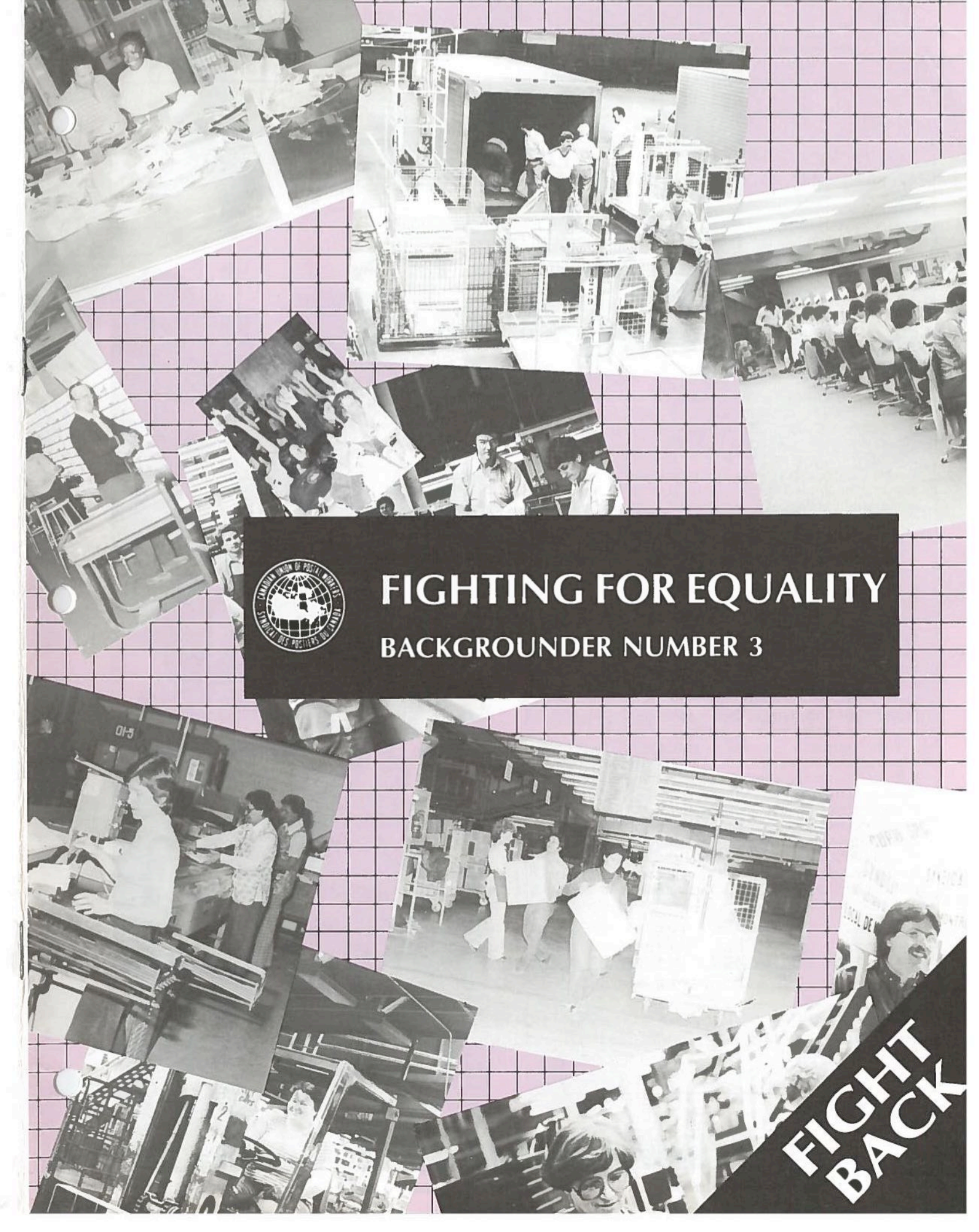




# FIGHTING FOR EQUALITY

## BACKGROUND NUMBER 3

**FIGHT  
BACK**





## FIGHTING FOR EQUALITY

TO CUPW OFFICERS AND  
SHOP STEWARDS:

This document is the third in a series of "Backgrounders" that you will receive as part of the Union's Fight-back Campaign.

The first Backgrounder examined the risk to our health and safety from Post Office technology. The second considered the threat to job security facing postal workers as a result of the employer's programs involving technological change. Future Backgrounders will address **Our Future at the Wickets** and **Injuries**.

This Backgrounder deals with the importance of our fight for equality.

Discrimination creates artificial divisions that employers promote and use to undermine workers' collective strength. Equality, on the other hand, helps build unity among workers. Since our ability to fight for individual and collective rights depends on our unity and solidarity, equality is central to all our struggles.

The CUPW recognizes the importance of equality. We have enshrined the principle of equality for all postal workers in the National Constitution under Rights and Duties of Members:

*1.05 — All members of the Union enjoy equal rights and this, without discrimination.*

Most importantly, the Union has acted on this principle. Since the creation of the CUPW in 1965, postal workers have fought hard to achieve equality.

This Backgrounder outlines the success we have made in a number of areas: across-the-board dollar increases; fair job classification; equality for part-timers; no individual work measurement; seniority rights; paid maternity leave. As well, this backgrounder details the ways postal workers are organizing to resist the employer's current attempts to divide the membership and undermine our contractual rights in these areas.

This information is useful in demonstrating just how essential it is to press on in our struggle for equality. With this in mind, a number of remaining problems are also considered.

Today, the employer is more determined than ever to divide and weaken postal workers. Canada Post's Five-Year Plan reveals many schemes to attack our rights to equality and other achievements. Postal workers fought hard for equal wages, equal benefits and equal protections for all. We must continue this fight for our individual and collective future.

## AN INJURY TO ONE IS AN INJURY TO ALL

In solidarity,  
Jean-Claude Parrot,  
National President.



## FIGHTING FOR EQUALITY

FIGHTING  
FOR EQUALITY

The struggle for full equality is important to both the individual and collective interests of all workers.

Full equality — equal pay, equal benefits and equal opportunity — is an objective that makes a great deal of sense to workers. Each of us has to eat. We all have hydro bills and rent or mortgage payments. We have children whose needs must be met. It costs everyone the same amount of money to buy gasoline for their car. We must all pay the same for our basic needs and to acquire the few discretionary items we can afford with the money that is left over.

Fighting for full equality also makes collective sense. Discrimination creates artificial divisions that reduce our collective strength. Equality strengthens our ability to fight for our best interests.



## EQUALITY FLASHBACKS

**Early 60's:** Part-time and full-time postal workers were subjected to colour coded chip system of individual work measurement.

**1965:** The name, Canadian Union of Postal Workers (CUPW), was adopted at our 1965 Convention. It replaced the name, Canadian Postal Employees Association (CPEA). Although our organization took on the title of union at this time, it did not yet have collective bargaining rights.

The CUPW was already demanding across-the-board dollar increases at this point.

Part-timers were expelled from the CUPW at the 1965 Convention because many crossed picket lines during the 1965 strike.

**1967:** The Public Service Staff Relations Act was adopted by Parliament. This legislation provided restricted collective bargaining rights to federal sector employees such as postal workers.

The practice of individual work measurement was discontinued for full-timers.

**1968:** The CUPW was certified to represent part-timers. They had a separate collective agreement from full-timers.

**1972:** The Post Office introduced the coder classification, PO 1.

**1974:** A national strike led to the abolition of the coder classification.

**1975:** The CUPW negotiated one collective agreement for all postal workers. It eliminated individual work measurement.

**1981:** The contract negotiated during this year included a provision for 17 weeks of paid maternity leave.

**1983:** A majority of postal workers voted for universal seniority in a national referendum.

# EQUALITY:

## IN OUR INTEREST

**The principle of equality for all postal workers is enshrined in the National Constitution 1983 under Rights and Duties of Members.**

**1.05 — All members of the Union enjoy equal rights and this, without discrimination.**

If workers agree to discriminate on any basis — sex, race, religion, etc. — they are allowing one group to enjoy a benefit at the expense of another. Many people do not immediately see the dangers inherent in discrimination.

Our economic system of boom and bust may temporarily camouflage the threats. When the economy is booming, there is lots of work and unions and other strong groups of workers can demand improvements. The demand for labour increases the ability of even unorganized workers, or those with fewer skills, to make some gains.

On the other hand, when the economy goes bust, as it has done dramatically since 1978, the weakest groups find themselves out of work or unable to resist the demands of their employers for concessions. They become a large pool of cheap, accessible and increasingly desperate workers. Working women and minorities, especially those without unions, are particularly vulnerable.

At this point even strong groups of workers find themselves being squeezed in a vice — a vice created by employers and fostered by divisions among the working class. Employers demand concessions from the stronger unions in both private and public sectors by pointing to the growing ranks



of the unemployed who would "be happy" to replace them and do their work for lower wages.

Clearly, employers benefit and workers suffer a great deal when a work force is divided between the employed and the unemployed, as well as the organized and unorganized. Divisions created by discrimination on grounds such as sex or race only serve to further benefit employers.



**CANNOT AFFORD DISCRIMINATION**

From a worker's point of view, all forms of discrimination are counter-productive. Yet, discrimination occurs, not only with employers, but also within the working class. Women who take welding courses or mechanics classes know this. Women who come home from work to cook dinner and take care of children every night know this. Minorities who are taunted at work also know this. It is one of the many contradictions we face as workers in a system that depends upon exploitation of the weakest in order to benefit the most powerful.

As workers, we cannot afford to allow employers to exploit women, to exploit the disabled, to exploit racial minorities or any other group through inferior wages and working conditions or any other means. Employers will always use these kinds of divisions to undermine our collective strength and play off one group against the other.

When workers are paid the same and receive the same benefits and opportunities, there is no incentive for employers to choose one over the other or put pressure on one group to lower their demands to compete with another group of workers. Equality clearly improves the ability of workers to resist the attacks of the employer on their rights and security. Equality promotes individual and collective gains.



Nicole Hollander

Nicole Hollander

Figure 1

	Oct. 1, 1968	Oct. 1, 1983
Highest wage	\$3.23/Hr.	\$12.80/Hr.
Lowest wage	\$2.57/Hr.	\$12.37/Hr.
Difference	\$0.66/Hr. (20.4%)	\$0.43/Hr. (3.4%)

**POSTAL WORKERS MADE GAINS**

Over the years, the experiences of the Canadian Union of Postal Workers have demonstrated this. Postal workers have made a great deal of progress in both an individual and collective sense by bargaining for equality in the following ways:

- across-the-board dollar increases
- fair job classification
- equality for part-timers
- no individual work measurement
- seniority rights
- paid maternity leave.

Postal workers have undoubtedly made a lot of progress, but there is still a way to go. The next negotiations will allow us to press forward in this fight.

**CUPW FIGHTS FOR EQUALITY**

**ACROSS-THE-BOARD DOLLAR INCREASES**

Bargaining for equal pay increases is nothing new to postal workers. Postal workers made their first move to end discriminatory wages many years ago by demanding across-the-board dollar increases instead of across-the-board percentage increases (which would have increased the wage gap).

When the CUPW began bargaining in 1968, there was a \$0.66 differential between the lowest and highest postal worker rates. Put another way, the lowest paid postal worker made 20.5 percent less than the highest paid postal worker. (See figure 1).

Today, the rate differential is \$0.43. By negotiating across-the-board dollar increases, the CUPW has ensured that the wage gap has not increased. In addition, the Union has reduced the wage spread by negotiating larger dollar adjustments for lower paid workers. The lowest paid postal worker now earns 3.4 percent less than the highest paid postal worker. In other words, a postal worker at the bottom end of the pay scale earns \$25,817 a year, only \$897 less than a postal worker at the top end.

The potential for a wage gap would have existed if the CUPW had negotiated percentage increases, because the previous percentage differential would have been maintained, and the lowest paid postal worker would today be earning \$5,476 a year less than the highest paid postal worker.



**FAIR JOB CLASSIFICATIONS**

In 1972-74, when the CUPW successfully resisted Post Office management's attempts to create a new postal worker classification, postal workers were, in effect, fighting for equal pay.

Job classification is a device that employers often use to legitimate the exploitation of workers. Like all job evaluation procedures, job classification is open to abuse if employers are permitted to unilaterally determine job content. Specialized classifications can prevent workers from learning a variety of skills and performing varied functions. The subjective decisions that are made about job content can serve to legitimate existing discriminatory practices. Female job ghettos like typing pools are good examples of what can develop from these practices.

**STRUGGLE AGAINST CODER CLASSIFICATION**

The dangers of specialized and restrictive job classification became clear to postal workers in 1972. At this time, the Post Office created the classification of PO level 1 for postal coders who operated the newly introduced group desk suites. This new classification required postal workers to read postal codes and key them, with hand movements like those used in typing.

The employer attempted to justify this declassification by arguing that coding did not require the extensive memorization and skill involved in manual sortation.

The new PO 1 pay rate was \$0.75 per hour less than the PO 4 rate and increased the total wage spread in the bargaining unit to \$0.84.

In other words, the Post Office used technological change as an excuse to limit job content and, by this means, declassified the postal workers who were made redundant by the new letter sorting machines.

It took a national strike in 1974 to get rid of the coder classification. Eventually, the Union negotiated a new job classification, PO level 4, postal coder-sorter-sweeper, which combined coding and postal clerk functions into one. Combining the functions eliminated the potential for deskilling the work and declassifying the workers.



### STRUGGLE FOR WAGE EQUALITY OF WOMEN AND ALL WORKERS

The coder classification fight amounted to a struggle for wage equality for women since the vast majority of coders hired between 1972 and 1974 were female. It is now common to see both men and women at coding suites, since workers classified as PO 4's rotate between coding, sweeping and sorting tasks.

Eliminating the coder classification also amounted to fighting for equal pay for all workers, since this move reduced the wage and job hierarchy among postal workers. In 1974, when the coder classification was abolished, the number of postal worker classifications was reduced from four to three, and the wage gap between the highest and lowest classification was narrowed from \$0.84 to \$0.66.

### CURRENT WAGE STRUGGLE

Today, the employer's **Five-Year Plan** reveals that management intends to use bogus comparisons with other workers as a way to justify their plans to attack the wages, benefits and protections of certain groups of postal workers.

**Over the years, postal workers have fought hard for equal wages, equal protections and equal benefits for all. We will never accept roll-backs. On the contrary, we will press forward in our fight for the full equality of all postal workers.**



## EQUALITY FOR PART-TIMERS

Many divisions and inequities created by the employer in times past were overcome by achieving equality for part-timers.

Before collective bargaining, full-time postal workers opposed the use of part-time work altogether. Part-timers received low wages. They did not have regular hours. Management used them like casuals. They did the same work as full-timers, but they did it for less. They had few benefits, if any. Supervisors could count many of their friends and relatives among part-timers. Nepotism and patronage were the rule, not the exception.

Additional problems were created by the fact that virtually all part-time postal workers were women. Full-time postal workers, on the other hand, were almost always men. Since some full-timers believed that women were stealing jobs from men who really needed them, hostility towards part-timers was heightened.

There also seems to be some misunderstanding regarding the relative efficiency of part-time and full-time staffs. Extensive checks on costs have shown that A.B.C. sorting by part-time employees is actually cheaper than sorting on the basis of distribution schemes, even though it is necessary to give additional handling to a small percentage of the mail. Moreover, part-time workers actually give us better value for the salary paid than do full-time employees. The training time is much shorter and part-time sorters can be released the moment there is no work for them to do.

**Deputy Postmaster General W.J. Turnbull, in a letter to J.E. Roberts, Assistant Secretary-Treasurer, CPEA, dated Sept. 26/55**

In 1966, Mr. Justice Montpetit criticized the misuse of part-timers and suggested that a *peak period* and a *part-time ratio* be used to overcome this problem. (See Royal Commission on Working Conditions in the Post Office Department, pp. 51, 52, 58.)

### PART-TIME WORK SEEN AS THREAT

Full-timers, for many reasons, saw part-time work as a threat to their wages and job security. Consequently, they opposed it and rejected the workers too. Following the strike of 1965, part-timers, along with supervisors, were expelled from the Union because they crossed picket lines. It was not long, however, before part-timers were brought into the newly formed CUPW.

Under the Public Service Staff Relations Act, the new collective bargaining legislation adopted in 1967, part-timers were considered regular employees and had the right to be reorganized and certified into a bargaining unit. By this time, it had become clear to the CUPW that the employer was going to use the cheap, easily manipulated part-time work force against full-timers in future negotiations. The Union, therefore, decided it was better to have some control over this situation by including part-timers in its bargaining unit.

### REAL THREAT — EXPLOITATION OF PART-TIME WORKERS

Understandably, many part-timers were not interested in being represented by a union that had expelled them less than two years earlier. The Union won over the part-timers by being very frank with them. The Union admitted that the CUPW would benefit by being certified to represent them and pointed out that part-timers also stood to gain from such a move. The Union promised that it would fight to put part-timers on an equal footing with full-time workers. The CUPW also made it clear that it would insist on limiting their numbers in order to protect full-time work.

**By opposing the exploitation of part-time workers, the CUPW has clearly improved the position of postal workers. Through this struggle, part-timers have achieved full equality on a pro-rated basis in the following areas:**

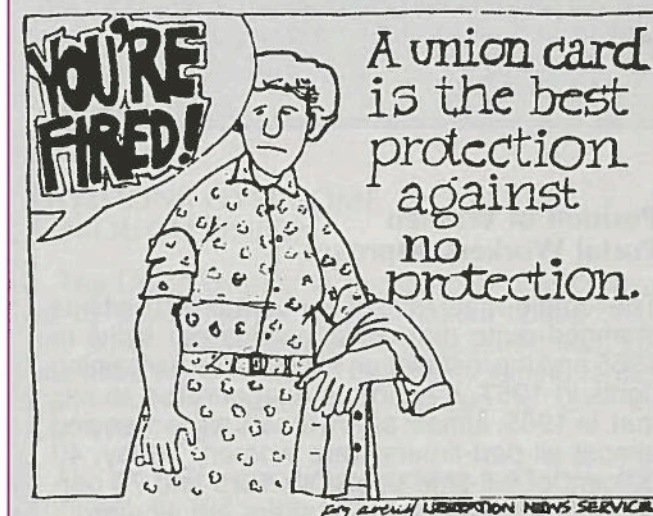
- wages and increments
- accumulation of seniority
- fixed work schedules
- rights regarding discipline, suspension and discharge
- paid holidays, vacation leave, vacation pay
- all other leaves
- paid rest periods and paid meal periods
- shift and weekend premiums
- overtime rates
- severance pay
- training
- job security
- rights regarding measurement and surveillance.

All postal workers have gained as well. By preventing Post Office management from dividing postal workers along full-time/part-time lines, the Union reduced the employer's ability to manipulate the work force, and strengthened the integrity of the bargaining unit.

At present, there are still some ways in which part-timers are not treated equally to full-timers:

- calculation of vacation pay while on paid maternity leave
- scheduling of annual leave
- loss of accumulation of sick leave credits while on unpaid leave
- pensions

In the past, the CUPW was unable to negotiate pension benefits because of the Public Service Superannuation Act and the Public Service Staff Relations Act. Now that the Post Office is a Crown Corporation, we are covered by the Canada Labour Code while the Public Service Superannuation Act still applies to us, the Canada Labour Code gives us the right to negotiate a supplementary pension plan for both part-time and full-time postal workers. The Union's right to negotiate this benefit, however, is currently suspended under Bill C-124.





**STRUGGLES AHEAD**

Canada Post's drive towards financial self-sufficiency is resulting in a decrease in the number of full-time positions and an increase in the number of part-time positions.

Management's efforts to cut costs through greater "flexibility" (i.e. more part-time work) and to reduce the work force through attrition threaten all postal workers. For example, part-timers who want and need full-time work may not be able to obtain a full-time position.

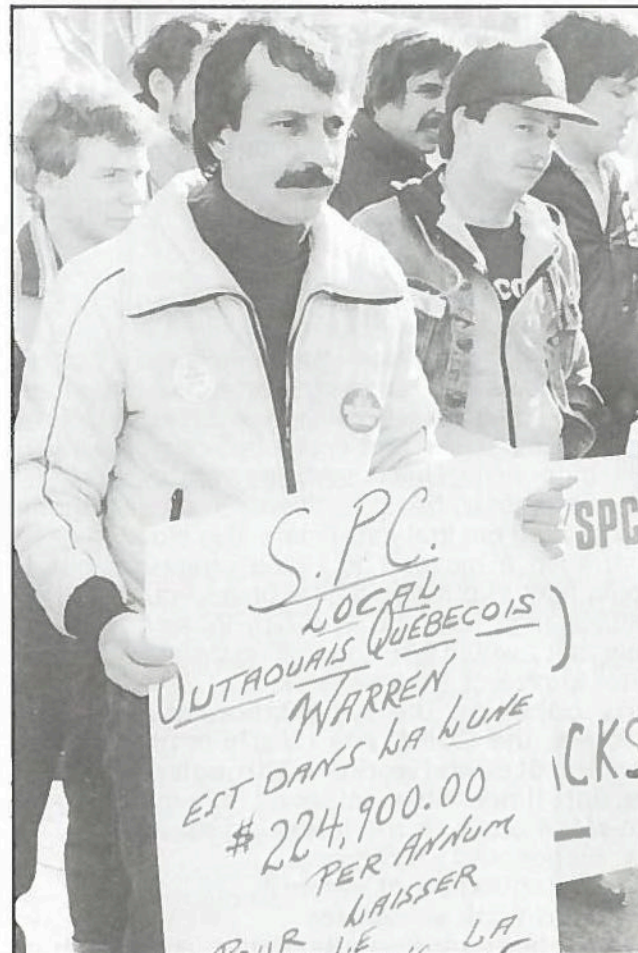
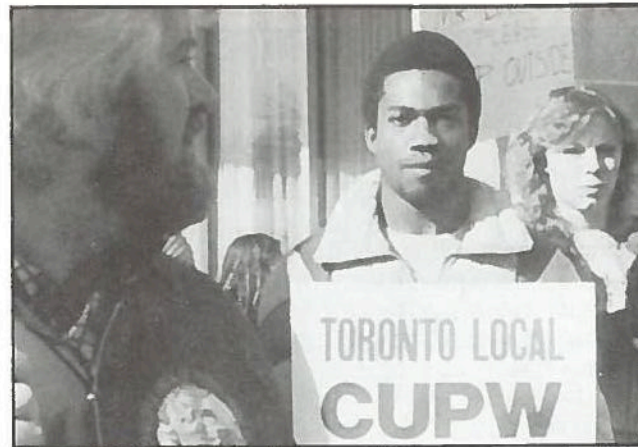
The Union has actively opposed an increase of part-time work at the expense of full-time positions. Instead, the Union has proposed a **JOB CREATION PROGRAM** to create more permanent full-time positions through service expansion. In addition, it has campaigned to convert subpost offices into post office outlets staffed by postal workers. After much pressure by the Union, Canada Post recently agreed to conduct an experimental project to convert six sub-post offices to CPC outlets, all to be staffed by CUPW members.

The CUPW also has a policy to establish a ratio of part-time workers to full-time workers while maintaining full protections for existing part-timers. This is something that must be addressed through negotiations.

More than ever before, we must struggle against the employer's attacks on the full rights and protections of part-timers. We must continue to fight for full equality and the integrity of our bargaining unit. To do this, both full-time and part-time postal workers must unite behind the Union's demands for *job creation* and more *full-time day positions*.

**Position of Women  
Postal Workers Improves**

The female-male ratio of our bargaining unit has changed quite dramatically since our strike in 1965 and the installation of collective bargaining rights in 1967. It is not an exaggeration to say that, in 1965, almost all full-timers were men and almost all part-timers were women. Today, 40 percent of full-time postal workers and 70 percent of part-time postal workers are women.



**NO INDIVIDUAL WORK MEASUREMENT**

Individual work measurement — keeping track of the output of each worker — is a barrier to equality that postal workers have resisted in the past and continue to resist today. Like other barriers to equality, it fosters divisions among workers and acts to disguise discrimination and harassment. It serves to help the employer at the expense of individual workers and the Union.

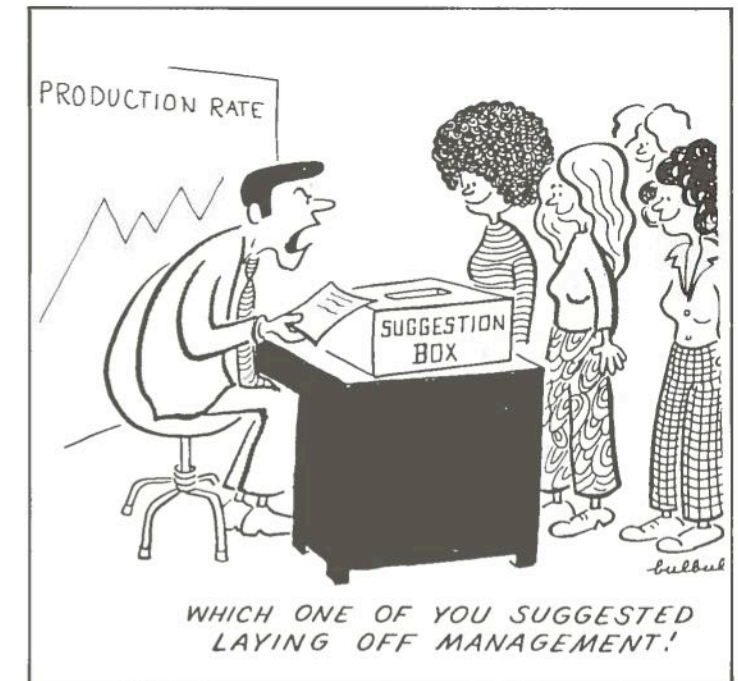
**THE COLOUR-CODED CHIPS SYSTEM**

In the early 1960's, part-time and full-time workers were subjected to a system of individual work measurement that involved attaching colour-coded chips to trays of mail. Under this system, workers were required to put a chip in a pile every time they finished a tray of mail. At the end of the day, the chips indicated how much mail a worker had sorted. Since the accepted rate of work was based on an average, there were always some workers who were below average. These workers would get counselled and supervised more closely. As they increased their rate, the average also went up. This way, the rate at which postal workers were required to sort mail increased constantly.

By the mid-1960's, as a result of agitation by the Union, the practice of individual work measurement was discontinued for full-time workers. Part-time workers, however, continued to be subjected to it.

In the part-time work force, supervisors used the chip system to reward "friendly" employees and harass others. Understandably, this practice created hostility among part-timers. It also tended to reinforce the inequality between the sexes. As a result of the chip system, the predominantly male supervisory force had the power to manipulate the largely female part-time work force. Nepotism, favouritism and sexual harassment were the order of the day.

Post Office management also used the chip system of individual work measurement to exploit differences between full-time and part-time workers. At the bargaining table, the employer argued against wage increases for full-time workers by pointing out that they already earned more than part-timers, even though the productivity of part-timers, as shown by the coloured chips, was much higher than full-timers' productivity.



**DIVISIONS OVERCOME  
THROUGH UNION**

The Union overcame the artificial divisions set up by the employer through colour-coded chips and other methods by convincing part-timers that all postal workers would benefit by joining forces. Consequently, part-timers agreed to join the CUPW in 1967.

Up to 1975, part-time workers had their own contract. In 1975, the Union negotiated one contract for both part-timers and full-timers, resulting in substantial gains for part-timers, including the *elimination of individual work measurement* for all employees. In the negotiations of 1979, 1980 and 1981, the Union achieved further equality for part-time workers:



1979

- paid rest periods for regular part-time hours
- rotation to all duties in a classification
- equal number of years to reach highest pay increment in a classification
- additional sick leave credits
- equal vacation leave entitlements on a pro-rated basis
- severance pay and death benefit
- marriage leave

1980

- a minimum of 20 hours work per week
- a five-day week with two days of rest per week
- time-and-one-half for work on a rest day
- a maximum work week of 25 hours (reduced from 30) averaged over 12 weeks
- requirement of one "peak period" per day of no more than five hours duration for use of part-time workers, with a provision that part-time workers may be asked to continue to work after the peak period
- 12 percent vacation pay after 30 years and 14 percent after 35 years

1981

- pro-rated meal period of 15 minutes after five hours work; same rest and meal period benefits as full-timers for regular full-time hours and overtime hours
- same rights to benefits to work on a day of rest and for call-back
- payment for a designated paid holiday that falls during part-timers' vacation leave
- right to a minimum of three hours work, or pay in lieu of work, for part-timers who work on a rest day moved or a designated paid holiday
- increase from four percent to six percent vacation pay for less than four years service

The employer is currently attempting to roll back our achievements in many areas. One right under attack is our protection from individual work measurement. Canada Post's use of electronic surveillance and computer control of work — Computer Assisted Learning (CAL) and Mail Tracking and Tracing — create the potential to individually measure work.

Postal workers fought hard to rid themselves of individual work measurement. We must continue to fight the employer's attempts to bring it back.



## SENIORITY RIGHTS

CUPW seniority provisions are another way postal workers are protected from arbitrary and discriminatory treatment by the employer.

From its beginning, the CUPW has fought for the complete application of seniority to eliminate opportunities for discrimination, nepotism, favouritism and patronage.

By establishing seniority as the sole criteria for promotion, voluntary demotion, transfer, selection of shifts, selection of vacation leave and preferred assignments, the Union has ensured that all workers must be treated *equally*.

Reducing the arbitrary powers of the employer also served to increase the *collective power* of the membership and the *integrity of the bargaining unit*.

A seniority system of distributing rights and benefits can be very useful to union activists, women and minorities who have traditionally been subject to the discrimination of employers. Unfortunately, seniority systems can also work to the disadvantage of groups such as women and minorities when the following factors come into play:

- restrictive application
- past discrimination
- child bearing and rearing

### RESTRICTIVE APPLICATION

Sometimes the application of seniority is too restrictive. The absence of universal seniority often results in workers having to give up all their seniority if they wish to take on full-time work, a non-traditional job or a preferred assignment. This may serve to reinforce job ghettos for women and minorities.

In 1983, the CUPW tackled these potential problems by holding a national referendum on universal seniority. The results of this referendum allow the Union to negotiate universal seniority — seniority from date of entry into the Post Office as a postal worker — during the next negotiations. Universal seniority will mean that part-time postal workers will not lose their seniority when they move to full-time and that full-time postal workers will not lose their seniority simply because they move to a new classification. Part-timers already accumulate seniority when moving from one part-time position to another.



Universal seniority will ensure that no postal worker will lose their seniority for exercising their rights in the collective agreement — rights for which postal workers have fought long and hard.

### PAST DISCRIMINATION

Past discriminatory practices by employers may be perpetuated by a non-discriminatory practice like seniority. As a result of discriminatory employment practices, women and minorities are often the last to be hired by employers. Therefore, women and minorities often have the least senior-



ity. When layoffs start, seniority dictates that these groups are the first to be hit.

Other problems frequently result from discriminatory employment practices. For example, when seniority is applied to promotions, women and minorities usually end up in the lower classifications, receiving the lowest wages, since they have the least seniority.

The CUPW has managed to avoid these problems. In our bargaining unit, seniority *cannot* produce a situation where women and minorities earn substantially less money or do less interesting work than most other workers. By fighting for clauses that ensure fair job classification and rotation of duties, and by negotiating across-the-board dollar increases, the Union has provided all postal workers with similar wages and working conditions. By fighting for full job security, the Union has ensured that all employees hired prior to the signing of our current collective agreement have *full* security. (Appendix "L")

#### CHILD BEARING AND REARING

Women often have less seniority than men because child bearing and rearing take them out of the work force for periods of time. This penalizes women for the role they play in bearing and rearing children.

By fighting for a provision which allows women to accumulate seniority while on maternity leave, the CUPW has ensured that women postal workers are not penalized by loss of seniority for being the ones in society who bear children.

#### ONE IMPORTANT VICTORY

The CUPW has worked hard to obtain seniority rights and to ensure that such rights do not, for the most part, reinforce discrimination. We have clearly made a great deal of progress in these areas. Yet, while our seniority rights are undoubtedly important protections, it is clear that there are many problems that cannot be resolved through seniority. For example, our problems of night shift work are not solved by using seniority to choose. Similarly, any threat to job security can only be overcome by fighting for job security.

Although it is important to fight to protect seniority, it is not the only solution to our problems. It is for this reason that the Union continues to address the real problems faced by postal workers in respect to job security, unfavourable work schedules, health and safety, discrimination, elimination of day shift positions, contracting out, harassment, etc.



## PAID MATERNITY LEAVE

In 1981, the CUPW took another step in the direction of equality and social justice by winning a collective agreement provision for 17 weeks of paid maternity leave.

Paid maternity leave is one important means of reducing the inequality between the sexes and the discrimination against women that exists in our society.

#### ARTICLE 23 AND UIC

Under Article 23, the employer is obliged to "top up" the difference between the UIC payment and 93 percent of regular earnings, if certain conditions are met. One condition is that a postal worker must be eligible to receive UIC benefits "pursuant to section 30" of the UIC Act.

Until recently (January 1, 1984), Section 30 contained a discriminatory clause called the "Magic 10" rule, which was designed to deny benefits to women who were not actually employed when they got pregnant. After much protest from women's groups and unions, this rule was removed.

However, a postal worker's eligibility for paid maternity leave is still affected by Section 30 of the UI Act in respect to UIC sickness benefits.

A pregnant postal worker who gets sick for any reason stands to lose her entitlement to full maternity benefits if she takes UI sickness benefits before going on maternity leave.

Until the UI Act is changed to remove these barriers to equality, postal workers have the option to negotiate a change to Article 23 to delete any reference to Section 30 of the UI Act. This will ensure that pregnant postal workers will not be denied their hard won rights to paid maternity leave because of discrimination in the UI Act.

#### EQUALITY FOR WOMEN AND SOCIAL JUSTICE

The CUPW paid maternity leave provision ensures that women postal workers will not be penalized because they, as women, are the ones in society to bear children.

Besides eliminating some of the sexual discrimination in the Post Office, the maternity leave provision provides momentum in the larger battle for workers' rights. Paid maternity leave, like family allowances, universal education and tax exemptions, is based on the principle that children are a social responsibility and not the sole responsibility



of mothers or parents. Though fully paid maternity leave is not yet enshrined in legislation as a social right, it is becoming more and more common in collective agreements. Our win — the first for public service union in the federal sector — followed the breakthrough by the Common Front unions in Quebec for 20 weeks of paid maternity leave. Our breakthrough paved the way for other federal public sector unions to win paid maternity leave at the bargaining table.





# BUILDING UNITY

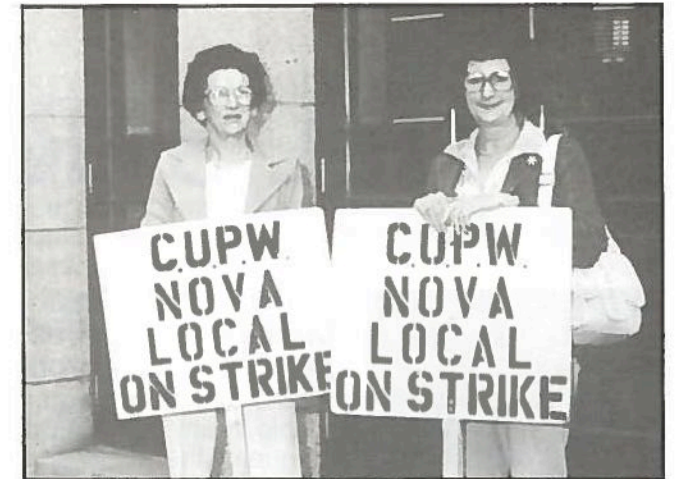
Over the years, the CUPW has established a number of provisions in the constitution and collective agreement which help to ensure that our membership is not divided.

In addition to strengthening the integrity of the bargaining unit, efforts to build unity within the CUPW also advanced the fight for the full equality of postal workers.

For example, the Union has taken important steps toward providing members with equal access to the Union and its activities by responding to the difficulties that members may have with childcare and with either official language.

**Childcare:** Our National Constitution provides postal workers with the right to childcare at every CUPW National Convention as well as the right to on-site childcare or reimbursement for on-site childcare expenses for all meetings held pursuant to the Constitution other than local meetings (arti-

# AND EQUALITY



**National Officers and Bilingualism:** The ability to speak both French and English is a definite asset in a union such as ours. The CUPW has a policy which gives all national officers the opportunity to become bilingual.

The CUPW has also made certain that members do not suffer or benefit as a result of their Union activities or position.

**Leave For Union Business:** The Union has ensured that postal workers are not penalized for attending union-related functions by negotiating Article 26 of our collective agreement. Under this article, CUPW members who work on behalf of the Union have the right to leave of absence without pay. Seniority continues to accumulate during such leaves.

**Same Benefits For Union Officers:** Under the National Constitution, full-time officers receive all benefits provided for in our collective agreement, as well as coverage by the Retirement Plan, Death Benefit, Disability Insurance and any other plans as negotiated within our collective agreement. In the case of the various plans, the Union takes on the share that the employer pays for employees working in postal facilities (articles 7.33, 7.34).

**Relocation:** The National Constitution provides that the Union pays the moving expenses of national or regional officers or Union Representatives when they enter and leave an office (article 7.41).

**Strike Pay:** Full-time union officers do not receive their regular salary during a strike. The National Constitution stipulates that they receive strike pay like all postal workers on strike (article 7.60).

cles 3.30, 7.63). These arrangements are expected to address the problems of working mothers and male single parents in particular. Such members frequently find it difficult to participate in Union activities because they work a "double shift" of wage labour at work and unpaid labour in the home.

**Official Languages:** Our National Constitution provides that CUPW documents directed at the entire Union should be in both French and English. The Constitution also guarantees that CUPW members have a right to speak in their mother tongue at meetings of committees, subcommittees, the National Executive Board and the National Executive Committee. In addition, it guarantees that members have a right to simultaneous translation at meetings of Union committees and subcommittees and at Convention (articles 1.23, 1.24, 1.25).

# WITHIN THE CUPW



# STILL STRUGGLING

Although postal workers have had a great deal of success in fighting for equality, quite a few problems still exist.

Like the former maternity leave penalty, for example, many of our remaining problems reflect the inequality that exists in our society. This does not mean that there is little we can do. On the contrary, the broader political goals of working people are frequently achieved only after unions have negotiated similar rights for their own members. In Canada, this was the case with unemployment insurance, health care and workplace health and safety.

Clearly, we have much to gain by continuing our fight.

Perhaps the most obvious equality issues currently affecting postal workers are:

#### Sexism and Racism

- sexual harassment
- racial discrimination

#### The Special Problems of Women and Parents

- paternity leave and adoption leave with pay
- childcare
- night work

## ARTICLE 5

To achieve individual and collective protection against discrimination, CUPW has negotiated Article 5 of the collective agreement. Article 5 reads as follows:

*It is agreed that there shall be no discrimination, interference, restriction, coercion, harassment, intimidation or stronger disciplinary action exercised or practised with respect to an employee by reason of age, race, creed, colour, national origin, political or religious affiliation, sex, sexual orientation or membership or activity in the Union.*

It is significant to note that Article 5 includes discrimination on the basis of sexual orientation. In 1980, the CUPW became the first federal sector union to include sexual orientation in a no-discrimination clause.

Two CUPW cases, one of sexual harassment (p. 19) and one of racial discrimination (p. 20), illustrate how the Union has successfully resisted the employer's attempts to undermine postal workers rights through the effective use of Article 5.

### SEXISM AND RACISM

Fighting for equality also means fighting to end practices which treat people like second class citizens or sex objects. These are *major* problems. In addition to threatening the livelihood and health of women and minorities, sexist and racist conduct or procedures endanger *all* workers.

Sexism and racism pit one person against another. In the work place, the employer takes advantage of sexist or racist practices to divide and weaken workers and thereby threaten their ability to achieve individual and collective rights. The discrimination, harassment or intimidation of any postal worker should be considered as an attack on every worker's basic rights as well as an attack on our Union's strength and solidarity.

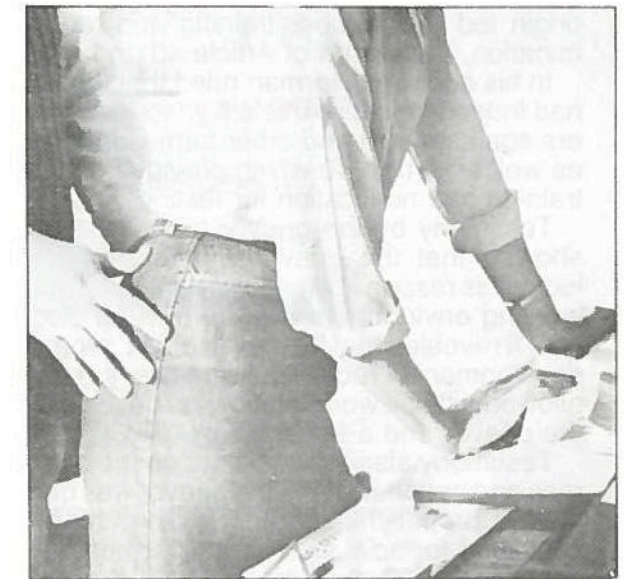


Post Office management withdrew this 1975 ad promoting the postal code when the public objected to its sexist content. As the CUPW sexual harassment case (this page) illustrates, blatant sexism among Post Office officials did not end with this ad.



### SEXUAL HARASSMENT

Sexual harassment in the Post Office is a major problem that is largely unreported. A study of CUPW members in Edmonton revealed that 12 percent of female postal workers experienced sexual harassment at work *during the past year*. Only seven percent of these female postal workers, however, filed a grievance or complained to the Union.



### WE HAVE PROTECTION

Article 5 of our collective agreement guarantees that postal workers have a right to enjoy a workplace free from sexual harassment. This right was confirmed by the recent June 29, 1983, decision of Arbitrator Kenneth Norman.

Norman's decision was in response to the case of a Calgary postal worker who grieved under Article 5 that she had been sexually harassed by her supervisor. The harassment, in this instance, resulted when a supervisor put his hands on the grievor's hips and pressed his body against her buttocks while she was bending over to tie up a mail bag.

Norman ruled that the supervisor had engaged in an act of intimate contact which a reasonable person ought to have known was unwelcome. He awarded the Grievor \$100 damages for the emotional turmoil to which she had been subjected by the violation of her right to enjoy a workplace free of sexual harassment. He also found that the employer had not taken sufficient steps to prevent the incident and noted that an *effective anti-harassment policy had not been adopted* by Canada Post managers even though they had been informed three years earlier of their *affirmative duty* to adopt and implement such a policy.



**RACIAL DISCRIMINATION**

Postal workers also have a right, under Article 5 of the collective agreement, to work in an environment that is free from racial discrimination.

On October 21, 1980, Arbitrator Kenneth Norman upheld this right. His decision resulted from a grievance by a Calgary postal worker who was rejected on probation on the pretext that her work was not adequate. The postal worker, an East Indian woman, grieved that the hostility she was subjected to as a result of her race and national origin led to improper training and racial discrimination, a violation of Article 40 and Article 5.

In his decision, Norman ruled that the employer had indeed violated Article 5 which protects workers against racial and other forms of harassment, as well as Article 40 which provides for adequate training and notification for testing.

Testimony by the grievor and other witnesses showed that the grievor's supervisor had neglected his responsibility to establish and maintain a working environment free from racial discrimination. It revealed that he had, in effect, promoted the development of racial tension since his negligence allowed difficult work relations to develop between the grievor and a few co-workers.

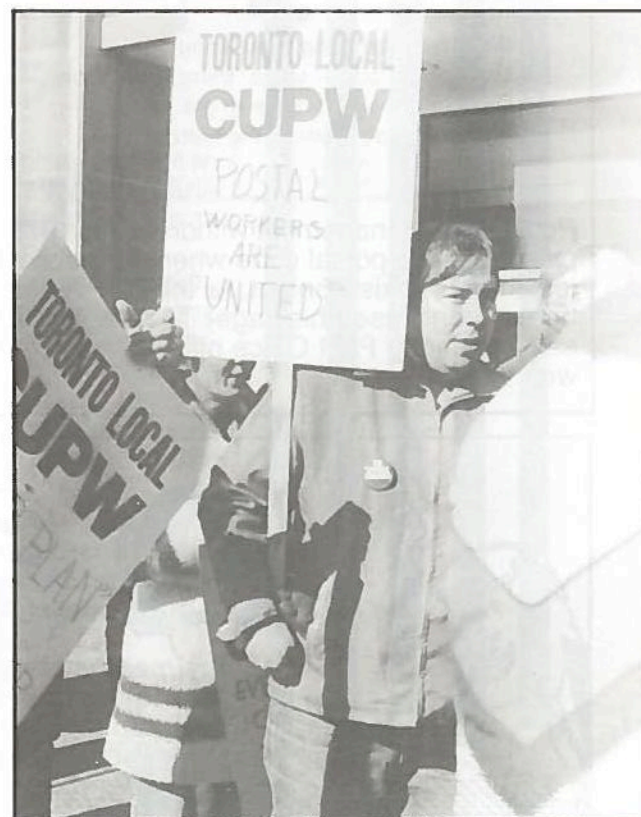
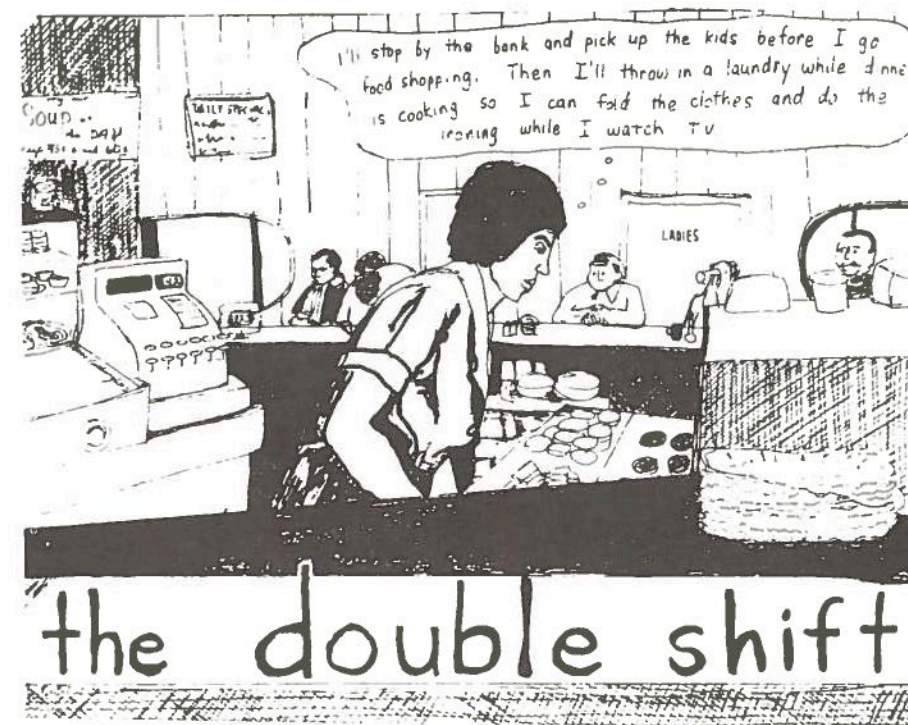
Testimony also showed that, on the basis of her race and national origin, the grievor was denied the right to proper training and testing, that she was subjected to racial slurs and other humiliating experiences without protection from the employer, and that the employer exploited the situation in order to prevent her from passing probation.

**KNOW YOUR RIGHTS**

The employer has an obligation to establish and maintain a working environment free from the forms of discrimination outlined in Article 5 of the collective agreement.

This obligation applies to discrimination which may be practiced by supervisors, management representatives or other employees.

**Article 5 provides us with important rights. We fought for it, let's use it.**

**AND USE THEM!****THE SPECIAL PROBLEMS OF****WOMEN AND PARENTS**

**Paid Paternity Leave:** The absence of paid paternity leave serves to penalize male workers for becoming parents. The present provision of one day of paid leave is simply not enough to permit male postal workers to fully participate in the activities which surround childbirth. Furthermore, by limiting the activity of the male parent, inadequate paternity leave serves to reinforce sex stereotyping and inequality by placing the major social and family responsibility which accompany childbirth on the shoulders of the mother.

In Canada, by far the most significant advance in the area of paid paternity leave has been achieved in the province of Quebec where approximately 200,000 provincial government workers are entitled to *five days paternity leave with full pay* which can be taken at any time between the mother's confinement and seven days after her return from hospital.

From an international perspective, Canada trails far behind other countries in respect to legislation concerning paternity leave.

In Sweden, legislation permits either parent of a newborn child to remain at home for nine months, or to split the leave, while receiving approximately 90 per cent of earnings.

In Norway and Finland, the father of a child is entitled to 12 days of paid leave after the birth to help care for a child.

**Paid Adoption Leave:** Adopting a child can be a time consuming process. At present, postal workers are granted one day of leave with pay for the adoption of a child. *In addition to the arguments for paid maternity leave which also apply to adoption, the inadequacy of this provision is obvious when one considers that adoption agencies have extensive requirements for screening and initiating prospective parents.*

Although each agency differs in their specific requirements, in general, most agencies require prospective parents of infants to participate in six to eight interviews and/or discussion group sessions held during specified hours. In many provinces, considerable travel is also required to pick up the child. In order to facilitate the integration of the child into the adoptive family, parents may be required to spend several weeks or months at home with the child.

Other workers have already negotiated better provisions for paid adoption leave. The most notable case is the collective agreement between the provincial government of Quebec and unions representing 200,000 public sector workers in Quebec which provides for *10 weeks of paid adoption leave.*

As a result of recent changes to the Unemployment Insurance Act, either parent of an adopted



## FIGHTING FOR EQUALITY

child is now entitled to 15 weeks of adoption benefits. However, while this new Unemployment Insurance regulation makes it possible to *apply for benefits*, there is no provision under the Canada Labour Code that gives applicants the right to *take adoption leave*. Therefore, workers who want to take this leave will have to:

- ask their employer for time off
- take special unpaid leave, or
- negotiate the right to take adoption leave into their collective agreement.

To end the discrimination against workers who adopt, the Canada Labour Code must be amended to give workers the right to take adoption leave. For postal workers, a more immediate solution is to strive through negotiations for equality for adoptive parents under Article 23.

**Childcare:** Childcare responsibilities limit and eliminate the employment opportunities and union activities of many women and some men.

Good low-cost childcare services are one way of remedying this problem. The Canada Labour Congress believes that a "universal, comprehensive network of childcare services must be planned and include a variety of options so that parents can choose the care most appropriate for their children". (CLC Reference: Equal Partners for Change: Women and Unions, Who Will Mind The Children?)

Many European countries already recognize childcare as a social right and provide extensive childcare services that cost the worker little or nothing at all. France and Sweden, for example, have pre-school programs for children from three to six years old and a wide variety of services for younger children that include infant care centres, lengthy paid parental leave and supervised day care homes.

Another means of dealing with childcare problems is a childcare allowance. An allowance could be paid to a parent at home, a day/night care centre or a child-minder.

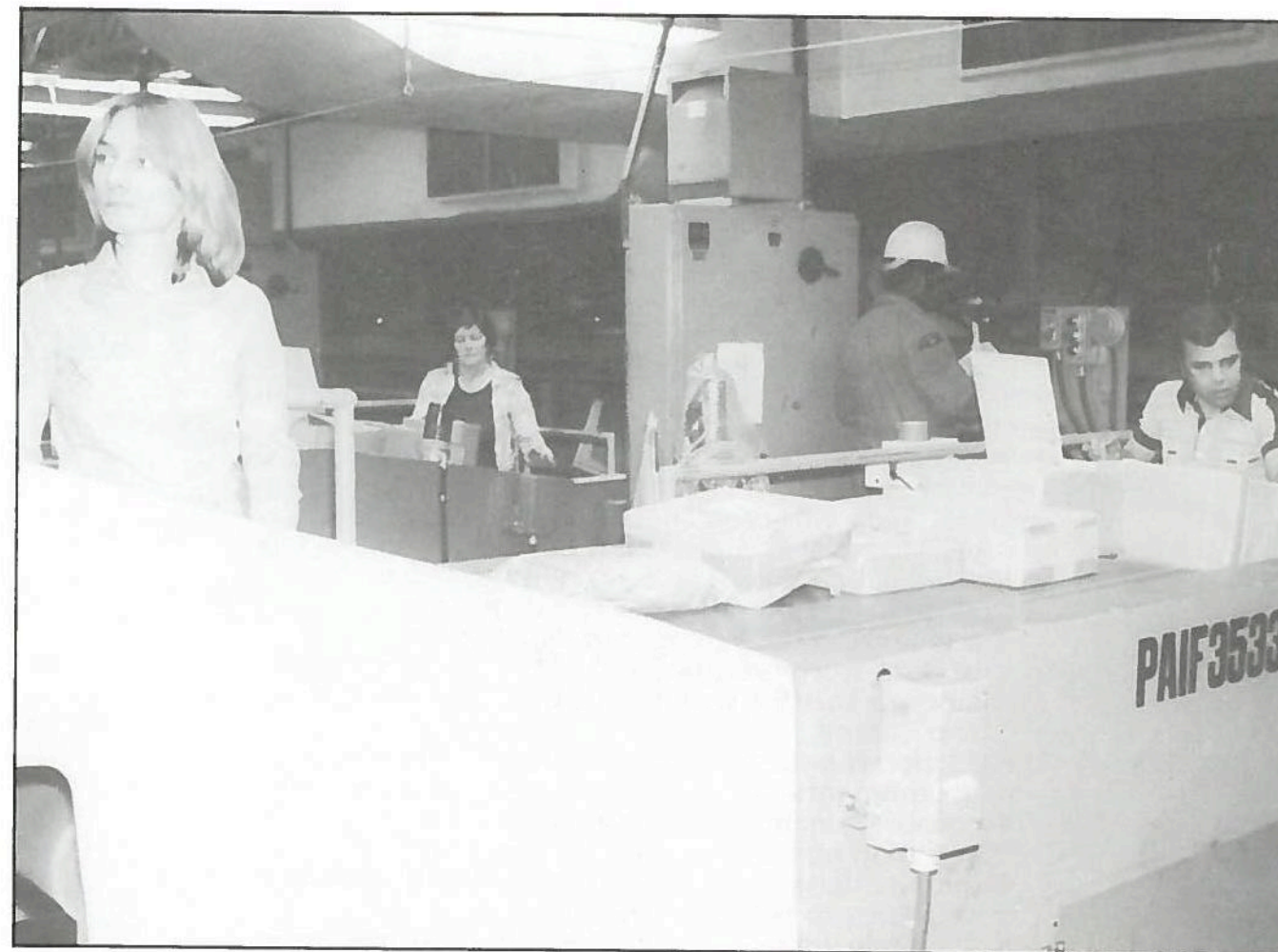
Ideally, the provision of childcare services or a childcare allowance would be our social right. However, as with many other social rights, workers will likely have to win childcare provisions at the bargaining table first. The United Auto Workers (UAW) recently achieved a breakthrough in this area when it negotiated a contract with American Motors in Stratford.

The new UAW contract includes an employer-paid benefit of two cents per hour per worker to go towards the cost of a daycare centre for plant employees.

**Night Work:** Night work has many negative effects on the social and family life of workers. The particularly serious effects it has for women and workers with young children is outlined in **Backgrounder Number 1: Our Health at Risk**.



## FIGHTING FOR EQUALITY



## ACHIEVING SOLUTIONS

### ARTICLE 5: TOOL TO EQUALITY

Article 5 of our collective agreement is a no-discrimination article protecting the individual and collective rights of postal workers.

By effectively implementing Article 5, we can guarantee that all individuals will have a right to work in a discrimination-free environment. The employer must be made to honour this contractual commitment to treat all postal workers equally.

**By prohibiting the employer from creating divisions among the membership, we can also protect and strengthen the integrity of the bargaining unit.**

Article 5 also protects our collective interests by ensuring that postal workers are not mistreated as a result of union activity. Resisting attacks on postal workers' collective rights and security is of utmost importance. It is, after all, our collective strength that allows us to advance our individual interests in respect to wages, benefits, opportunities and security.



# NEGOTIATIONS

Many of our achievements for equality — fair job classifications, equality of part-timers, elimination of individual work measurement, seniority provisions, paid maternity leave, the no-discrimination clause — are the result of fighting hard during negotiations.

Since June 1982, however, Bill C-124 has prohibited collective bargaining for postal workers and other federal public sector workers.

In recent years, federal and provincial governments have become more willing to resort to legislating restrictions on workers' rights, while corporate thirst for greater profit margins has increased demands for concessions from workers at the bargaining table.

Our rights are currently being threatened by:

- a recession deepening into depression
- back-to-work laws like Bill 111 in Quebec repressing workers the way they do in countries like Chile and Turkey
- corporate employers demanding bail-outs from our governments and concessions from the workers
- corporate technology replacing all kinds of workers in typing pools, on assembly lines, etc.
- multi-nationals searching Third World low-wage countries to set up operations
- the drain on our financial and natural resources caused by the nuclear arms race
- cutbacks in social services and social security for retired workers and the poor.

Divisions between private sector and public sector unions, working men and women, the organized and the unorganized, employed and unemployed, help governments and employers to reduce workers' collective strength. There is a growing realization among workers and their unions that we need to unite our forces to successfully resist these attacks on our rights.

The struggle to achieve equality is an integral part of our struggle to find the unity and strength we need to promote the interests of working people everywhere.

**EQUALITY — IN EVERYONE'S BEST INTERESTS!**



# AND BEYOND