

**Brief presented by the
New Brunswick Federation of Labour
at public hearings
being held on November 18-19, 2004
on Bill 77 - Pay Equity Law**

For a pay equity law long overdue in New Brunswick

November 18-19, 2004

Fredericton, N.B.

(In this text the feminine includes the masculine)

Introduction

The New Brunswick Federation of Labour is the largest standing labour group in New Brunswick, with its 35,000 members and over 250 local unions in both the public and private sectors.

The New Brunswick Federation of Labour is happy to have been a leader in the long march towards greater equity for women in New Brunswick. As early as July 1989, two months following the proclamation of a first pay equity law covering the provincial civil service - Part 1 - the NBFL presented to the government of New Brunswick a brief on pay equity for all women workers, both in the entire public service and in the private sector. Another brief was presented on the issue in 1991, without success.

Beginning in 1998 we have worked in coalition with women's groups such as the Federation des dames d'Acadie and the Union of women for pay Equity. Two years later hundreds of women across the province participated in the extremely successful "World March of Women." As we marched from community to community sharing stories of our lives at home and in our workplaces, a common theme began to emerge! Women's economic situations were and are still very bleak! In fact almost half (49%) of single, widowed and divorced women over 65 are poor. The average women's income over age 65 is just \$ 16,898.00, which is \$2,300.00 below the poverty line.

What about younger women still in the workforce? Not a pretty picture. Women's work continues to be underpaid and undervalued. 62% of all minimum wage earners are

women. Average earnings for women of colour is below \$15,000.00 per year.

That a woman in New Brunswick earns only 82 cents, while a man earns, at the same time, \$1 for work of equal value, constitutes from the very outset an aberration to be corrected.

Pay Equity Legislation would go a long way toward correcting these problems. In order for women to claim their rightful place in society, Pay Equity is one of the necessary supports. Young women stepping into the workplace deserve to be on an equal footing with their male counterparts. Pay Equity will ensure this!

Decisions that the government of New Brunswick must take today on the issue of pay equity will make every difference for thousands of women with regard to their level of wealth or poverty in the future. Maybe we cannot correct past injustices, but today we have the opportunity to eliminate potential future injustices. A law on pay equity is therefore a good tool to eliminate this type of potential future injustices against women.

Back to the momentum of the World March. We realized that the time had come to push for change and so the New Brunswick Pay Equity Coalition was formed. The NBFL was delighted with this initiative so we quickly joined the Coalition and expressed our unquestionable support for pay equity. We also created an ad hoc committee of the Federation in order to focus on the issue and exchange information with the Coalition. We also held joint press conferences to raise awareness.

Early in 2004 the NBFL and the Coalition expressed our common reaction to the Round

Table on the Wage Gap. Both groups were extremely dissatisfied with the recommendations of this Round Table! That is why we are so pleased to be here at these public hearings on Bill 77, to stress the need for Pay Equity Legislation. We trust that the hearings will be positive and conclusive.

The NBFL thinks that Pay Equity is really a human rights issue, therefore it falls within the scope of labour's social responsibility. We also recognize that pay equity is best protected in unionized workplaces. We often hear from the N.B. Government and also read in the media that employers are generous toward their employees. NOT SO! Especially when it comes to pay equity. Some advances have been made through labour-management negotiations but we do not believe that employers will act voluntarily. Our history is peppered with examples of employers resisting revaluing the work of women and raising their pay. The fact that in 2004 we must hold public hearings is a brutal illustration of the failure of voluntary measures to end such discriminatory practices.

Support for Bill 77

The NBFL was a member of a delegation presided over by the NB Pay Equity Coalition that met Minister Margaret Ann Blaney, minister responsible for the status of women, on February 3, 2004. At that meeting we submitted to her the broader parameters leading to the adoption of legislation on pay equity in New Brunswick. The minimum criteria defining such a law are as follows:

- it must be a proactive law, under which employers, private or public, are obligated to provide pay equity within their company or institution;

- it must be inclusive, in the sense that it must benefit every employee, whether full-time, part time, casual...
- it must be actively maintained in time, that is, mechanisms must be put in place to ensure that pay equity be maintained;
- it must assure the participation of employees by requiring the creation of joint labour-management (union members of must be selected by their own union local to sit on these committees) or management-non unionized workers committees responsible for implementing and maintaining a pay equity program;
- it must provide a two-year preparation period for the implementation of these pay equity programs in all public services as well as in the private sector, which would allow both to educate people on a large scale, and for employers, to adjust;
- and in order to ensure that this issue is piloted in a systemic and organized way, we demanded the creation of an independent commission on pay equity to ensure the application and upholding of the new law, by ensuring that this commission be provided with sufficient human and financial resources allowing it to carry out its work.

Bill 77 covers all of these basic principles and components that represent, to us, the unavoidable elements necessary for a provincial law on pay equity in New Brunswick. We therefore enthusiastically support this bill.

Fortunately, this bill goes somewhat beyond the basic components that we advanced last February. For example, we are happy to see that in the bill, the introduction of such

legislation must not be an occasion for employers to lower wages. Equity can only be brought about by adjusting wages upwards.

It was important, for that matter, to underline that in naming joint pay equity committees at work, equality of genders - man-woman - be respected . **We shall add as long as it can apply.**

We support the possibilities announced, to have these committees meet at the work place, that the time spent on these committees be paid... But with regard to Article 25 mentioning that each committee "must set its own rules of operation, including those relative to the holding of its meetings," we should specify that these choices would be made from a guide supplied by the Commission.

We are very pleased with the extended power given to the Commission in the Bill. In fact a commission would be of no interest, if it did not have the power and the means to circulate the information, to carry out the education, to initiate research and to hold inquiries.

We think it is incumbent upon the Commission to supply basic information to various Pay Equity Committees. The Commission must create a central data bank, readily accessible by Internet, to facilitate and accelerate the implementation of pay equity programs in all workplaces. It would be appropriate to determine if agreements could be signed with other provincial or federal authorities, in order to share data banks already in existence.

Also the Pay Equity Commission should work jointly with the Advisory Council on the

Status of Women to establish a presence in our New Brunswick universities.

Conclusion

We are extremely hopeful that these public hearings will reap positive results. As the International Labour Organization declared in 2003, a pay equity law would represent “an indispensable first step” towards the elimination of discrimination based on gender.

Therefore we urge the rapid adoption of Bill 77 on Pay Equity, bearing in mind our suggestions. We also give our complete support to the brief presented by the N.B. Pay Equity Coalition.

Let’s celebrate the equality between women and men by adopting Pay Equity Legislation.

Thank you

Dawn Robichaud, 1st Vice-President

Marilyn MacCormack, Chair of the Women’s Committee