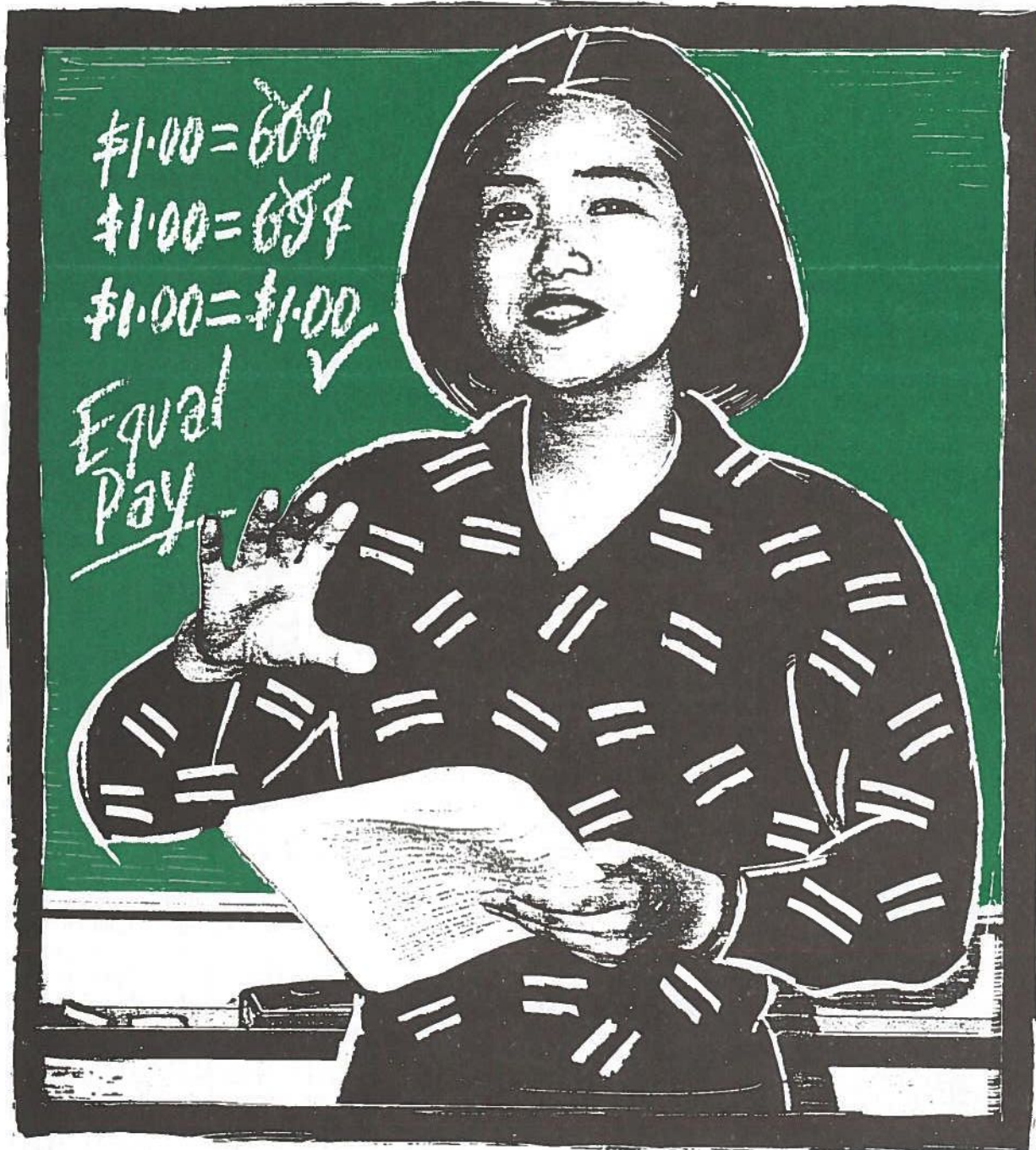


THE
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EQUAL PAY BILL FALLS SHORT Page 2

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Rules put to test

by Mike Breugh

The Standing Committee on Administration of Justice of the Ontario Legislature, when dealing with the Public Service Pay Equity Act (Bill 105), spent some time on a procedural question. The government house leader, Bob Nixon, and the premier had raised the spectre of withdrawing the bill.

Procedural arguments are always complex and devious even though the matters are generally simple and straightforward.

In this case, the opposition parties had proposed amendments to broaden the scope of the bill. The government argued that these amendments changed the nature of the bill and called for the spending of additional amounts of tax money. Committee chairperson


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Editor: Mike Foster 

This isn't equal pay!

by Bob Rae

Two million women in Ontario are still being ripped off. After more than a year of delay, another Peterson promise is a victim of pressure from big business.

The Liberal government's spineless plan for equal pay for work of equal value takes millions of dollars out of the pockets of the women of this province.

The Liberals did keep their promise to business however: their pay equity bill won't cost employers a cent. Instead, working people will be picking up the tab.

And under the Liberal's Bill 154, hundreds of thousands of women who are denied equal pay will still be losing those wages into the next century, because they're not even covered by the bill.

Workers in places with fewer than 10 employees are excluded, as are casual employees and workers in jobs classes that do not meet the government's definition of gender predominance. Unequal pay between men and women will be allowed when employers show that they are due to temporary training assignments, merit pay, red-circling or skills shortages. And in a huge loophole for employers, women in workplaces where there are no men to compare with aren't included in the bill. That means child care workers, nursing home employees and librarians — just to name a few — are left out.

Working people will be picking up the tab

Bill 154 says that women who work for companies with fewer than 50 employees must wait six years before pay equity adjustments even begin. That's more than 40% of working women,



according to the government's own figures. If the bill is made law next year, it will be 1993 before these women even start to get pay adjustments. Then they must wait an untold number of years for annual adjustments, at a maximum of one per cent of payroll to get pay equity.

That's not good enough when we know that close to 60% of Canadians who live below the poverty line are women. Almost two-thirds of single-mother families live in poverty. Many women can't support themselves or their children because they don't get fair pay.

In every sector of our economy and in every occupation, women face unfair wages based on systemic discrimination. David Peterson told the Ontario legislature in 1983: "We have had enough discussion on this matter. We have had hearings, debates, and committee hearings in this house."

Yes, we've had lots of Liberal talk. But three years later, what do we find? A Liberal govern-
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ment that sponsors more studies and commissions. Now they are stalling with the legislation, playing games with women's pay packets.

Take the case of the gift shop manager at the Art Gallery of Windsor. She earns \$4,000 a year less than the male janitors. This pattern is true across the country, where all of the gift shop managers are women and all of the janitors are men. She won't get a cent until 1991.

Consider the case of Vivian Lloyd, who has worked at Kingston General Hospital for more than 17 years. Her clerical job requires a Grade 12 education, while a full-time orderly only needs Grade 10. Imagine Vivian's surprise when she

found out that her son, Eric, was getting paid \$1.07 more an hour as an orderly.

Every day of delay in bringing in equal pay is another day Vivian loses money. For the whole year, the losses to Vivian and her family add up to more than \$2,200. That's nearly \$10,000 gone before she will get any justice.

This "pay equity" bill is an appalling demonstration of Liberal spinelessness in the face of business pressure. Down on Bay Street, the Liberals' big business friends are telling them to go slow, wait awhile, don't give women their fair share.

It's time to end the discrimination. It's time to put the money women deserve in their pockets, and the pockets of their families.

Labour's campaign for pay equity

by Irene Harris

The campaign for equal pay legislation has involved hundreds of union activists and women's organizations. Together, we've written briefs in response to the Green Paper consultation hearings, and analyzed, agonized and criticized Bill 105, where we presented more briefs.

We've demonstrated, held press conferences, done extensive mailings and organized a province-wide lobby of MPPs on the issue. Just prior to the introduction of Attorney-General Ian Scott's private sector legislation, rumours started floating around that the Liberals had dreamed up another consultation process to further delay matters.

At that point, many of us felt that our response should be to take a copy of every equal pay brief ever written, and dump them ceremoniously on the steps of Queen's Park.

But while this battle has been tedious and frustrating, the campaign for equal pay legislation has brought together unions and women's organizations in a common cause. Together we have articulated the principles critical to making equal pay legislation meaningful. Together we've had the opportunity to work with Evelyn Gigantes and Bob Rae, whose leadership roles in the campaign have been a crucial and major help in developing strategies for the legislative process.

For many union women, this campaign has been the first which has really allowed them to closely follow the development of a piece of legislation, and to appreciate the major role the NDP takes in making legislation possible at Queen's Park.

Scott's introduction of private sector legislation has brought us into the next phase of the campaign. It is another critical time for the union movement to pull together with the NDP and women's organizations, to seek changes to the bill.

Irene Harris is an Executive Assistant at the Labour Council of Metropolitan Toronto.

OFL

Following is the text of an emergency resolution adopted unanimously at the recent Ontario Federation of Labour convention in Toronto.

WHEREAS, the pay equity legislation presented to the Ontario legislature breaks the Liberal government's promise to the women of Ontario;

WHEREAS, the proposed legislation will allow employers to continue to discriminate against women until 1993;

AND WHEREAS, even after 1993, almost half a million women will still not work under conditions of equity;

THEREFORE BE IT RESOLVED,

1. that this convention join with the NDP to denounce the Liberal government for its cynical abandonment of principle and decency;
2. that the Ontario Federation of Labour work with women's and community groups, to build a coalition of people prepared to confront this reactionary government everywhere in Ontario;
3. that this federation, all affiliates and working men and women in Ontario, demand the immediate introduction of pay equity legislation covering all women in the labour force;
4. that the OFL press ahead, without compromise, on its continuing campaign to achieve pay equity in Ontario.

Rules

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Andy Brandt ruled that these two characteristics made the amendments improper. The committee appealed his ruling and overturned it. Although the arguments drew from precedents set in the legislature and other parliaments, in the end, it was simply a matter of democracy over tradition.

Our standing orders — the rules for debate — allow for an appeal of the ruling of the chair. Under such circumstances, a thousand years of tradition can be overruled by a simple majority vote. That is precisely what happened in this instance. The majority of the members of the committee wanted these amendments and considered them properly before them.

The standing orders clearly provide for such appeals and the members simply used the existing rules of the house effectively. The majority ruled, and, in a democratic system, that should not be seen as unparliamentary. The debate was actually a very good and thorough procedural one. It should not shock anyone that the effective use of the rules by the majority of the committee was used to broaden the bill, to provide more protection to more women at work in the public sector. That is simply the reality of a minority government.

Mike Breough is the MPP for the riding of Oshawa, and NDP Caucus Chair and Critic for Intergovernmental Affairs and Municipal Affairs.

Coalition in the forefront

by Daina Z. Green

The Equal Pay Coalition was founded in 1976, bringing together a broad range of organizations seeking the implementation of equal pay for work of equal value through legislation and collective bargaining.

Among the nearly thirty groups which belong to the coalition are labour unions, organizations of women professionals, student organizations and community women's groups. Member groups come from all parts of the province. Together, they represent over one million women and men.

The coalition holds meetings once a month — or more frequently when developments around the equal pay issue call for rapid analysis and response.

In the past year, the coalition produced and distributed over 4,000 copies of an "equal pay kit" to libraries, community groups and individuals around Ontario. The kit helped Ontarians understand the issues, and prepare presentations to a government-appointed panel that travelled the province to hear submissions from the public.

The coalition also holds public educational events, and is often called upon by the press for reaction to government initiatives relating to equal pay for work of equal value.

Daina Z. Green is the Equal Opportunities Co-ordinator for the Ontario Public Service Employees Union, and a member of the Equal Pay Coalition.

Employment equity?

Transit authority makes woman carpenter clean buses

Nancy Bayly was the only licenced woman carpenter working at the Toronto Transit Commission (TTC) after she was hired in Apr. 1985. On Sept. 29, 1986, she was abruptly moved from carpentry to bus cleaning. Along with the new job went a wage cut of almost \$3 per hour and a change of work schedule from straight days to shift work.

The TTC is the public transit authority in the Metropolitan Toronto area, responsible for the operation of that municipality's buses, streetcars and train system.

When asked why she'd been downgraded, Bayly said, "The reasons the TTC gave me just don't make any sense. They could have kept me as a carpenter. My work reports have always been good, and I know that the commission needs carpenters. My only explanation is that they chose to make me a bus cleaner because the TTC is going back on its commitment to equal opportunity for women."

Bayly served a four year apprenticeship, working on commercial projects. She was the first woman apprentice in the Toronto local of the carpenters' union to become a fully qualified tradeswoman.

For the 18 months prior to her transfer, she was a fulltime employee in the TTC's carpentry section. Despite her long period of employment, the commission continued to classify her as a "temporary" employee. In Sept. 1986, the TTC personnel office told her that, in order to make her a "permanent" employee, they were offering her a job cleaning buses — a position technically called "operating garageman". Bayly would be dismissed if she refused to take the job.

The new job reduces her wage level from a Group 9 down to a Group 3. The new shift work means that she will be working at night. In addition, from her new job as a bus cleaner, it is, in the words of a TTC personnel officer, "practically impossible" to bid back into the carpentry section.

This demotion does not reflect a slowdown in the carpentry section. In fact, the TTC placed an ad in the Toronto Sun for another temporary carpenter shortly before her transfer — a position

that has yet to be filled. Neither does the transfer reflect dissatisfaction with Bayly's performance, since both of her official evaluations graded her a good worker.

While the TTC was acting within the terms of its collective agreement with Local 113 of the Amalgamated Transit Union, the decision to transfer its only woman carpenter to bus cleaning was not the only option. Some temporary carpenters, for example, have been made permanent employees while never leaving the carpentry section for a day. The situation could be resolved at any time, if the TTC would simply allow Bayly to bid back into her old job.

The TTC has widely promoted itself as an equal opportunity employer. In its pavillion at the 1985 Canadian National Exhibition, the transit company prominently displayed a photograph of Bayly working as a carpenter. And it included the

The situation could be resolved

same picture in a widely distributed leaflet. These types of efforts resulted in the TTC's nomination for the province of Ontario's 1985 Employment Equity Achievement Award. However, the company seems to be backtracking on its commitment to provide employment opportunities for women. It is ironic that the TTC has claimed as a victim, the very woman that it has used to bolster its progressive image.

The TTC employs hundreds of people in the skilled trades, and, in the past, all of these tradespeople have been men. Supporters of employment equity are arguing that the company has an obligation to reverse this systemic discrimination, by utilizing all the options it has as an employer to ensure that women remain in the skilled trades.