

## Article

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"Voluntary Affirmative Action. Does it Work?"

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# *Voluntary Affirmative Action*

## *Does it Work?*

**Sandra Burt**

*The study focuses on affirmative action programs for women employees and seeks to measure attitudes of firms and their participation in such programs.*

In the summer of 1984 a random sample of employers in the twin cities of Kitchener-Waterloo was sent a questionnaire designed to measure understanding of and reaction to the concept of affirmative action<sup>1</sup>. The study was designed to measure both the causes of employment discrimination and the success of the voluntary approach to affirmative action. Since the study was carried out in Ontario, both the federal and Ontario affirmative action programs were relevant.

The issue of voluntary versus mandatory programs has been particularly controversial. Women and minority groups tend to favour mandatory legislated programs with specific targets and penalties for non-compliance. Employers tend to favour voluntary programs, education, and retraining. There has also been some debate about the causes of discriminatory employment practices. Government thinking has changed significantly in the past few years from a human relations to a systemic interpretation of the causes of discrimination in employment. According to the human relations view, discrimination is a consequence of «evil motivated conduct»<sup>2</sup>. This approach has been abandoned in favour of the view that systemic factors such as training patterns or job descriptions which favour one group of the population over another are at fault. This systemic approach has been written into both the federal and the Ontario governments' definitions of affirmative action programs.

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1 Much of the work with the questionnaires was carried out by Debi Lucas and Gary Desborough, two students who were hired in the Summer Works program of the Department of Employment and Immigration.

2 Peter C. ROBERTSON, *Some Thoughts About Affirmative Action in the 1980's*, paper prepared for the Affirmative Action Division, Canada Employment and Immigration Commission, March 1980, p. 9.

By 1984, when the study was conducted, affirmative action programs already had a long history both federally and in Ontario. At the federal level an affirmative action program had been in operation since 1979. Since then, the Affirmative Action Directorate of the Canada Employment and Immigration Division has contacted over 1400 employers «to encourage them to participate in a voluntary affirmative action program. As of July 1984, 71 companies had agreed to do so»<sup>3</sup>. At the provincial level the Women's Bureau of the Ontario Department of Labour began advising companies on affirmative action in 1975. Since then, an estimated 400 companies have had contact with the affirmative action referral service, and about one-half of these firms claim to have some form of affirmative action in place<sup>4</sup>.

Affirmative action programs can operate at two levels. At one level, affirmative action promotes the training of disadvantaged groups to equip members of these groups for jobs which traditionally they have not held. It also requires the removal of employment barriers which selectively discriminate against some sectors of the population. At another level it establishes quotas and forces employers to favour members of disadvantaged groups for employment and promotion, whenever their qualifications permit. In other words, when qualifications are about equal, the member of the disadvantaged group would be preferred over the member of the advantaged group. The federal and Ontario versions of affirmative action focus primarily on the first level; *i.e.*, retraining.

For the purpose of this analysis there are several key aspects of these programs. Both levels of government have relied on the voluntary compliance of companies. This may reflect their faith in employers' intentions. In any case it is consistent with past practice, for mandatory programs of affirmative action are rare in Canada. Two notable exceptions in our history are the requirement that corporations undertaking resource development hire Canadians, and the requirement of bilingual fluency in some parts of the federal civil service<sup>5</sup>. Good faith is reflected as well in the absence of quotas and in the nature of the remedies available for what an employee perceives to be unequal treatment. Finally, it is left to the employee to take the charge of discrimination to either the provincial or the federal Human Rights Commissioner.

At the theoretical level, there are several problems with this approach to affirmative action. For one thing, it fails to recognize that employers

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<sup>3</sup> Canada, Royal Commission on Equality in Employment, *Report*, Ottawa, Supply and Services, 1984, p. 197.

<sup>4</sup> This information was obtained in an interview with an official in the Ontario Women's Directorate of the Ministry Responsible for the Status of Women.

<sup>5</sup> Canada, Royal Commission on Equality in Employment, *op. cit.*, pp. 198-199.

themselves have set employment guidelines for their firms. In setting these guidelines they have been influenced by socialization patterns and the dominant culture. As long as their value system remains intact, it is unreasonable to expect that they will voluntarily work according to a different set of rules. In addition, there is a contradiction between the individual rights of liberal democratic practice and the collective rights of affirmative action rhetoric. In a society dominated by individual rights-consciousness, it is unlikely that employers will voluntarily work for the collective rights of disadvantaged groups at the expense of what often seem to be the individual rights of members of advantaged groups. Furthermore, there is a conflict between the focus on the systemic causes of discrimination and the reliance on individual remedial action to correct these systemic faults.

There are as well some problems at the operational level. First, the definition of affirmative action which is included in the governments' information brochures is vaguely worded and hard to understand. Secondly, in its appeal to employers to adopt some affirmative action measures the federal government has chosen to focus on firms employing more than 500 people. This leaves out the majority of firms. For example, according to Statistics Canada, in 1976 only 2% of all manufacturing establishments in Canada employed over 500 people.

## THE STUDY

These problems led to this examination of the usefulness of the governments' affirmative action programs. In 1984 when the study was prepared, the combined federal and provincial programs had been in place for almost a decade. It therefore seemed appropriate to see how well they had worked. Both large and small firms were included in the survey. Although both levels of government have concentrated on firms employing more than 500 people, the goal of affirmative action programs is to «ensure that these measures benefit large numbers of women»<sup>6</sup>. In the regional municipality of Waterloo, an area which includes several small communities as well as the cities of Kitchener and Waterloo, most people work in firms employing fewer than 500 people. In 1980, only 19% of all persons in the region were working in firms with more than 500 employees. The largest concentration (26%) was in firms with 100-499 employees<sup>7</sup>.

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6 Ontario, Ministry of Labour, Women's Bureau, *Affirmative Action Survey, Summary*, 1982, p. 1.

7 Department of Planning and Development, Regional Municipality of Waterloo, *Structure of Employment, 1980*, Waterloo, 1981, p. 11.

The sample of firms was selected from a listing prepared by the Planning Department of the Region of Waterloo. Every tenth firm was selected, resulting in a total sample of 750. Each firm was mailed a two page questionnaire, and by the end of August 1984, 126 or 17% of the questionnaires were returned. This response is low, but not unusual for a mailed questionnaire. However, it may reflect general lack of interest in the question of affirmative action. Several respondents took the trouble to write and tell us that they had no time to fill out a questionnaire on this topic. In two cases, the questionnaire was sent back unanswered because the respondents regarded it as another example of government interference in business practices. The responding firms were representative of the region of Waterloo in terms of the nature of their work (see Table 1).

**TABLE 1**  
**The Characteristics of Respondents in the 1984 Kitchener-Waterloo**  
**Affirmative Action Study**

Type of Enterprise	Region of Waterloo %	Respondents %
Service	43	41
Retail	25	21
Industrial	12	14
Professional	12	5
Academic	3	4
Other	5	15

The study focused on the employment patterns of men and women. However, questions about affirmative action were asked in general terms, without reference to specific target groups. The questionnaire was designed to measure several things. First, it included questions about the distribution of men and women at different levels of the firm. Secondly, it was intended to measure how far these firms had gone in changing the status quo, whenever inequalities existed. Thirdly, it contained a set of questions about the meaning of affirmative action. In this way it was hoped to determine if the governments' programs were well understood in the business community, and to what extent firms, on their own, had attempted to initiate their own versions of affirmative action. The findings are summarized below.

### The Employment Patterns of Women and Men

The 1980 Report prepared by the Waterloo Region's Planning Department confirms that there are significant differences in the employment patterns of women and men in the Waterloo Region. In 1980 women made up 36% of the full-time paid labour force. These women were concentrated in service and recreational occupations, and were almost absent from the resource extraction and construction sectors<sup>8</sup>. In the study reported here there was a similar pattern. There was a smaller proportion of women than men in production and management jobs, and a larger proportion of women in clerical and sales jobs. (See Table 2)

**TABLE 2**  
**Distribution of Men and Women Working in the Firms Participating**  
**in the 1984 Kitchener-Waterloo Affirmative Action Study**

<i>Employees</i>	<i>Production Line</i>		<i>Management</i>		<i>Clerical/Sales</i>	
	Men %	Women %	Men %	Women %	Men %	Women %
0	54	75	42	67	71	43
1-49	39	23	55	31	25	53
50-99	1	0	1	0	2	2
100-499	4	1	2	1	2	2
500+	2	1	2	1	1	1

\* For example, in 54% of the firms there were no men working in production line jobs.

There were indications in this study that the situation is not changing very quickly. Only 25% of the respondents noted any increase in the proportion of women applying for non-traditional positions, and about the same proportion actively recruited women for such jobs. The recruitment of women was highest for service and lowest for production jobs.

### The System of Hiring

In view of the increasing emphasis in the affirmative action literature on factors such as hiring practices and promotion policies, respondents

<sup>8</sup> *Ibid.*, p. 28.

were asked several questions about how their employees were hired. The responses to these questions do provide some insight into the problem of establishing equality (see Table 3). First, less than one-third of any of the jobs in the firms taking part in the study were filled through external advertising or the recruitment of new applicants. This has serious implications for government programs which prepare women for non-traditional jobs. Since these newly trained women are more likely to be outsiders, they have significantly less opportunity to obtain a job than do the people already part of the network. In the case of production level jobs, the situation is somewhat less serious, since an additional 20% of the employees are hired as walk-ins. However, in all other employment sectors, the outsider has a serious disadvantage. A second pattern in Table 3 is the variation in hiring practices. People are hired in different ways for different kinds of jobs. An affirmative action program must be sensitive to these differences.

**TABLE 3**  
**How Positions are Filled in the 1984 Kitchener-Waterloo**  
**Affirmative Action Study**

	<i>Type of Position</i>			
	<i>Professional</i> %	<i>Managerial</i> %	<i>Production</i> %	<i>Cler./Sales</i> %
Word-of-mouth	7	12	15	16
Internal	31	45	21	25
External ads	30	22	28	32
Resumes on file	17	10	—	14
Walk-ins	1	—	20	7
No answer	14	11	17	6

It was encouraging to find little evidence of personal bias against the hiring of women. There were a few exceptions. One employer noted that his firm needed a new manager, and that a woman could not do the job. More common was the sentiment that affirmative action was not needed, since the jobs in the firm were suitable for men only. In all, only 18 respondents, or 14% of the total, gave answers which could be interpreted as discriminatory to women.

### **Affirmative Action as a Remedy**

In the light of these findings, the government's focus on systemic discrimination seems appropriate. In this next part of the analysis, the success of the governments' programs to correct systemic discrimination is assessed. One finding stands out clearly. Most employers did not understand the meaning of affirmative action, and most of them have received no information on the subject from either level of government. In spite of the fact that both the federal and provincial levels of government have been publicizing their voluntary affirmative action programs since the early 1980's, only 27% of the responding firms said they had received any information on the subject from the federal government, and only 31% from the provincial government. Service and academic firms were most likely to have received information.

Firms employing 500 or more people were examined separately on this question, since they have been the target of government programs. There were ten respondents in this category. Four of the ten were part of a larger national or multinational network. The remaining six were located exclusively in Kitchener-Waterloo. Respondents from the four national firms had no knowledge of either the federal or provincial governments' definition of affirmative action, and had received no information from either government or their head office. The responses from the six local firms was more encouraging. Four of these firms reported that they had received information from both federal and provincial governments. One had received information from the provincial government only, and one had received no information at all.

Among both large and small employers there was widespread confusion about the meaning of affirmative action (see Table 4). Nearly one-half (47%) of the respondents either refused to answer this question or expressed ignorance of the meaning of the term. Only 23% of the respondents correctly identified it as some form of special treatment for women and/or minorities. Another 22% interpreted affirmative action as equal opportunity. Several of these people noted that they were equal opportunity employers. Then there were the responses which had nothing at all to do with any form of employment equity. In this study, 7% of the respondents gave answers that had nothing to do with improving the economic opportunities of any group in society. These people interpreted affirmative action as getting the job done well, expansion and job creation, doing things in a positive fashion, or self-improvement.



**TABLE 4**  
**Definitions of Affirmative Action in the 1984 Witchener-Waterloo**  
**Affirmative Action Study**

	%
Special treatment for women/minorities	23
Equal opportunity	11
Equal opportunity for women	11
Other	7
Don't know/no answer	47

Among firms employing 500 or more people there was a strong relationship between information received from governments and awareness of affirmative action as a measure to redress inequalities. Among the four national firms (none of which had received information from either level of government), affirmative action meant either equal opportunity or nothing at all. Among the six local firms (five of which had received information), two provided definitions which were very close to the governments' version. One called it equal opportunity, one focused on interviewing techniques, and two had no definition.

In spite of this widespread lack of awareness about the meaning of affirmative action, 43 of the respondents (34% of the total) claimed that they did practice it in some form. However, this relatively large percentage is misleading. Respondents were asked to describe the nature of their program, and only 5 of the affirmative action programs described (or 9% of the total number of self-described programs) resembled the governments' affirmative action guidelines and focused on skill improvement and education. Most of these self-described affirmative action programs were in fact equal opportunity programs (see Table 5). Only 35 of the 79 respondents without an affirmative action program in place explained why this was the case. Among those 35, 12 (or one third) cited restrictions imposed from above on their hiring practices. The other responses are listed in Table 6.

## CONCLUSIONS

There can be little doubt that the affirmative action programs, as they exist today, have failed to transform the employment reality of women. Undoubtedly, part of the explanation for this failure can be found in the lack

**TABLE 5**  
**Description of Self-Defined Affirmative Action Programs**  
**in the 1984 Kitchener-Waterloo Study**

	<i>n</i>	%
Skill improvement and education	5	12
Hire best person for job	12	28
Employ handicapped	1	2
Positions open to women	4	9
Equality in business practices	2	5
Expansion and job creation	2	5
Job done well	4	9
Other	9	22
No answer	4	5

**TABLE 6**  
**Explanations Offered for the Absence of Affirmative Action Programs**  
**in the 1984 Kitchener-Waterloo Study**

	<i>n</i>
We hire on merit	7
Unclear about meaning	4
Restrictions on hiring	12
Other	12
No answer	34

of suitable candidates for some jobs. However, at the same time there is evidence from this study that the affirmative action programs of both the federal and the Ontario governments have not been successful. The following observations emerged:

- (i) few employers know what affirmative action means
- (ii) many of those who think they understand the term are mistaken
- (iii) there is little understanding of the barriers to women's employment
- (iv) information sent to head offices does not always reach the branch offices

- (v) firms often think they are practicing affirmative action, when they are not
- (vi) affirmative action must be sensitive to variations in hiring practices among different types of jobs.

The general lack of interest in affirmative action, combined with the strong sense that affirmative action is just equal opportunity, are disquieting for anyone concerned with establishing employment equity. These sentiments seriously challenge the usefulness of either a voluntary affirmative action program or a program without quotas. The achievement of employment equity is directly related to our understanding of what is reasonable or natural<sup>9</sup>. This study suggests that it is still considered reasonable, in today's society, for women to work in segregated sectors, usually for less money than men. There is a great deal of difference between the argument that women should have the right to work and the argument that women should have equal access to all jobs. In the first case, there is no challenge to the dominant position usually held by men in the work world and the home. In the second case, a redefinition of both men's and women's roles is the inevitable result.

Since the beginning of capitalism, women have been employed in significant numbers in the paid labour force, first as piece workers in the home and later as primarily support staff in the developing industrial complex. Their jobs placed them in the position of a secondary labour force, still largely responsible for the work which needs to be done at home. Implementation of a program which would guarantee equal access of women to all jobs would challenge this traditional pattern. This would result in significant social changes which would appear to benefit women at the expense of men (although it can be argued that men would benefit as well). The governments' literature on affirmative action stresses the positive outcomes of employment equity on the operation of firms. However, it must be recognized that there will be social consequences as well, such as lower birth rates, higher divorce rates, and greater insistence by women on men's active participation in household functions. These social consequences may not be viewed so positively by the predominantly male employers. In the context of these sorts of changes, it is difficult to see how a voluntary program of affirmative action can be expected to work.

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<sup>9</sup> For a discussion of this idea see Lisa PEATTIE and Martin REIN, *Women's Claims: A Study in Political Economy*, Oxford, Oxford Univ. Press, 1983, pp. 2-15.

### *La promotion sociale volontaire réussit-elle?*

À l'été 1984, on a adressé au hasard à un échantillon de 750 entreprises des villes jumelées Kitchener-Waterloo un questionnaire de deux pages destiné à mesurer leur comportement et leur participation à des programmes de promotion sociale. Le questionnaire fut rempli par 126 d'entre elles, soit 17 pour cent de l'ensemble. L'étude portait sur la promotion sociale du personnel féminin. On y demandait aux répondants quelle était la distribution des employés selon le sexe dans leur établissement, leur compréhension du sens de la promotion sociale et leur participation aux programmes de promotion sociale.

On y décelait la présence de ségrégation sexuelle dans la plupart des entreprises des répondants. Il y avait une concentration de femmes dans le travail de bureau et d'hommes dans les emplois de production et de direction. On y trouvait peu d'indices que cela était attribuable à des penchants personnels favorisant les hommes ou les femmes pour des types particuliers d'emplois. Cependant, on y remarquait une certaine discrimination systémique, comme la tendance à embaucher le personnel par promotion interne ou contact personnel. Les répondants estimaient que moins d'un tiers des vacances à l'intérieur de leur firme était comblé en utilisant la publicité externe. De plus, il apparaissait clairement que les procédés d'embauchage variaient selon la nature du poste. Ces constatations sont importantes quand il s'agit de mettre au point un programme de promotion sociale efficace. En premier lieu, elles indiquent que l'insistance du gouvernement à lutter contre la discrimination systémique est adéquate. Deuxièmement, elles font ressortir la nécessité de programmes flexibles qui tiennent compte des différences dans les procédés d'engagement selon les divers types d'emplois.

Pour ce qui est du succès des programmes existants de promotion sociale, l'enquête démontrait clairement que la confiance des gouvernements dans la participation volontaire à leurs programmes n'a pas été une réussite. Parmi les entreprises répondantes, il n'y en avait que 23 pour cent qui identifiaient la promotion sociale comme remède propre à résoudre le problème des femmes et des minorités. En d'autres mots, le message des gouvernements en matière de promotion sociale n'avait pas atteint le groupe visé. De plus, 34 pour cent des répondants étaient sous l'impression fautive qu'ils favorisaient la promotion sociale la confondant avec de meilleures pratiques commerciales, la création d'emplois et l'égalité des chances.

De l'analyse d'ensemble de cette enquête, on peut tirer les conclusions suivantes. D'une façon plus significative, il apparaît que peu d'employeurs comprennent véritablement la notion de promotion sociale. Beaucoup de ceux qui estiment en comprendre la signification sont dans l'erreur. En outre, il y a peu de compréhension des barrières qui bloquent l'emploi des femmes dans des postes non-traditionnels. Enfin, les informations qui peuvent être transmises par les gouvernements aux sièges sociaux des grandes entreprises ne se rendent pas toujours dans les succursales. Ces conclusions aident à expliquer l'absence de progrès dans la suppression de la ségrégation au travail. Elles soulèvent de sérieuses questions sur la valeur d'une approche volontaire au problème de la promotion sociale.