the mudcold-
gray days
womanhood outfits me in a
flannel shirt and jeans
and hands me a hardhat just like
everyone else's. I go about my work like
a giraffe foraging the high branches:
stretching myself comfortably.
As I hang lighting fixtures and make splices,
I sing to myself
and tell myself stories.
Everything I do
is competent enough.*

*The female of the species
advances 1 space
and awaits her next turn.*

Susan Eisenberg ©1982

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- Susan Eisenberg is a member of Local 103 of the International Brotherhood of Electrical Workers (IBEW) in Boston. In 1982 she graduated from IBEW 103's apprenticeship program in its first class to include women. A recent book of her poetry, *It's a Good Thing I'm Not Macho*, is available from Whetstone Press, 94 Green Street, Jamaica Plain, MA 02130. Eisenberg gives poetry readings for labor and women's groups and conferences.