

PRACTICING WHAT WE PREACH . . . WOMEN, UNIONS AND AFFIRMATIVE ACTION

Donna Balkan

Le 30 mai 1984, le Congrès canadien du Travail a fait une démarche historique pour les femmes et pour le mouvement travailliste en général: il a adopté une résolution pour la création de six nouveaux postes à la vice-présidence, réservés spécifiquement aux femmes. L'action positive est devenue une réalité dans le mouvement travailliste. Donna Balkan place cet événement dans le contexte de l'histoire ouvrière canadienne, et évalue son importance et son potentiel pour un changement significatif.

As we make demands on our employers, we must be prepared to look at our own organizations (Canadian Labour Congress Policy Paper on Affirmative Action May, 1984).

On 30 May 1984 the Canadian Labour Congress took what was immediately hailed as a historic step both for women and for the labour movement as a whole. On that day in a crowded Montreal convention centre, delegates to the CLC's Fifteenth Constitutional Convention adopted a resolution to create six new CLC vice-presidencies . . . specifically reserved for women.

If any of the more than 2,300 delegates opposed the move, no one noticed – or cared. Women and men alike jumped to their feet, breaking into a rousing chorus of "Solidarity Forever." No one had the time, or the inclination, to think about *why* such an amendment was necessary in the first place, why women were so grossly underrepresented on the CLC executive that something had to be done. All we knew was that after months of discussion and debate – and years of pressure from labour feminists – affirmative action was a reality in the labour movement's highest echelons. At last the labour movement was practicing what it had been preaching to union members and employers alike.

The events of May 30 seem all the more significant when looked at in the context

of Canadian labour history. Less than ninety years earlier, the CLC's predecessor, the Trades and Labour Congress, adopted a Statement of Principles which included a call for the abolition of female labour "in all branches of industrial life." Historians may quibble about whether this was done to protect women from exploitation – the abolition of child labour was advocated in the same sentence – or out of the fear of women workers taking men's jobs. While the policy was changed in 1915 (by then, efforts were being made to organize women in the textile industry), it's a good indication of how the labour establishment perceived women in those early years.¹

The labour movement's ambivalent attitude toward women continued through much of the current century. Throughout the 1920s the Trades and Labour Congress supported a minimum wage for women because they "need protection," but opposed the introduction of a minimum wage for men. In retrospect this could be considered the movement's first proposal for an affirmative action program: it recognized that women were victims of discrimination – in this case, wage inequality – and proposed a means of redress. At the same time, in 1929 the TLC opposed the introduction of family allowances on the grounds that government payments should not substitute for a fair and adequate wage.

The same contradictions lingered throughout the Depression. There's no doubt that economics motivated the TLC to support single working women while condemning married women who worked. (The rival All-Canadian Congress of Labour supported the right of all women to work, as well as the minimum wage for both sexes). And although unions made a major effort to organize women workers – the historic, albeit unsuccessful organizing campaign at Eaton's in Toronto in the late 1940s was a prime example – "women's issues" were rarely discussed, much less thought of as such.

It wasn't until 1966 that "women's issues" – including the package of policies and programs now included under the heading of *Affirmative Action*² – became part of the CLC's agenda. At that year's convention the Human Rights Committee called for an end to discrimination against women through collective bargaining and effective legislation: the CLC amended its own constitution to include sex as a grounds for discrimination. One year later the Congress presented a brief to the Royal Commission on the Status of Women. The brief tackled such issues as equal pay (for equal work), access to education and training, taxation and child care.

In addition to spawning the labour movement's "discovery" of women's issues, the years 1966-1976 were a major period of growth in the unionization of women workers. In 1965 only 16.6% of all union members were women. Ten years later the figure had jumped to 26%.³ This increase was largely due to the rapid unionization of the public sector, where nearly half of all workers (not including management) are women.⁴

But numbers were not the only factor. Unlike their private sector counterparts, the new public sector unions had governments as both employers and legislators. Thus, as affirmative action became an issue for governments, it was only natural that it become an issue for government employees as well.

Nor were the private sector unions immune to societal change. Most of the major private sector unions were based in the United States, where affirmative action – for both women and racial minorities – was implemented during the 1970s. The international unions moved quickly to develop their own responses to affirmative action legislation, hired human rights directors, and started taking discrimination cases to court on their members' behalf. While the political and legislative situation in Canada was vastly different, there's no doubt that Canadian private sector union activists were influ-

enced by what they saw and heard from their American brothers and sisters.

Thus did affirmative action become a major issue in the union hall and on the convention floor. In 1976 the CLC held its first national women's conference. Its fifth, entitled "Making Affirmative Action Work," took place in September of 1985. Women's conferences have also been held by virtually every provincial Federation of Labour and major union. Nearly all major unions and labour centrals now have women's committees - a far cry from the "ladies' auxiliaries" that were formed for the wives of union members many years ago! And groups of union women have formed their own organizations, such as Organized Working Women in Ontario, to bring women workers together to lobby for affirmative action, equal pay for work of equal value, and workplace child care.

All of this activity would be irrelevant, however, if it was not carried over to the bargaining table. Most collective agreements now include, at the very minimum, a "no discrimination" clause which prohibits discrimination on the grounds of sex, race, creed, colour, marital status and ethnic or national origin. Other agreements have added age, political beliefs, physical disability and/or sexual orientation to the list of prohibited grounds for discrimination.⁵

Most collective agreements also include provision for maternity leave. While unpaid leave is the rule rather than the exception, paid maternity leave has been successfully negotiated by several unions, including the Common Front of public

sector unions in Quebec, the Canadian Union of Postal Workers, and the clerical bargaining unit of the Public Service Alliance of Canada. Child care, sexual harassment, emergency leave (to take care of sick children), and health and safety hazards specifically affecting women (such as radiation from video-display terminals) are other issues that have been dealt with at the bargaining table with considerable success. Both the United Auto Workers and the B.C. Government Employees' Union (a component of the National Union of Provincial Government Employees) succeeded in negotiating employer-subsidized workplace daycare centres.

Unions have had a harder time negotiating on the equal pay and affirmative action fronts. Equal pay for equal work is now taken for granted, but few contracts contain clauses providing equal pay for *similar work* or equal pay for *work of equal value*. Although some contracts provide for affirmative action programs to give women (and/or the disabled and visible minorities) equal access in hiring and promotion, such clauses are still a rarity.

When unions do score a victory on the affirmative action front, it is celebrated and soon becomes almost legendary. Such an achievement was the Women Back Into Stelco campaign, which was waged by the United Steelworkers of America in 1980. That campaign resulted in the establishment of a 10% hiring quota for women and the addition of 130 women to the workers' ranks.⁶

But more often than not, trade unionists

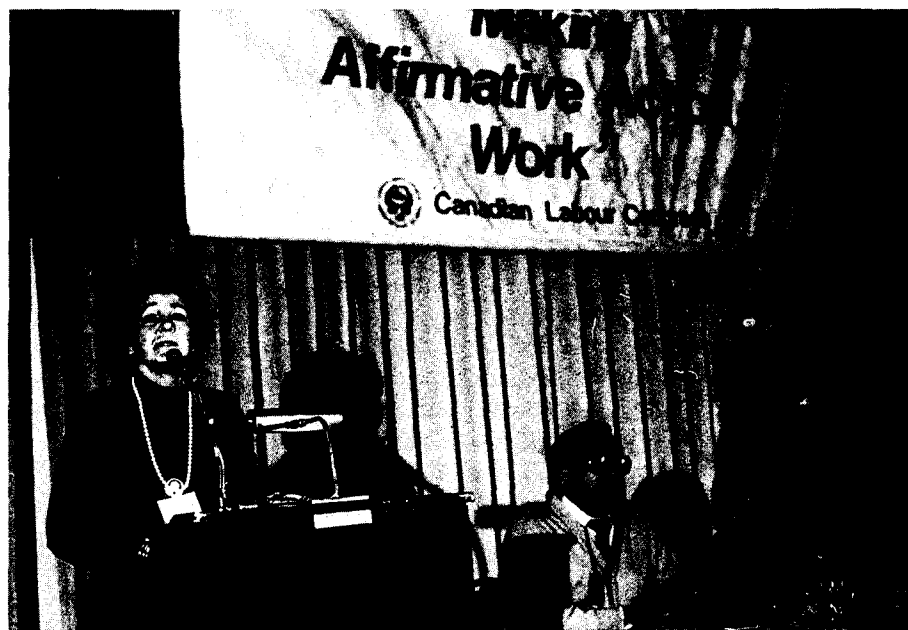
often complain, affirmative action programs are employer-initiated, planned with no union involvement and carried out entirely outside the collective bargaining process. Such programs, it is argued, bear little resemblance to true affirmative action and are designed to bring a handful of women into management positions for cosmetic purposes.

Union distaste for employer-initiated affirmative action programs is one reason the labour movement was so critical of the federal government's proposed Employment Equity legislation, which was developed in response to the Royal Commission on Equality in Employment. Unlike the Abella Report, however, the legislation does *not* require that affirmative action plans be developed by joint labour-management committees; how they are developed is left entirely to the discretion of the employer.

At the CLC's 1985 Affirmative Action conference, the bill was strongly condemned by the delegates, who called for legislation that would *not* only make affirmative action *mandatory* (the bill effectively maintains a voluntary program), but would require *union participation* in the development of such programs. Two weeks later a coalition of groups, including the CLC and the National Action Committee on the Status of Women, held a news conference to oppose the legislation, arguing that no Employment Equity bill would be better than that which the government was putting forward.

There has also been concern that the problems generated by employer-initiated affirmative action have made the job of selling the affirmative action concept to union members doubly difficult. More than once unions have been forced to launch grievances because an employer, in the name of "affirmative action," violated contract provisions on seniority, internal promotion, or layoff and recall. *How to reconcile affirmative action with hard-fought seniority rights still poses a dilemma for many trade unionists.* If the principle of seniority remains supreme, how does one redress the "last hired, first fired" syndrome that has traditionally plagued women workers?

The uncertain economy of the past five years has also impeded progress in the negotiating of affirmative action programs. Affirmative action proposals initially brought to the bargaining table often fall by the wayside when job security becomes the paramount issue.



CLC Secretary-Treasurer Shirley Carr

Credit: Courtesy of Donna Balkan

And even the strongest feminists within the labour movement wonder how to convince employers to hire, train and promote women when they're laying off workers of both sexes.

Despite these concerns, affirmative action seems to have been accepted by the majority of union leaders, if not the majority of union members. What makes that particularly remarkable is that, the events of May 30 notwithstanding, union leadership in Canada is still overwhelmingly male.

In 1980, for example, women made up approximately 30% of all union members – and only 17% of the members of union executive boards. In the public sector alone, the gap was even greater: there women made up 40.3% of the membership and only 11.5% of executive board members.⁷

On the executive council of the Canadian Labour Congress, women hold ten of the thirty-eight positions – and that includes the six women who were elected on the “affirmative action slate.” Only one woman, CLC Secretary-Treasurer Shirley Carr, has ever held one of the four full-time CLC offices. And only one woman, former Canadian Union of Public Employees president Grace Hartman, has ever held the presidency of a major Canadian union.

For this reason, any discussion of affirmative action in trade union circles always comes back to the same issue: how to promote affirmative action within the labour movement itself. For trade union women, the two issues of affirmative action in the workplace *and* affirmative action within their unions are inseparable. As Newspaper Guild representative Frederica Wilson put it to the CLC Affirmative Action conference: “Until we resolve these problems in our own unions, we won't be able to resolve them in the workplace.”

So far, the main way unions and labour centrals have attempted to resolve the problem of female underrepresentation has been by adding executive seats for women. Even before the CLC created the six new vice-presidencies, similar measures had been taken by several provincial Federations of Labour. But despite the strong support for such policies, many trade union women wonder if they are just another case of tokenism.

Nancy Riche, Secretary-Treasurer of the National Union of Provincial Government Employees and one of the highest-ranking women in the Canadian labour

movement, expressed those concerns in a speech to the 1985 women's conference of the Public Service Alliance of Canada. The speech, humorously entitled “We've come a long way . . . maybe,” told of Riche's own struggle to rise in a trade union movement which is still, for all intents and purposes, a man's world. And while she spoke strongly in favour of the extra seats for women at the CLC convention, her speech to the PSAC conference echoed the lingering questions of many union women.

“One of the problems with the extra seats approach is that we don't think beyond the extra seats,” Riche said. “In 1920, two ‘women's seats’ were added to the executive of the Trade Union Congress in Great Britain. In 1980, the women still had those two seats, and only one other. Does this mean that sixty years from now there will still be only six or seven or ten women sitting around the table at the CLC with all those men?”

The point that Riche and others have made is that true equality for women in the labour movement will only be achieved when women are able to rise through the union ranks and be elected as trade unionists – not just as women. And what affirmative action in the labour movement *really* entails is not extra seats, but things like access to union educational programs, child care at union meetings, and other ways of encouraging women to become more active in their union locals.

And while some may say it's not happening fast enough, there has been progress at that level. The numbers of women local officers have been increasing, even in unions where women are a small minority of the membership. In the Steelworkers, for example, the number of female local presidents jumped from 38 to 55 – a 44.7% increase – between 1979 and 1982.⁸

As union women look toward the 1990s, they do so with optimism that the local activists of today will be the national leaders of tomorrow. Coupled with that hope is a belief that, as more women achieve leadership positions, there will be even more pressure for unions to negotiate affirmative action in the workplace.

As Wendy Cuthbertson of the United Auto Workers put it during a panel on “Celebrating Our Victories” at the CLC Affirmative Action conference: “We've gone up the stairs and have come to a landing – it's both a culmination and a beginning.”

¹Much of the historical material cited here is taken from “To Seize the Good: The History of Women in Unions,” an information sheet published in 1981 by the Canadian Labour Congress as part of the “Equal Partners for Change” series. Additional information was obtained from Desmond Morton's *Working People* (Deneau & Greenberg, 1980).

²The labour movement tends to use a broad definition of affirmative action. In the CLC's 1984 Policy Paper on Affirmative Action, it was defined as “any action designed to overcome barriers to equality and compensate for past and present discrimination, and improve the economic status of the disadvantaged group.”

³Linda Briskin, “Women and Unions in Canada: A Statistical Overview,” in Linda Briskin and Linda Yanz, eds., *Union Sisters: Women in the Labour Movement*. (Toronto: Women's Educational Press, 1983), p. 33.

⁴The percentage of women in the various public sector unions varies from 40 to 55%. In the National Union of Provincial Government Employees, for example, women make up 52% of the total membership.

⁵Information on collective agreement clauses dealing with women's issues was obtained from *Bargaining for Equality*, a booklet published in 1982 by the National Union of Provincial Government Employees and written and researched by Susan Attenborough.

⁶Background on the Stelco campaign and other union attempts to negotiate affirmative action can be found in Jackie Larkin, “Out of the Ghettos: Affirmative Action and Unions,” in Briskin and Yanz, pp. 65-86.

⁷Briskin in Briskin and Yanz, p. 37.

⁸*Ibid*, p. 38.

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