



## **POLICY STATEMENT**

### **LABOUR ACTION FOR EQUALITY IN EMPLOYMENT**

In the past fifty years, the Canadian labour movement has played a leading role in the struggle for human rights. We have been successful through collective bargaining in securing many protections for workers against overt discrimination although some groups still remain unprotected and subject to discrimination.

Nevertheless, Native people, women, persons with disabilities and visible minorities have not achieved equality. While some individual members of these groups have gained good jobs, fair wages and benefits, and good working conditions, they are not representative of the general experience of others in these four groups.

In many areas of working life, members of these groups are grossly under-represented in the workforce or over-represented in jobs that require few skills and pay low wages. Often they are under-employed in casual or part-time labour and make up virtually all of the workforce not covered by minimum labour standards.

Despite anti-discrimination laws adopted in the last thirty years, and a new Canadian Charter of Rights and Freedoms, the situation of these workers has not improved significantly.

More than 10 percent of British Columbians have some type of disability and face an unemployment rate of up to 75 percent.

Native people earn only 60 to 70 percent of the wages of their non-Native counterparts, and experience twice as much unemployment when compared to the Canadian population.

Visible minorities remain concentrated in lower-paying jobs and have a much slower rate of promotion, seldom reaching the levels achieved by whites with similar education, skills and experience.

Women still remain entrenched in low-paying "pink collar" job ghettos and make up 85 percent of the population living below the accepted poverty line.

It is clear from the lack of progress by these groups in achieving equality that passive anti-discrimination laws are not enough. More must be done to actively change the situation of workers in these groups. We must take affirmative action.

## **What is Affirmative Action**

Affirmative action is a program of measures designed to overcome the barriers to equality faced by women, visible minorities, persons with disabilities and Native people in the workplace, and to improve their economic status by compensating for past and present discrimination.

Labour's program of affirmative action is not limited to measures in the workforce alone, but includes measures that must be taken by our communities to overcome these barriers. It includes measures that temporarily favour these groups in order to allow them to gain equality.

Some criticize affirmative action as a form of "reverse" discrimination and believe that equality exists when everyone is treated identically. Equality in society must be judged however, by the situation of groups, not by the treatment of an individual. Some individuals may be able to achieve equality on their own, but the overall obstacles they face are so overwhelming that in many other cases they cannot be overcome, perpetuating the cycle of inequality. Unless we intervene to break this cycle through special measures, we can never expect these groups to achieve equality in employment.

Furthermore, affirmative action programs in the workplace must become mandatory. Efforts to encourage employers to voluntarily implement affirmative action have met with little success. Many employers have little interest in working for equality, since they gain the benefit of exploiting these workers.

## **Seniority and Affirmative Action**

Seniority is one of the fundamental principles of the labour movement. Employers and governments often argue that seniority is a barrier to equality and unions must agree to eliminate seniority in order to implement affirmative action.

This argument is far from the truth and is an attempt to shift the blame to unions. It is employers who hire workers when seniority is not a factor. It is employers who promote workers and, in the case of promotion, seniority is designed to protect workers from discrimination.

A Canadian Labour Congress study shows that in only one percent of collective agreements, promotion is decided by seniority alone. In 59 percent of agreements, seniority is only one of several factors and is designed to prevent bias and prejudice from entering into the decision-making process. For fully 40 percent of unionized workers, seniority is not a factor governing promotions.

In layoffs, seniority is a prime governing factor designed to prevent employers from unfairly favouring one group or individual over another.

It is clear that seniority is being used as a scapegoat to divide women, Native people, persons with disabilities and visible minorities from joining with the trade union movement to effect real change. In this way, employers seek to undermine the most

effective anti-discrimination system in the workplace. There are some instances where seniority systems act as a barrier, but these problems result from the attempts by employers to frustrate workers' demands for justice. Trade unions must continue to demand through collective bargaining that these systems be changed.

### **Government Action**

Government has done little to assist real progress toward equality in employment.

Although the federal government has implemented "employment equity" legislation to cover employers in the federal jurisdiction and federal contractors, it is a watered-down program without effective enforcement measures.

At the provincial level, the British Columbia government has continually refused to implement legislation requiring affirmative action.

At both levels, the Conservative and Social Credit governments have failed to provide adequate resources to support measures to remedy the disadvantages faced by members of these groups – access to education, childcare, language training and other measures.

The labour movement must demand more than lip service to equality from government. It must demand a real commitment to creating true economic and social equality.

Policies of deliberate high unemployment also frustrate real progress and turn worker against worker. Government commitment to a full employment strategy is an absolute necessity to equality in employment.

### **Equality Within the Labour Movement**

If we are to be successful in achieving equality in the workplace, unions must also take measures to ensure women, visible minorities, Native people and persons with disabilities are properly represented within labour's own structures.

Many of the affiliates of the Federation have embarked on programs to promote the full participation of members of these groups by ensuring there are no barriers to access or participation in union activities because of financial, language or physical impediments.

We must renew our commitment to this goal so the needs and priorities of these groups are understood by our members and leadership and form part of our agenda for social justice.

### **Labour's Action Program**

It is not possible to detail every measure the labour movement must pursue in developing an affirmative action program in a policy document of this nature. Nonetheless, we recommend this 35th annual Convention of the B.C. Federation of Labour adopt the following program of action to gain equality in employment.

## **Action by the Federation**

The B.C. Federation of Labour will:

1. Work in conjunction with the provincial New Democratic Party to demand the British Columbia government introduce and implement mandatory affirmative action legislation;
2. Work in conjunction with the Canadian Labour Congress and the federal New Democratic Party to achieve amendments to the federal **Employment Equity Act** to strengthen its effectiveness;
3. Work in conjunction with the Canadian Labour Congress to conduct an education program to develop support for legislation and train union activists on the implementation of affirmative action in the workplace and within union structures;
4. Work with other groups in the community, particularly those representing or serving women, Native people, visible minorities and persons with disabilities, to demand action from both government and employers; and
5. Continue to campaign for pay equity as part of the struggle for affirmative action.

## **Action by Affiliates**

Affiliates agree to undertake the following:

1. Give priority in collective bargaining to clauses that will be of special benefit to these groups and that incorporate proposals for strong anti-discrimination and anti-harassment provisions;
2. Seek to extend employment opportunity and seniority rights on an employer-wide or plant-wide basis as appropriate to their sector;
3. Integrate affirmative action issues into all union educational courses;
4. Press employers to implement affirmative action programs through negotiation with the unions involved to ensure implementation in an even-handed manner;
5. Establish and work with internal women's and human rights committees to build support for affirmative action measures within the membership;
6. Work toward childcare subsidies and/or workplace childcare;
7. Work with local groups to lobby for affirmative action programs in local government; and

8. Conduct a review to ensure union structures and events are accessible to members of these groups, and that measures are undertaken to encourage full participation and involvement of visible minorities, Native people, women and persons with disabilities.

## **Conclusion**

The labour movement has a special responsibility to take a leadership role in mobilizing its members and the community to demand equality in employment. We believe in the right of every person to a job at fair wages, with dignity and justice, and this can only be accomplished by joining in a common cause with workers who have been excluded from or exploited in the workplace. the very strength and future of our labour movement depends on it.

**Adopted in Convention 1990**  
**B.C. Federation of Labour**

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