

New Brunswick Women's Liberal Association

Presentation submitted to the Law Amendment Committee
On Bill 77, Pay Equity Act

November 18, 2004

Mrs. Mersereau: This is Nancy MacIntosh. She is the secretary of the association, and she will lead the discussion.

Ms. MacIntosh: I am pleased to be able to attend these hearings with Marcelle Mersereau on behalf of the New Brunswick Women's Liberal Association. Marcelle and I are part of an organization of well over 500 New Brunswick women representing all regions of the province, Anglophone and Francophone, urban and rural, and young and old. Our organization has operated as part of the New Brunswick Liberal Association for over 50 years and has been instrumental in putting forward issues of concern that have been included in party principles, election platforms, and Liberal government policy. One of our resolutions in 1986 concerned pay equity. This resolution became part of the election promises made by Frank McKenna's team in a policy that was implemented in both Parts I and II of the civil service during his mandate.

We would like to recognize the members of the Coalition for Pay Equity for their tireless work. Not only did they draft this bill, but they also mobilized thousands of individuals committed to ending wage discrimination in New Brunswick. We would like to thank Elizabeth Weir for tabling the coalition's bill as a private member's bill in the Legislature, and Carmel Robichaud for supporting the motion. Finally, we would like to commend members of all three parties for agreeing that the bill should be sent to the law amendments committee and the committee for opening the process to public hearings. Undoubtedly, if you have not heard enough already to convince you that proactive pay equity legislation is the only fair thing to do, we assure you that you will when these hearings are completed. As complicated and as controversial as it may be, we are confident that this process will move this legislation closer to enactment.

M^{me} Mersereau : C'est un plaisir pour moi d'être avec vous B la Chambre aujourd'hui. J'y ai passé 12 ans de ma vie et j'ai eu le privilège B ce moment de travailler avec mes collègues de tous les partis, qui ont aussi œuvré pour le bien-être des gens du Nouveau-Brunswick. Il y a eu de bons moments et il y a eu des moments assez difficiles B la Chambre. Lorsque j'ai quitté la politique en 2003, j'avais un sentiment de fierté, mais j'avais aussi des regrets. J'étais fière de ce que nous avons accompli comme gouvernement et comme parlementaires. Cependant, je dois vous avouer que je regrettais de ne pas avoir pu accomplir tous mes objectifs. Un de ces objectifs était de voir une plus grande diminution de l'écart salarial entre les hommes et les femmes du Nouveau-Brunswick.

Aujourd'hui, j'ai l'honneur de représenter l'Association des femmes libérales du Nouveau-Brunswick, qui, depuis plusieurs années, lutte pour éliminer la discrimination salariale pour toutes les Néo-Brunswickoises. Je suis aussi heureuse de constater que cette lutte n'est pas restreinte à un seul parti politique. En fait, c'est une préoccupation pour toutes les femmes, indépendamment de leur allégeance politique.

In fact, women from all political parties have spoken on this issue. The position of women in the New Democratic Party has been made very clear through their leader, Ms. Weir, and many others representing that party. Women in the Progressive Conservative Party have also asked their government to adopt proactive legislation which would guarantee pay equity in all economic sectors of the province.

For your information, I have attached copies of both the NBWLA and the motion that the Kent Progressive Conservative Women's Association presented in 2002. As you can see, the need for proactive pay equity legislation knows no boundaries for many women involved in the political process. Both Liberal and Conservative women adopted the same motions on behalf of their membership in 2002.

Therefore, it should be clear to all three parties that women who support and work hard for their respective leaders and parties want an end to discriminatory practices. These are practices which place many women in very vulnerable and difficult financial positions. The fact that women from all three political parties denounce wage discrimination reinforces what women have been saying all along: Pay equity should not be a partisan issue. It is an issue that has to be solved with the whole Legislative Assembly working together on a process that will lead to pay equity in both the public and private sectors in an acceptable and timely fashion.

In 2000, the average employment income in Canada for full-time, full-year, female workers was equal to 70.8% of the average employment income for men. This 29.2% wage gap between men and women is attributed to three main factors: family responsibilities, the career choices women make, and the undervaluation of traditionally labeled women's work. A recent Canadian study indicates that a little over 60% of that gap can be explained by the fact that women have to juggle family and career. Often, because of this, they tend to choose traditional female jobs that pay less than traditional male jobs. This leaves almost 40% of the gap which cannot be explained by how women carry out their family responsibilities nor how they make career choices. I should mention here that some research attributes as much as 50% of this wage gap to discrimination alone. Interestingly, all three identified causes have a common denominator: the way society values work or—I should say—devalues women's work.

I know that you have all heard these statistics before and that you are also aware that things have to change if we want New Brunswick to grow and prosper. We cannot continue to undervalue our human capital and hope to improve our productivity. I know that you want your daughters,

wives, sisters, mothers, and women in general to be treated equitably. I also know that most of you want to change things, so that your sons and daughters will not have to continue this fight for you.

How does one go about closing this wage gap and changing societal attitudes toward the value of women's work? Firstly, you, as members of the law amendments committee, can educate, sensitize, inform, and remind your colleagues about their responsibilities as legislators and policy makers. Secondly, you can put a value on women's work through legislation to ensure compliance. Thirdly, you adopt policies and legislation that will ensure that women are equally present in all sectors of society.

As a result of these hearings, you will be in a privileged position to work with your respective caucuses to make sure that everyone who sits in this Legislature is fully ready to debate this important issue and to ask government to bring in proactive legislation on pay equity. This action alone will reduce the gap by at least 40%. It is only by legislating a systematic process that employers—including government—will end job discrimination against women.

A few minutes ago, you heard the Advisory Council on the Status of Women mention the figure of \$688 million as the cost of inequity. However, by simply bringing in proactive legislation, you can reduce this by \$344 million, because it will lower that gap by almost half. Even if it was only \$300 million, it is still a pretty good figure. Action plans for getting rid of the remainder of the gap should be pursued in tandem with establishing pay equity legislation. In other words, we can walk and chew at the same time. We can have proactive legislation and still work on the other 60% of the gap to make sure that it meets the needs of New Brunswick women as well.

I know that all of you agree that job discrimination should end. I also know that what is being asked by women is legitimate and should be done. What may not be so clear right now is how and when this will be done. I would now like Nancy to continue.

Ms. MacIntosh: This has been happening for a long time, so I thought that I would bring up some of my own family history. The experiences of the women in my family are probably quite similar in your own families, other than this one. My great-great-great-great-grandmother was a woman by the name of Hannah MacIntosh. On the family farm in Ontario, there was one apple tree that was quite a bit better tasting than all the others. With the help of an itinerant farmhand, Hannah learned how to graft the tree, and she spent several years working with her son to grow more of these special apple trees. This son, Allan, traveled the circuit as a preacher. He would pack his bags with apples to give out to his parishioners. They became quite famous in the area as granny's apples, but now they are called MacIntosh apples. If you ever read about the MacIntosh apple, you will know that John MacIntosh, Hannah's husband, developed it. Hannah is never mentioned. It is not important, I know, but imagine the hundreds or even thousands of discoveries and developments made by women throughout the centuries for which they have

received no credit. Because they received no credit, it has perpetuated the idea that their contributions to life beyond hearth and home were minimal.

Then again, their contributions to hearth and home were not valued very highly either. In my own family, my great-grandmother was married to a most influential Frederictonian. He was chief clerk of the education office, he had several honorary degrees, he was chairman of the Maritime United Baptist Convention for twenty years, and so on. In many ways, he was ahead of his times. All three of his children—a boy and two girls—graduated from university. However, my great-grandmother did not have a penny to her name, and she had to raise chickens at her home on George Street so that she would have enough money for even the smallest of purchases, even needles and thread. She was around my age in 1919 when the Treaty of Versailles said: Men and women should receive equal remuneration for work of equal value. That was my great-grandmother.

One of her daughters, my grandmother, was a gold medallist at UNB, meaning that she had the highest average over four years. She taught school, and she even became the school principal, which was an almost-unheard-of accomplishment in her day. Then, she was expected to give it all up when she married my grandfather. She did. Despite his profession of medical doctor, he was not very good with investments, and she was left with very little money after his death. That probably would not have happened had she remained a school principal. She was just about my age in 1951 when the Convention 100 of the International Labour Organization was passed that had four procedures by which pay equity could be implemented.

Things still had not changed much in my own mother's time. She and all her sisters graduated from university. Again, it was not that common for women in the 1930s. My own mother was a performing pianist with a degree in fine arts. She married my father in 1942, and became a stay-at-home wife and mother. Again, she was around my age in 1965 when the minimum wage became equal for men and women and when the New Brunswick government ended its policy of not employing married women as permanent employees in 1967.

This brings me to today: you and I together in this room. What a long way we have come, you are thinking, I am sure. Back in 1917, when women entered the workforce, the powers-that-be decided that women should get two thirds the salary of men. In New Brunswick, in the 1994 census, the percentage was 64% or just slightly less than two thirds. Progress indeed. What does this mean for you, your mother, your wife, your sisters, and your daughters? All of us in this room are old enough to have firsthand experience of how the wage gap affects us. We have seen our mothers, aunts, sisters, and friends stuck in loveless or abusive marriages because there was no way they could make it on their own. Or, we have seen them leave and struggle to survive. In Canada, 82% of single-parent families are headed by women. In New Brunswick, 63% of children of lone mothers are poor. The notion that women work to earn pin money or to supplement their husbands' wages is so outdated it is ridiculous. Yet, the idea persists.

At retirement, women have a pension that is 59% of men's. With longer life expectancies, it means that your mother will experience a diminished standard of living, for a longer period of time. She will receive more government subsidies, and she will use the health care system more than your father. Your friends and sisters may be in a more precarious position than the women who came before them. They have probably worked the majority of their careers in lower-paying positions, and they have probably taken years to raise their children without the ability to contribute to their pensions. In our society today, divorce has become so prevalent that it seems like a natural progression in life. However, for those of us in our 40s and 50s, this does not bode well for a prosperous old age. For many, the only hope of raising the standard of living is to remarry.

Let's look at your daughters. Hopefully, in this 21st century, you want her to be successful in whatever she chooses to do with her life and to be treated fairly and equally in all she does. Unless you are successful in passing proactive legislation, I think you had better lower your expectations. Today, in New Brunswick, your daughter goes to a certain big family gas station business and applies for her very first job. You have to understand that she may not be able to pump gas but will have to be a cashier instead. This same family-name business has countless gas stations where both men and women are expected to fill their own tanks and check their own oil. However, where the service is provided, the position may not be open to your daughter. Guess what? Pumping gas pays more than being a cashier. Is this illegal? It certainly is discriminatory, but what can you do? If she complains to the government, not only would she lose her job at the gas station, but also word would spread quickly throughout the community. She would be lucky to get any job at all. Do not pass complaint-based legislation if you want to help her.

Perhaps she would have better luck at the grocery store. Here, two jobs are open for young people. She could apply to be a cashier or perhaps to carry groceries. Then again, girls cannot apply to carry groceries. In almost every grocery chain in this province, including the one I am talking about, men and women carry their own groceries every day, but when it comes to hiring the service, girls are not eligible to apply. Again, carrying groceries pays more than being a cashier. Should she register a complaint? What good would it do?

Your daughter continues her education plans to be a teacher. On graduation, she is fortunate enough to get a position, and her paycheck is equal to her male counterparts. This sounds pretty good. However, over the years, she remains in her role of classroom teacher. Her male counterpart is statistically far more likely to become a supervisor or a principal, despite the fact that more women than men have their principal's certificate. In her profession, there is equal pay, but she loses out again, because her opportunities for advancement are not equal. She may take some years off to raise a family, and this has a tremendous effect on her salary, her pension, and her opportunities for advancement. This may be viewed as a question of choice but at what cost

to women and to society as a whole? Some may say that motherhood is priceless, but this should not mean it is valueless.

In this day and age, it should not be difficult to devise a system where the contributions outside the workforce are recognized in a more tangible, financial way. The problems facing women are so pervasive and widespread. Since deciding to appear today, I have talked to many of my female friends, and each has a lifetime of instances to relate. I bet that every person in this room—male or female—could add all kinds of stories. You will hear many statistics over the next couple of days. Statistically, the numbers are mind-boggling. I will predict that you will be numb from all these facts and figures that you will hear.

Women do not have to be told that their work in the workplace is less valued, nor that the work in the home is valued at all. It is part of our existence from our earliest memories. Equal pay for work of equal value has been a principle recognized for nearly 100 years. I have never heard an argument against it by anyone, male or female. The only thing that I have heard against it personally is that it would cost a lot of money. Certainly, it will cost money, but most things worth doing cost money. The savings in other areas would make it less costly than it would first appear. In New Brunswick and in all of Canada, we are willing to pay the price to follow our principles. We have, for instance, universal health care and bilingualism. In the end, we will support equal pay for work of equal value, just as we support other issues, because it is the right thing to do.

M^{me} Mersereau : Comme vous pouvez le constater, les faits sont clairs. Les statistiques démontrent que la discrimination existe et persiste depuis des siècles. La problématique est reconnue par les gouvernements à tous les niveaux. Personne nie que l'on doit agir. Tout le monde semble d'accord avec les principes de l'équité salariale. Le droit à un salaire égal pour un travail de valeur égale est même inscrit dans la *Charte canadienne des droits et libertés*. C'est un droit fondamental et constitutionnel.

Given all this evidence, why would one be surprised by what the Advisory Council on the Status of Women had to say in its 1996 report, *The Pay Gap Causes, Consequences and Actions*? They said that if progress went at the pace that it was, it would take over 400 years for women's full-time remuneration to reach parity with men's. I am sure that no one in this room wants to wait 400 years for justice to be done. I am not sure how long you are willing to wait before you decide to bite the bullet and do the right thing. Or, is the political will strong enough in this Legislative Assembly to put your collective shoulders to the wheel as soon as these hearings are over and to recommend that the government moves right away to put legislative mechanisms in place? These are mechanisms which will reduce the wage gap by over 40% in both the public and private sectors. Is it strong enough at the same time to direct government to begin to work immediately on introducing measures which will make a dent in the remaining 60% of the gap?

C'est pour cette raison que l'Association des femmes libérales du Nouveau-Brunswick demande au Comité permanent de modification des lois de faire les recommandations suivantes B l'Assemblée législative : que l'Assemblée législative demande au gouvernement du Nouveau-Brunswick de commencer B rédiger immédiatement une nouvelle *Loi sur l'équité salariale* qui sera proactive et inclusive; que cette loi s'applique B tous les employés des secteurs publics et privés; qu'un organisme indépendant soit nommé par le gouvernement pendant la prochaine session de l'Assemblée législative et soit chargé de superviser le processus législatif et de recommander au gouvernement un échancier qui est équitable et juste pour les employés et les employeurs; que le gouvernement du Nouveau-Brunswick s'inspire du projet de loi 77, *Loi sur l'équité salariale*, proposé par la Coalition sur l'équité salariale comme exemple pour développer une loi proactive qui assurera la diminution de l'écart salarial d'au moins 40 %, un écart dφ B la discrimination et la dévalorisation des emplois traditionnellement féminins; que cette loi inclut un mécanisme qui assurera des évaluations de postes pour les secteurs qui n'ont pas de groupes comparables d'hommes, par exemple, les travailleuses de garderie et les personnes qui offrent des soins B domicile; et que le gouvernement du Nouveau-Brunswick dépose le rapport de la table ronde et son plan d'action aussitôt que possible B l'Assemblée législative et adopte les recommandations qui ont comme objectif d'éliminer l'écart salarial dφ aux responsabilités familiales et aux regroupements d'emplois.

We realize that Rome was not built in a day, and I guess women's work is never done. However, we are optimistic that your committee will move the pay equity issue forward in a timely fashion. You have the golden opportunity to be the leaders who will make it happen. We are sitting in the very Chamber where Equal Opportunity was created. I do not know if fate had anything to do with the fact that we are not sitting upstairs. However, we are actually sitting where Equal Opportunity was created.

Imaginez oφ le Nouveau-Brunswick serait si Louis J. Robichaud n'avait pas eu le courage politique de donner aux Néo-Brunswickoises et aux Néo-Brunswickois, indépendamment du lieu oφ ils demeurent, le droit B une éducation de qualité, un systΠme de santé abordable, un systΠme de justice accessible et un systΠme de taxation qui permet B toutes les citoyennes et tous les citoyens de profiter des services gouvernementaux.

Where would our linguistic rights be if Richard Hatfield had not followed in the footsteps of Louis J. Robichaud? Not too long ago, I saw an interview on TV where Louis J. Robichaud was asked how he felt in 1970 when he lost the election to Richard Hatfield. I thought his response was as great as the man himself. He said that he was not worried and that he trusted Richard Hatfield to continue with Equal Opportunity, because Mr. Hatfield agreed with it and understood its principles. Whether it is our linguistic rights or our right to services of comparable value, no matter where we live in New Brunswick, it is our right to be treated without discrimination. It should not be negotiated or put on the back burner because of budgetary measures. This morning,

I heard the issue of negotiated pay equity. It should not be negotiated, because it will happen sporadically. It is like hitting a target with darts, but you never know where you will hit. You will not be able to evaluate it. We have confirmed our commitment to linguistic rights, government after government. Where would we be today if a government refused to enforce those rights? I urge you to add to the legacy of Robichaud and Hatfield to do the right thing. Create proactive pay equity laws to help over 50% of New Brunswickers. It is the right thing to do and the right time to do it.

Les femmes ne peuvent plus attendre. Il faut agir maintenant. Nous avons les outils, et vous les avez aussi. Nous connaissons la route. Avec un peu de courage politique, nous pouvons y arriver.