



# CONVENTION '84

## EQUALITY BEFORE THE YEAR 2000

### A Policy paper on women and affirmative action

#### 1. The Status of Women Workers Today

Equality for women workers has to be one of labour's foremost goals. Anyone who knows the statistics will agree that the task is urgent.

The figures are sobering:

- In Ontario, women working full-time earn only 63 per cent of the average male salary. They work mainly in dead-end clerical, sales and service jobs.
- For most women, the money they earn keeps their families supplied with the basic necessities of food, clothing and shelter. If women in two-earner families didn't work, 50 per cent of these families would fall below the poverty line. In single-parent families, of whom 95 per cent are headed by women, one in three is poor.
- Female unemployment figures are even more alarming. Almost 15 per cent of working women are unemployed across Canada. And this leaves out the thousands who have given up looking for jobs, as well as those part-time employees who seek full-time work.
- Employment prospects for the future are dim. It's estimated that by 1990, over a million women — 40 per cent of the existing secretarial and clerical workers — will lose their jobs due to computer technology. Meanwhile, access to jobs traditionally held by men remains blocked.
- Traditional female job ghettos are shrinking fast, as women are replaced by machines. In Metro Toronto alone, in August 1983, 44,000 women were unemployed in the clerical sector, another 18,000 in the service sector. These were increases of 41.7 and 57.9 per cent, respectively, compared to 1982.

#### 2. Strategies for Equality

These statistics have filled countless labour policy papers, briefs and pamphlets. They have even begun popping up in the speeches of federal and provincial politicians — many of whom are not known for their support of equality. Why then has there been so little progress?

Our economy relies on women as a source of cheap labour. Women are a reserve labour force, allowed to do the lowest-paid jobs when needed, shunted back into the home when not needed.

Discrimination, the denial of equal employment opportunities, is built into our economic system. The system works against all workers, not just women. Men find their own labour devalued and threatened by the army of unemployed women eternally waiting in the wings.

Discrimination thrives on bad economic times. Workers under economic pressure are too busy looking after their own interests to help other workers. Employers can more easily pit male workers against female, the skilled against the unskilled, immigrants against Canadian-born, and the employed against the jobless.

Governments, aware of workers' vulnerability, are quick to pass laws depriving them of bargaining rights and directly limiting their wage increases. In times like these, all workers are threatened, but women, at the bottom of the job market, are among the hardest hit. The issue for them is no longer one of fairness: it is one of survival.

Fighting for equality means confronting the economic system head-on. It means fighting discrimination that is deeply embedded in the way the labour market and the workplace function.

We have to challenge the way employers recruit, hire, train, classify, pay, promote and lay off workers. We need to find out where discrimination lies, and change those employment practices that hurt women.

Even then, women will still be hampered in their bid to make use of equal opportunities. The effects of past discrimination run deep. Employers and managers are not converted overnight. In any case, changing their attitudes is too uncertain and time-consuming. Women need equality now.

*Affirmative action*, which includes equal pay for work of equal value, is the most promising strategy for equality. Effective affirmative action must deal with both past and present discrimination. It requires a complete overhaul of employment systems — from pay to promotion — and the adoption of means by which women can catch up. It enables us to change *behaviour*, rather than *attitudes*. And it allows us to make these changes *now*. But it can only work if it becomes the law of the land.

#### 3. Women in OPSEU

On the whole, the 32,000 women in OPSEU are no better off than their sisters elsewhere.

Among the 24,656 women in the Ontario Public

Service (OPS) bargaining unit, over 80 per cent are concentrated in clerical, office and service jobs.

Women are the province's stenographers, data entry operators, typists, clerks, cleaners, laundry and cafeteria workers. Only some 2,000 women are in the professional ranks, most of them nurses and social workers.

The occupational structure remains a pyramid, with the vast majority of women at the bottom.

Movement by women from their low-paid traditional job ghettos, into better-paying jobs traditionally held by men, is simply not happening. The figures prove it. 70 per cent of women in the OPS earn less than \$20,000; only 25 per cent of men do.

Moreover, women earn less than men in every one of the nine wage categories — even in office and clerical services, the two categories with the highest percentage of women.

Even when it comes to promoting women to management, the government's record cannot be taken seriously. After 10 years of efforts to increase the number of women managers, they numbered only 868 in 1983, compared to 6,963 men.

OPSEU has struggled hard for change. Despite legislation restricting what we can negotiate, bargaining for equality in the OPS has brought progress in the areas of maternity leave and VDT health and safety language.

But on two crucial items, protection against loss of jobs due to technological change and equal pay for work of equal value, the employer's answer has been a flat "no deal".

Even when we prove the unfairness of wage gaps, such as female switchboard operators who are more qualified but earn less than male parking lot attendants, the Ontario government still refuses to act.

On the key issue of affirmative action, the union has simply been excluded from the process altogether. The government has, on its own, put into place a scheme it calls "affirmative action". This plan is not only limited and ineffective; in some ways it is even harmful to women.

#### 4. Affirmative Action the Government's Way

The government describes its affirmative action strategy as a "results-oriented" approach. Managers have until the year 2000 to ensure that women make up at least 30 per cent of all job classifications. They are told to set yearly targets, based on the vacancy rate and the availability of qualified women.

The 30 per cent target and the year 2000 deadline are modest enough. But the *yearly* targets tell us even more about the government's so-called commitment to equality.

In 1981-82, across all 23 ministries encompassing more than 60,000 employees, only 327 jobs were targeted. A year later, the number *fell* to 263. Even worse, when the year was half over, all ministries revised their targets *downward*, in view of the "socio-economic climate".

Women supposedly become qualified for targeted jobs through job secondments, on-the-job training, job rotations and special staff development.

But job secondment may turn out to be nothing more than doing a better-paying job at your own, lower salary. Seniority, a basic trade union principle in competing for jobs, may be given short shrift by an employer determined to place a favoured employee in an affirmative action training job.

Of course there are legitimate training chances for women employees. But nearly 70 per cent of them are for women moving up within managerial ranks. Not much is left over for the woman seeking to move from the clerical to a technical category.

Instead, the type of training available for women with traditional skills is either irrelevant or of little value. Courses for them include muscle relaxation, resumé-writing, goal-setting, self-assessment, stress management, karate, dancercise and how to dress for an interview.

More serious workshops cover computer concepts, the automated office and career planning, which show women participants the dismal future that lies ahead for them as the computer takes over. But with no re-training and no guarantees of jobs anyway, such workshops lead nowhere.

In spite of the government's affirmative action programme and its emphasis on training, more dollars are still spent on staff development and training for men.

In 1982, though women made up 46.6 per cent of all government employees receiving staff training and development, more than twice as much money was spent on men: \$4,075,167 compared to \$1,869,250.

The story is the same, from the Ontario Public Service to the community colleges and OPSEU's other bargaining units across the province.

At Conestoga College, affirmative action consists largely of encouraging women to apply for vacant positions. Seneca College's effort is limited to telling women of available opportunities. Algonquin College has no affirmative action program. And at Georgian College, an affirmative action initiative consisted of bringing the college president's wife (an ex-fashion model) to show women how to apply make-up and dress for "the successful look".

Having lived through the frustration of employer-directed "affirmative action," OPSEU members in the community college support staff recently tried to bargain for union input and a more effective affirmative action plan. The employer's response: "Affirmative action is managerial territory."

Justifiably, OPSEU members see government-style affirmative action as nothing more than policy statements and "consciousness-raising". If "planned measurable results" are what it's all about, the facts speak for themselves.

After 10 years of government programs, women still earn less than their male co-workers, predominate in clerical and secretarial jobs, are virtually absent in non-traditional jobs, and have hardly increased their representation at higher levels.

#### 5. Labour's Approach to Affirmative Action

It's understandable that many trade unionists distrust affirmative action, because all they have seen is the

management variety.

With job security and shrinking wages uppermost in everyone's mind, it's hard to have faith in a management plan to broaden opportunities for women.

After all, the same management that promises equality with one hand brings in wage controls with the other. Moreover, principles that lie at the very heart of trade unionism, such as seniority, have been attacked in the name of affirmative action.

Despite our dismal experience with management-style affirmative action, we can't afford to sit back and criticize. Labour must define its own positive approach — one that is based on the full and equal participation of the union, and goes hand-in-hand with a strategy for winning equal pay for work of equal value.

The first thing we have to do is study and understand the employment policies that work to women's disadvantage. This will pinpoint the discriminatory practices that must be eliminated. Replacing them must be special measures to help women "catch up". The Ontario Federation of Labour has defined these measures as:

"... active outreach and recruitment programs . . . , provision for training, upgrading, on-the-job training for women; establishment of targets and timetables for the employment of women at all levels and in all job categories; provision of childcare, policies against sexual harassment and other support services."

Unless employers are obliged by law to implement them, such measures are little more than rhetoric; even worse, they can help management violate the collective agreement.

That's why labour's approach to affirmative action calls for mandatory programmes, with union participation and guidelines firmly entrenched in legislation. Such guidelines would provide for adequate financial and other resources, strict management accountability and a mechanism for dispute settlement.

Massive technological changes are invading the workplace. This makes it imperative to define carefully the goals we seek and the methods by which we want to attain them. Saving jobs by retraining must be part of any affirmative action strategy.

A legislated affirmative action programme need not be an excuse for promoting a few women into management. It need not destroy the principle of seniority or result in the promotion of unqualified women. It need not postpone equality for centuries to come.

Instead, workers who know the workplace best can use their knowledge to devise creative ways for women to increase their numbers in all job categories. With special measures and targets that enable us to chart the progress of women, equality is within sight.

## 6. A Programme for OPSEU

Accordingly, it is recommended that OPSEU lobby for the following:

### 1.1 Ontario and federal human rights laws must be amended to provide for mandatory affirmative action

programmes. A "contract compliance policy" would require that governments deal only with employers who have an effective government-approved affirmative action programme. Such a programme would have to meet the guidelines established by legislation.

1.2 The law must set up uniform guidelines and criteria by which affirmative action programmes can be judged and approved.

Among these criteria:

(a) A joint affirmative action committee must be established in each workplace, at least half of which must be workers, and of these a portion would be women workers at least in proportion to their numbers in the workplace. The worker members of the committee would be chosen by the union, or by the employees where no union exists. Such a committee would have the power to develop, implement and monitor the mutually agreed-upon programme.

(b) A detailed audit of the workforce and of the recruitment, selection and promotion process must be carried out by the committee. All relevant workforce data, employer records, etc., must be made available to the committee. Any practices that have an adverse impact on women must be identified.

(c) Special measures must be developed to remedy the discrimination that is discovered. These must include: active outreach and recruitment programmes through community colleges, women's networks, unions, and media advertising; provision for retraining, upgrading, and on-the-job training for women; establishment of targets and timetables for employing women at all levels and in all job categories; provision of child care; provision of policies against sexual harassment; and other support services.

(d) A rigorous system must be set up to make management accountable for carrying out the programme.

(e) When disputes arise, the parties must have access to a dispute resolution mechanism — either arbitration or the appeal board set out in 1.3 below.

1.3 An Equal Employment Branch of the Ministry of Labour should be created, with the power to approve and monitor affirmative action plans, and institute a separate board of appeal in the event of disputes between management and employees.

1.4 Where complaints of sex discrimination are proven against employers, remedial steps should include much tougher penalties than currently exist. There must be provision for back-dating of seniority and back pay for victims of discrimination.

1.5 Human rights laws must be amended to allow for class action complaints. Human rights commissions must be given more staff and money to ensure quick and effective processing of complaints.

1.6 Legislation must be adopted to provide for equal pay for work of equal value.

1.7a The Ontario Public Service and community colleges affirmative action programmes must be strengthened. They must be put under the jurisdiction and guidelines of the Equal Employment Branch of the Ministry of Labour. They must be joint union-management programmes; the programme managers must be taken out of personnel departments and placed in positions with power and clout; and the

financial resources must be sufficient to make sure the programme is a serious one and capable of succeeding.

**1.7b** The programme must be extended to all public sector employees who come under Ontario government jurisdiction and funding.

**1.8** Free, universal, publicly-funded quality childcare for children from birth to age 12 must be available as an essential social right to every family wishing to use the service.

## 7. Bargaining Priorities

While working for the ultimate goal of mandatory affirmative action laws, we must keep bargaining for those things that will improve the status of women.

Restrictive laws are a serious obstacle to bargaining for equality. In the OPS, for example, the employer has restricted our right to negotiate over training and classification, two areas that have a critical bearing on the status of women workers. We must keep fighting for changes in the Crown Employees Collective Bargaining Act so as to be able to bargain over these matters.

Our record on bargaining for equality has been good, but we must reaffirm our commitment to a comprehensive bargaining strategy, including the following priorities:

- 2.1 Equal pay for work of equal value;**
- 2.2 Rights and benefits for part-time workers;**
- 2.3 Daycare and parental leave provisions;**
- 2.4 Protection from workplace sexual harassment;**
- 2.5 Jobs security and retraining provisions relating to technological change.**
- 2.6 Until affirmative action becomes mandatory by law, OPSEU must bargain for jointly-run affirmative action programmes with joint workplace committees as outlined in recommendation 1.2(a).**

If unions are to be believed when they call for mandatory affirmative action, the status of their women members within their own union structures must reflect a commitment to equality.

There must be tangible evidence of that commitment in the form of a strong presence of women, at least in proportion to their numbers in the union, in leadership positions and in those union activities through which potential leaders gain experience.

The barriers that prevent women from enjoying equal opportunity in the workplace also restrict their participation in trade unions. Traditional attitudes about a woman's place in society, her responsibilities in the home, and the lack of confidence that comes with this role all conspire to restrict women from moving up within the union hierarchy.

Such barriers can and have been overcome. Whenever equality issues have a high profile, and women's problems are acknowledged and dealt with, women begin to increase their involvement in union affairs.

Equality conferences, union education on issues of concern to women workers, the setting up of women's committees, and the hiring of staff to work on women's issues: all these are important first steps.

Like the discrimination women encounter in the

workplace, however, barriers to equality within unions are often subtle and deeply entrenched.

Although women comprise 30 per cent of the Canadian labour movement, they make up just under 17 per cent of executive board members in unions affiliated to the Canadian Labour Congress. They are more numerous on the lower rungs of the leadership ladder, but stop short of advancing into top positions.

The under-representation of women within unions is perhaps labour's greatest challenge in the years to come. More and more, unionists are realizing that it is to women that they must turn in order to build and expand their base of support. Many unions are setting targets to increase the number of women in leadership positions and on staff.

The Ontario Federation of Labour has called for targets for the hiring of female staff, and has increased the number of women on its executive. Likewise, at the Canadian Labour Congress' last convention, delegates voted to reserve space for women on the executive council.

Other federations and individual unions have followed suit. The Canadian Union of Public Employees, with a high proportion of women members, has analyzed the participation rate of women and is taking affirmative action steps to improve it.

OPSEU made an early start toward getting more women involved in union activity. Equality issues have gained a high profile, and some of the necessary support systems are in place to enable women to move into leadership positions.

Women are beginning to respond. However, change is slow, and it is more and more evident that we must take up the challenge posed by women's under-representation.

Women constitute 50 per cent of OPSEU's membership, a figure that is growing every day since they also make up 56.5 per cent of new members.

But women make up only 30 per cent of local presidents, and only 25 per cent of the Executive Board. They are also vastly under-represented on most bargaining teams.

With these statistics and our deep commitment to equality in mind, we recommend the following:

**3.1 OPSEU's Executive Board, in conjunction with the Provincial Women's Committee, shall develop specific proposals to proportionately increase women's representation in elected positions, and report back this plan for consideration by the 1985 Convention;**

**3.2 The Union must maintain adequate staffing and resources to continue to give a high profile to equality issues. Activities should include:**

- (a) organizing of direct membership action around bargaining and legislative lobbying on equality issues;**
- (b) ongoing education on equality issues and a biennial women's conference;**
- (c) continued support and resources for the work of the Provincial Women's Committee.**

**3.3 The Union must continue its conscious effort to increase the number of women in under-represented job classification on staff.**