

Women and Unions



The Canadian
Advisory
Council
on the
Status
of Women



Women and Unions

by
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Julie White

Introduction

The research presented here was done in response both to a lack of material on the subject and to the increased interest in trade unions shown by women.

Over the last 10 years women have joined unions in unprecedented numbers. More recently the struggles of union women for improved conditions have been widely publicized and supported. A growing number of women are working in or with trade unions to press for improvements for women in the labour force.

Two major trends can be distinguished in discussions of the trade unions' potential for meeting the needs of working women. The approach from most writers within the women's movement has been very critical, concentrating upon the weaknesses of the union movement's response to women.¹ Such writers have focussed upon the large number of unorganized women and the failure of unions to organize them, the under-representation of women in unions as a whole and particularly on executive boards, and the perceived failure of trade unions to meet the specific problems of working women (including equal pay, maternity leave and child care). Discriminatory attitudes by unions and male unionists have most often been cited as the major explanation for these deficiencies. The conclusions drawn from this approach have suggested that established unions have done little for working women. Women are advised to find other alternatives, specifically independent women's unions.

Women working within the traditional trade union movement approach the issue differently.² While they too are often critical of certain aspects of trade unions and would agree that there are many problems, they nonetheless believe that women have much to gain from unions, that the unions themselves are changing and responding to women, and that there is real potential for future progress. They advise women to join unions and then become active within them in order to ensure that their needs are met.

These diverse views concerning women and unions have been reflected in the different responses by women to trade unions. One strategy has been to work outside the trade union movement and from a feminist perspective, but working with and through unions. The clearest example is Organized Working Women (OWW) in Toronto. This is an organization of women from many different unions who provide support and education to each other so that they can better

promote improvements for women within their own unions. OWW was successful in gaining considerable support for its efforts from the union movement, although it has recently suffered from internal disputes. A second response has been to establish independent women's unions. The Service, Office and Retail Workers Union of Canada (SORWUC) was formed in Vancouver specifically to organize women and became known nationally for its efforts to unionize bank workers. It has faced all the difficulties of a small, independent organization and has now terminated its bank workers section, although it continues to represent about 300 women in legal offices, social services and restaurants. Both OWW and SORWUC, their structure and operations, have been described in detail elsewhere.³ The third response to the trade union movement has been to work within it, pressuring for change and raising issues inside trade unions. Across the country, increasing numbers of female union activists have been organizing women, establishing women's committees and ensuring that questions concerning women's needs are raised. Nowhere has this been more successful than in Quebec, where such activities have undoubtedly produced important benefits and progress for working women.⁴

Despite the amount of recent discussion and action on women and trade unions, research on the subject has been remarkably scarce. Controversy over the role of trade unions in the lives of working women has taken place without a background of evidence to draw upon. Advice to women has been based on assumption and intuition, often without a clear understanding of how the trade union movement operates. There has been no attempt to date to make an overall assessment of the status of women within trade unions or to analyse the extent to which women can advance their position in the labour force through the trade union movement. The research presented here is an attempt to fill that gap.

The research is divided into two parts, reflecting an attempt to provide information in two areas. Part One deals with the role of women in trade unions both historically and currently, while Part Two provides information on the structure and operation of the trade union movement itself.

Part One is comprised of four chapters. The first sets an historical context by analyzing the social and economic reasons leading to the development of the trade union movement as a male-dominated organization. The period 1881-1921 is examined in depth in order to concentrate upon the role of women in the early development of the labour movement. Chapter two leaps forward in time to examine "Women in Unions Today: Facts and Figures." It provides statistical information on where women stand within the union movement

today. How many women are unionized and into which unions? What percentage of union members are women and what is their representation on union executives? These questions and many more are answered briefly and without analysis in this chapter.

Chapters three and four attempt to answer two basic questions that women must ask of the trade union movement: "Why are women unionized less than men?" and "Does unionization benefit women?" Many assumptions and assertions have been made upon both of these questions, without recourse to supporting evidence. These two chapters have in common an attempt to separate fact from fiction and to examine available evidence in order to draw conclusions.

In providing information about the trade union movement in Canada, Part Two takes a different perspective. Given their growing interest in trade unions, it is crucial that women understand how the labour movement operates. Chapter five, "The Structure of the Trade Union Movement," briefly outlines the various labour organizations, their interrelationships and internal structures, information that has not previously been readily available in one article or book. Chapter six, "How to Unionize," provides a general introduction to the process of unionizing and obtaining a first contract. While this is of obvious importance to the thousands of unorganized women in Canada, it is also important for an understanding of the legal constraints within which trade unions operate. Finally, chapter seven, "Struggles of Union Women: Case Histories" describes three significant struggles undertaken by union women to improve their conditions. Such examples should bring to life the previous discussion, illustrating the kinds of issues and conflicts that may arise for working women. Also, they end the book on a note of progress and optimism, which I believe is not inappropriate.

Many issues, though not dealt with directly, reoccur throughout the book from different perspectives. The question of organizing unorganized women, for example, is not examined in any one place. Nonetheless, many of the difficulties encountered in unionizing women are discussed in chapter three, "Why are women unionized less than men?", including employer opposition in the private sector and the small work places where women are concentrated. Chapter six, "How to Unionize," provides the legal framework for organizing. The examination of the Fleck strike in chapter seven brings to life the opposition faced by a small group of women fighting for a first contract. One major exception must be mentioned: part-time workers. Limitations of time simply did not permit an analysis of this important and complex issue in the trade union movement. It must await future research.

The Quebec labour movement and the role of women within it could easily have been the subject of a separate chapter, for it differs radically from the rest of Canada. Nonetheless, in different contexts throughout the book the following aspects of Quebec trade unions are considered: their early conservative history as Catholic unions; the current progressive policies and achievements of the Confederation of National Trade Unions (CNTU); the structure and operation of the CNTU and its relationship to other labour centrals in Quebec; and the recent achievements on maternity leave by the Common Front.

It is hoped that the research provided here will provide a solid discussion of and introduction to the trade union movement in Canada and the place of women within it.

PART ONE

Chapter 1

Women and the Early Development of Trade Unions, 1881-1921

Women played a lesser role than men in the early development of the trade union movement. Explanations for this situation have focussed either on the male chauvinism of unions or upon female passivity and lack of interest in trade unions among women workers. While these arguments must not be dismissed, they avoid the complexity of the historical situation and ignore the crucial influence of economic and political factors. Chapter one attempts to analyse the ideological, social and economic conditions that prevailed during the period 1881-1921, which were effective in limiting the role of women in trade unions. The nature of unions at the time and their response to working women are also examined.

The period from 1881 to 1921 was chosen because during these years trade unions were gaining in membership and importance and becoming a significant factor in Canadian life. Although the first unions were organized in Canada in the 1830s, before the 1870s they were few in number, operating in isolation and with little public attention. In 1886 the Trades and Labour Congress of Canada was formed, the first central labour body. International unions, based in America, were well established by this time and continued to play a crucial role in the development of the trade union movement in Canada. The earlier influence of British unions was already in decline and had disappeared completely by the 1920s.

Although the union movement was developing, however, the vast majority of people remained untouched by unionization. While the unions were growing in urban industrial centres, between 1881 and 1921 Canada remained a predominantly agricultural society. In 1881 three-quarters of the population was rural, declining to just over half by 1921.¹ In 1911 only 5 percent of the total labour force were union members, rising to just 10 percent by 1921.² It is important to bear in mind that the union movement affected only a small minority of workers, whether male or female, throughout the years under discussion.

Canada's population was just 4,324,000 in 1881, doubling by 1921 to 8,787,000. This population was highly concentrated in Ontario and Quebec in 1881, with 78 percent of Canada's population in these two provinces alone. By 1921 this concentration had fallen to 60 percent.³ Industrialization was equally concentrated, with Ontario the most industrialized province throughout the period and Montreal a major industrial centre. Unionization was consequently focussed in these areas.

Despite its name, the Trades and Labour Congress of Canada comprised only Ontario unions in 1886, with Quebec unions joining later. By 1902 there were 1,078 local unions in Canada. More than half of them (547) were located in Ontario, with British Columbia and Quebec each having just over 150, and the other provinces having considerably less than 100 each. Although by 1922 the balance had shifted somewhat to the western provinces, Ontario still had by far the largest number of locals, followed at some distance by Quebec.⁴ This regional disparity is reflected in the discussion that follows. Much of the information was drawn from Ontario, some was drawn from Quebec and British Columbia and little was available from the other provinces.

As industry developed the population was increasingly concentrated in urban centres. By 1921 Montreal and Toronto were the major industrial and commercial centres, followed by Winnipeg and Vancouver.⁵ Both Montreal and Toronto exceeded 500,000 population, Montreal having doubled its population in 20 years and Toronto having increased by one and a half times in the same period. Again, because union activity was focussed on these large city centres, information from Toronto and Montreal predominates in the following analysis.

Traditional Ideology Concerning Women and Women Workers

Victorian ideology defined women as inferior to men, fragile, emotional and in need of protection. This ideology was as prevalent in Canada as an import as it was in Britain. The ideal of womanhood combined religious piety, moral purity, and — first and foremost — a complete commitment to domesticity. A woman's primary role, her natural contribution, was as a wife and mother. These beliefs were held most strongly in Quebec, where the strength of the family was regarded as the root of national survival. Of this Mona-Josée Gagnon has written:

Quebecers refused to accept the idea that women could have any vocation other than serving the family, the bulwark against the invasion of an Anglo-Saxon and materialistic culture.⁶

Consequently, in Quebec women gained their rights more slowly than elsewhere, and traditional ideology retained much of its force even into the 1960s.

Clearly, working women stood in direct contradiction to the prevailing ideology, and as a result provoked much concern and discussion. Working women were perceived by middle-class women's organizations, reformers and factory inspectors as a "social crisis," creating problems of cleanliness, morality and health for future mothers.⁷ Various organizations were established by well-meaning middle-class women to help the "working girl." They included the National Council of Women, the Saint Jean Baptiste Society and a number of Christian groups. Factory inspectors concerned themselves with separate lavatories, seats for shopgirls so that they need not stand all day (to prevent damage to reproductive organs), separation of male and female workers, and cleanliness. The requirement for morality was uppermost. Madame Provencher, a factor inspector in Quebec, recommended: "Every working girl caught using certain words or raising improper questions should be immediately discharged."⁸

Although by 1921 20 percent of women over 14 years of age worked outside the home,⁹ the following comments appeared in the 1922 Annual Report of the Quebec Department of Labour:

Woman's work, outside of her home, is one of the sad novelties of the modern world; it is a true social heresy Such singularities are due to a fleeting crisis, the social crisis of the present day With regard to the work of single women, it would be wonderful if society could, some day or another, find an economic formula capable of doing away with it.¹⁰

Public discussion of the position of working women ignored the rights of women as workers, their economic role and their class position in relation to male workers, concentrating only on the effects of work on the maternal role.

During the period 1881-1921, women in English Canada were gaining economic, legal and political rights. Although many activities were undertaken by feminists during this period, the struggle for the right to vote was the most sustained and widely publicized. Before appraising the ideology concerning women prevalent in the trade union movement, it is instructive to consider the ideology of feminists at this time. While a small group of women "sought to compete with men on men's terms hoping in the process to etch a new role for women,"¹¹ the majority of feminists accepted the idea that women had a special maternal role and sought only to extend its influence beyond the narrow confines of the family.¹² They argued that women's mothering instincts applied in the political sphere as well and would benefit society by ensuring the protection of

family stability. Only by participation in public life, they argued, could women properly fulfill their special duty to ensure the welfare of their children and their homes. The best known suffragette, Nellie McClung, wrote indignantly of the opponents of women's votes that they would prevent "the wife and mother, with her God-given sacred trust of molding the young life of our land,"¹³ from voting. While the importance attached to motherhood may seem outdated today, the struggle for the vote was undoubtedly progressive at the time and met with massive opposition. It was not until 1916 that women in Manitoba obtained the right to vote; most provinces followed within a few years. In Quebec, however, women could not vote until 1940.

Given the ideology of the women's rights movement of the period, it is perhaps not surprising to find contradictory positions within the union movement. There is no question that trade unions operated within the prevailing ideology concerning women, but to be aware that this was also true in certain respects of the suffrage movement helps to place the discussion within an historical context.

The Work Done by Women

The 10 leading occupations for women in 1891 and in 1921 are shown in table 1. (The 1897 census was the first to provide information on the occupations of women.)

TABLE 1
Leading Occupations for Women, 1891 and 1921

1891		1921	
Servant	77,644	Clerical	78,342
Dressmaker	22,686	Servant	78,118
Teacher	14,803	Teacher	49,795
Farmer	11,590	Saleswoman	35,474
Seamstress	10,239	Housekeeper	23,167
Tailoress	7,834	Nurse	21,162
Saleswoman	4,409	Dressmaker/Seamstress	16,612
Housekeeper	4,035	Farmer	16,315
Laundress	3,679	Textile Factory	
Milliner	3,277	Operative	15,193
		Clothing Factory	
		Operative	14,470

Source: 1891 Census of Canada; *Women at Work 1850-1930*, Women's Educational Press, p. 267, table B.

During the 30 years between 1891 and 1921, clerical work developed into the leading occupation for women, placing servants into second place for the first time. A second important development was the growth of factory workers in the textile and clothing industries,

together the largest industrial employer of women. Throughout the period, most women's work had two characteristics that presented great obstacles to unionization: it was highly fragmented and it was generally unskilled.

Between 1881 and 1921 the large majority of employed women worked either in total isolation or in work places with few other workers. This lack of collectivized work inhibited collective action, making it extremely difficult to unionize, if not impossible.

In 1891 fully 41 percent of employed women were domestic servants.¹⁴ Although some of these women had the company of perhaps one or two other servants, most worked as "general helps," alone and in isolation. This isolation militated against unionizing attempts:

In contrast to the factory or office, which brought workers together, revealed their common interests, and provided a base of action, the private home separated the domestic employee from her sister workers and overemphasized the personal aspect of her relationship with her employer.¹⁵

Despite such adverse circumstances, organizing attempts were made by female domestic servants, although none could be sustained for very long.¹⁶ As servants they lacked free time for meetings and could communicate only with great difficulty between individual



Women workers at clothing factory, London, Ontario.

Public Archives Canada

houses. They were vulnerable to retaliation by their employers, having no effective means to protect themselves. As well, the turnover of workers in domestic service was rapid. The long hours, arduous work, close supervision, lack of personal freedom and low status meant that women left domestic service as soon as they could obtain any other work. While employers were frustrated by the "procession of maids through the kitchen,"¹⁷ this constant turnover frustrated even more surely the stability of any embryo union organization.

Domestic service was not the only occupation fragmented in this way. The second largest employer of women was the clothing and textile industry, and here contract labour and the sweated workshop were the norm. Large and "respectable" firms such as Eaton's contracted out their work to the owners of small shops or subcontracted the work to women who would do it in their own homes. *The Report Upon the Sweating System in Canada*, 1896, stated that in Toronto the proportion of work done in private homes was *greater* than that done in small shops and *far surpassed* what was done in factories. The report went on to say that the workers "almost invariably prefer the factory system," well aware that in their individual homes they were subject to extreme exploitation.¹⁸ This system even prevented wage comparison, not to mention unionization. Where women workers were brought together, the numbers were still small. In his excellent study of working women in Toronto from 1896 to 1914, Wayne Roberts states that

nineteen establishments shared more than 500 women in shirt, collar and tie making; dressmaking and tailoring each employed more than 1,000 women, who were spread over 402 and 216 establishments respectively.¹⁹

This is an average of four women in each work place.

The advantages for employers were numerous. Small shops were not even covered by the few regulations of the Factory Acts and consequently were not subject to inspection and public scrutiny. More important, unionization was prevented, wages were held down and the potential for strike action was effaced. Thus profits were secured and increased.

Because the work done by women was largely unskilled, any particular worker was entirely dispensable. With high immigration, and with a population moving from the country to the town, a large supply of surplus labour was created. This presented great risks in union organization, since it was a simple matter for an employer to fire any worker who hinted at dissatisfaction and to replace her instantly at no loss to the business. One study reported that such a worker "may at any time be replaced by a younger girl, who may be trained satisfactorily in a few months at the utmost."²⁰ Roberts

reports a case in a laundry in Toronto where women reporting violations of factory legislation to an inspector were fired, “while the employer was let off with a two dollar fine.”²¹

Unskilled workers had scant bargaining power with which to face their employers. An analysis of 287 strikes in Montreal between 1901 and 1921 demonstrates the unrelenting power of the employer: 115 of these strikes resulted in the total rejection of employee demands “frequently accompanied by dismissal of the strikers and the employment of scab labour.”²² Unskilled women workers had little leverage to prevent such actions.

Deprived of any interest in or control over their work, closely regimented and without the collective solidarity of unions, many women in factory work, as in domestic service, moved from job to job.

In the case of women, one observer found floating (i.e. changing jobs) to be the standard technique for staving off the monotony of putting dabs of jelly on cookies or other assorted tasks.²³

Women worked extremely long hours in jobs not covered by protective factory legislation — not only as domestic servants and in the sweatshops, but also as “shopgirls.” In 1895 an employer of sweated needleworkers told the hearings of the Royal Commission on the Sweating System:

I had a grocery store in this city not long ago and a girl came to me and offered her services for two and a half dollars per week, *although her hours were longer in that store than those of any girl tailoring for me.*²⁴ (emphasis mine)

Shopgirls commonly worked 12 hours a day and 16 hours on Saturday. After such exhausting hours, little energy or time could have remained with which to organize.

The Composition of the Female Work Force

Throughout the period between 1881 and 1921, only a small proportion of women worked in the labour force. In 1901, women constituted just 13 percent of the total labour force, increasing to only 15 percent by 1921.²⁵ (The figure for 1978 is 39 percent.²⁶) It was not until the 1940s and 1950s that women became a much more significant part of the workforce.

Besides being few in number, women workers were predominantly young and single. As table 2 shows, in 1921 the highest participation rates were among women under 24 years old. A comparison with participation rates today clearly demonstrates the different nature of the female work force in the early years of the century.

TABLE 2
Labour Force Participation Rates of Women by Age
Selected Years, 1921-1978 (%)

	*14-19	20-24	25-34	35-64	65+
1921	30	40	20	12	7
1941	27	47	28	15	6
1961	32	51	29	30	6
1978	48	70	59	48	5

*For 1978 the youngest age group is 15-19.

Source: Sylvia Ostry and F. Denton, "Historical Estimates of the Canadian Labour Force," 1961 Census Monograph, Queen's Printer, 1967. Statistics Canada, *Labour Force Annual Averages*, 1975-1978, cat. no. 71-529, p. 12.

In 1921 only 20 percent of women aged 25-34 years were in the labour force, and 12 percent of women aged 35-64 years. In 1978 the equivalent figures were 59 percent and 48 percent.

Among women in the work force during this period, the predominance of young women reflects the fact that women generally left the labour force when they married and had children, never to return. Throughout the twentieth century an increasing number of married women joined the labour force, but even by 1931, the earliest year for which figures are available, only 10 percent of women in the work force were married.²⁷ This compares with 60 percent in 1977.²⁸ One writer in Montreal, Louis Guyon, wrote in 1922:

Happily we have not, in our country, the problem of the married woman in workshops and factories, with a few rare exceptions.²⁹

These exceptions were considered to be the "unfortunates," women with dependents who were forced to work because of the death, unemployment or desertion of their men.

Why did women leave the work force upon marriage? In 1895 the Toronto School Board refused to hire either married women or women over 30 years old.³⁰ However, such compulsion was unnecessary in most cases since women rarely worked outside the home after marriage. The conditions of married life were a serious deterrent. Primitive birth control methods, combined with a lack of domestic technology (or its expense) and subsistence-level family incomes, meant that upon marriage women shouldered an enormous responsibility for the physical survival of an ever-growing family. The strenuous workload of working-class wives and mothers has been documented elsewhere.³¹ Indeed few married women would have chosen to work outside the home unless it was absolutely necessary.

The female work force changed every few years as a new generation of women assumed family responsibilities. This constant turnover of women workers was a crucial deterrent to unionization. Given the context of powerful employer opposition, maintaining a

union in the face of constantly changing members was extremely difficult. But the effects were even more far-reaching. Spending only a few years in the labour force, women were deprived of the opportunity to build experience in collective action, to discuss and pass on knowledge of work relationships, to develop a history of action and to provide leaders with years of work and union experience.³²

During this period working women constituted only a small and transient section of the labour force, in a society that ideologically opposed their very existence — they were in fact a deviation from woman's dominant role. Roberts describes the effects of this situation:

Unlike working women of today who can evaluate their experiences in terms of widespread public discussion on the status of women and who can draw inspiration, clarity and legitimacy from a generalized movement, working women before 1914 operated in an ideological vacuum They were a small detachment who could not share in the process of reevaluating sexual standards with any substantial core of the population.³³

Another factor in the composition of the female work force inhibited unionization. Because unskilled work attracted new immigrants and women who had recently moved to the town from rural areas, in many cases there were cultural and linguistic barriers between working women which hindered moves toward collective action. Of all women employed in gainful occupations in 1911, 24 percent were immigrants.³⁴ That year 58 percent of domestics in Toronto were immigrants.³⁵ In the same city Chinese laundries competed with one employing an exclusively Swedish work force and another where only English and Italian women worked.³⁶ The garment industry, which employed so many women, was fragmented by local divisions between different ethnic groups.

These cultural differences did not improve the chances of organizing. Moreover, as workers threatened by competition from yet more surplus labour when already insecure in their jobs, women shared with men the early anti-immigrant perspectives. In 1901 in Toronto 30 women and 5 men struck against their employer for hiring immigrants, "revealing that no disdain for nativism differentiated them [women workers] from the rest of the workers."³⁷

The Role of Employers

Throughout the period 1881-1921 employers were extremely hostile to any attempts at unionization. One review, considering the very gradual and sporadic growth of the trade union movement, states:

Two considerations go far to account for this meagre progress: (1) the hostility of the courts toward labour unions, and (2) the extreme reluctance of business men to recognize and bargain with unions.³⁸

Anti-union techniques included firing pro-union workers, blacklisting workers so that they could not obtain employment anywhere, lockouts and hiring workers only on condition that they sign a "yellow-dog contract" agreeing to remain non-union. These were powerful weapons against workers who had no means to survive without a job, and strikers were often starved into submission. Such methods were supported by the courts. Union leaders were imprisoned for "seditious conspiracy," that is, for forming a union, until the late 1800s. The courts served injunctions to prohibit striking, picketing and boycotting, thereby rendering unions powerless. Police and militia enforced the injunctions and protected the employer's property more or less violently. As one historian of the trade union movement has said:

Hunger and state coercion — a formidable combination. Employers used it constantly against the unions.³⁹

It is within this context of employer opposition, union weakness and worker insecurity that the early unionization attempts by women must be located. There is some evidence that employers, fearful of losing their source of cheap labour, opposed organizing attempts by women with particular ferocity.

Women were often more closely regimented at work than men, subject to constant supervision and penalized heavily for small infractions. Such measures served to remind women workers of their vulnerability and powerlessness, further inhibiting thoughts of unionization. Roberts states:

Although employers found this punishment impossible to impose on men, the practice of fining women workers for laughing, talking, using toilet-paper hair-curlers, or damaging work was common, especially in the early years of industrialism.⁴⁰

As an example, Roberts records an incident in 1905 of an employer intending to install a clock timed to the *half-second*, by which the women workers would lose a half-hour's pay for being one minute late.⁴¹ Nor was such harassment by the employer confined to factory workers. Female teachers were subject to surveillance of their morals, religion, dress and personal habits. In 1895 the Toronto School Board felt compelled to meet to discuss a woman teacher observed wearing bloomers while riding a bicycle⁴²; this same board refused to hire women who chewed gum.⁴³ In 1888 the Royal Commission on the Relations of Labour and Capital found that women were indeed subject to particular forms of regimentation. The Commission reported:

Females and children may be counted upon to work for small wages, *to submit to petty exasperating exactions* and to work uncomplainingly for long hours.⁴⁴ (emphasis mine)

These methods, by which employers suppressed any suggestion of “insubordination,” must have taken their toll in undermining the possibility of union organization amongst women.

Whatever patriarchal attitudes employers harboured, economic self-interest was the real basis for such opposition to unionization. This becomes clear when the work done by women is examined. Apart from domestic service, the leading occupations for women in 1891 were in the garment industry, as dressmakers, seamstresses, tailoresses and milliners (see table 1). The garment industry as well as the laundries were engaged in cut-throat competition to supply cheap goods and services. Not only were the employers’ profits increased by cheap female labour, they often depended upon it.

In both teaching and selling, the other two leading jobs for women in 1921, rapid expansion had been attended by feminization. During the second half of the nineteenth century, hiring more female teachers at lower wages than men provided the means by which school boards could expand education while keeping costs as low as possible. At the same time, grading systems were introduced within the schools. Teaching of the lower grades was perceived as less skilled work, thereby justifying the low wages paid to the women who taught those grades.⁴⁵ A similar process occurred for saleswomen. As department stores expanded, the work became more finely divided, with women allocated to the work considered the least skilled.

Feminization of the occupation attended the triumph of the large department stores, which restructured the division of labour and patterns of authority of retail staffing.⁴⁶

As stores became larger, each job required less knowledge and held less responsibility. Thus the way was paved for cheap, unskilled labour — in other words, women. Unionization thus presented a threat to employers in both education and in the retail trade.

Trade Unions

Before examining what unions actually said and did about working women, it is important to understand the nature of unionization in Canada during the period 1881 to 1921. Two characteristics are important: the craft nature of trade unions and the fact that they were international.

Initiated before the advent of mechanization and the consequent employment of unskilled labour in factories, the early unions were organizations of workers skilled in particular crafts. These craft

unions based their bargaining power upon the fact that such workers could not easily be replaced. Restricting access to such crafts was therefore an integral part of maintaining this bargaining power and was a central tenet of craft unionism. Admitting unskilled workers into these unions was not only foreign to their method of operation, it represented a threat to the bargaining power of the skilled members. Organizing on industrial lines (including all workers, skilled and unskilled, within a plant or factory) did not become an integral part of the union movement until the 1930s and 1940s. Table 3 shows the predominance of members in craft unions throughout the period, although there is a significant increase in the "other trades and general labour" group. 1914 is the first year for which such figures are available.

TABLE 3
Union Membership by Type of Employment (%)
1914 & 1921

	1914	1921
Railroad Employees	24.9	26.2
Building Trades	18.9	9.8
Metal Trades	8.6	7.4
Mining & Quarrying	8.7	6.8
Printing Trades	4.7	2.6
Clothing, Boots & Shoes	7.0	6.0
Transportation (other than Railways)	8.0	8.8
Public Employees, Personal Service & Amusement	8.2	7.9
All Other Trades & General Labour*	10.7	24.5
	99.7%	100.0%

*Includes unions not specified elsewhere: rubber, unions of general workers like Industrial Workers of the World and One Big Union, some of Quebec National Catholic following and independent locals.

Source: H.A. Logan, *The History of Trade Union Organization in Canada*, University of Chicago Press, 1928, p. 127, table 6.

The exclusion of unskilled workers from craft unions affected both women, most of whom were unskilled, and large numbers of unskilled male workers. However, women in particular were without a traditional place in the union movement, having joined the workforce so recently. As well, craft unions had reason to be especially threatened by women workers because employers used women as cheap unskilled labour. Consequently,

their [women's] entry into an occupation was the death knell of an artisanal trade. More, they were levers which destroyed its norms, habits and strengths.⁴⁷

The fears of craft unions about women are demonstrated by the 1907 Toronto Bell Telephone strike of 400 non-unionized women operators, protesting poor conditions, low wages and an increase in working hours. In her excellent article on the strike, Joan Sangster explains that the International Brotherhood of Electrical Workers (IBEW) had claimed jurisdiction over the telephone operators, but had done little to organize them.⁴⁸ The strikers twice passed resolutions to affiliate to IBEW, but nothing materialized. Convinced that women made poor union members, the IBEW "had developed a strong tradition of inequality." The few U.S. locals of telephone operators (all women) were denied full autonomy and given only half their voting rights. Sangster describes other fears held by the skilled electricians:

The electricians claimed that unskilled operators might make foolish decisions on craft matters which they did not understand. There was also a strong apprehension about "petticoat rule": the large number of operators, it was feared, would come to control the union.⁴⁹

Consequently the union did not help to organize telephone operators. This was a factor in the failure of the Toronto telephone operators' strike.

These early craft unions have been criticized for their protectionist policies, for the fact that they bargained for workers who were already amongst the best paid and that they ignored the growing army of unskilled workers. While these criticisms are not unjustified, it is also necessary to understand the power of employers to influence which workers could organize and bargain. Unskilled workers were all too easily fired and replaced, and their attempts to organize in the early decades of this century are a story of struggle against overwhelming odds. In his analysis of 287 strikes in Montreal between 1901 and 1921, Copp found:

Success in the sense of employer acceptance of the demands of the strikers was obtained in only 49 strikes, *most of them involving less than 100 workers in highly skilled craft unions*.⁵⁰ (emphasis mine)

It is clear from Copp's description of these strikes that in this period even craft workers usually lost their demands, and success depended very much upon the economic climate. For example, a longshoremen's strike for wage increases "was instantly successful, probably because it was timed as the last ships were desperately attempting to clear the Montreal harbour before the freezing."⁵¹ Without such economic leverage, unskilled workers were generally powerless in the face of employer opposition.

If we use the example of the Toronto Bell Telephone strike referred to earlier, it is apparent that employer opposition to unions and to collective action was adamant despite tremendous public support for

the women workers. Bell refused throughout to consult with the workers. It hired strike-breakers to carry on the work from the first day of the strike, thus nullifying the only bargaining power the women had. When the strike ended, Bell initially refused to re-employ any of the strike leaders or picketers. This policy was later amended and women connected with IBEW could resume their positions on condition that they left the union. "Such anti-union victimization was obviously a major factor in discouraging unionization."⁵²

Such employer opposition, and the vulnerability of unskilled workers so easily replaced, gave the craft unions some realistic basis for their fears of organizing women workers.

Another tradition directly or indirectly worked against the unionization of women. Trade unions between 1881 and 1921 were almost all international unions, based in America and affiliated to the American Federation of Labor (AFL). At the Trades and Labour Congress of Canada in 1902, an amendment to the constitution was adopted which stated that no national union would be recognized where an international existed, thus effectively undermining the formation of a national labour movement. In 1912, 85 percent of trade unionists in Canada belonged to international unions; this had dropped to 71 percent by 1921.⁵³

It is difficult to assess the influence that the international nature of unionism in Canada had upon the organization of women workers. Certainly Samuel Gompers, president of the AFL, forcefully supported craft unions against industrial unionism, and this hindered the organization of women. Alice Kessler-Harris has examined the ambivalence of the AFL towards women workers and documented many examples of the failure of international unions to support and organize women in America.⁵⁴ There is no reason to suppose that the same unions treated Canadian women workers differently. While it is impossible to prove that, left alone, Canada would have developed a more progressive union movement, there is no question that the American influence was a conservative one which did not promote the unionization of women during this period.

From 1881 to 1921, the female workforce was never more than 15 percent of the total labour force. Women workers were young, single, and transient, remaining in the labour force only until marriage. Women had only recently joined the labour force and their role in society was still overwhelmingly domestic, a role reinforced and institutionalized by the prevailing ideology. Given this framework, what was the response of the union movement to working women? In fact there was no single response. At least three different, and contradictory, positions were taken by the union movement: exclu-

sion of women from the labour force, protective legislation and unionization.

1. Exclusion of Women from the Work Force

The union movement was generally in step with the times in viewing the primary role of women as a domestic one. Women's pages in labour publications were oriented towards the wives and mothers of trade unionists, providing recipes and fashion discussions. In 1907, an article entitled "The Influence of Women in the Labour Movement" appeared in the *Toronto Labour Day Souvenir Book*. As Klein and Roberts point out,

this article deals exclusively with the role that women as consumers, wives and mothers can play in the union movement. There is not a hint to be gleaned from this article that there is such a thing as the employed female.⁵⁵

Women were encouraged to contribute to the union movement either through the label campaign or women's auxiliaries. The label campaign promoted the purchase of goods with a union label (indicating that the goods were made by unionized workers) and was intended to pressure employers to permit unionization, while penalizing non-union work places. Auxiliaries supported the men's unions and commonly organized social activities. While these two organizations provided some activity for women within the union (remembering that few wives were working and themselves unionized), they were very limited, and usually relegated to a marginal position.⁵⁶

The union movement did not confine itself to ignoring women in the labour force; the exclusion of women was openly advocated. The Trades and Labour Congress of Canada, as part of its 16-point program in 1898 called for

abolition of child labour by children under 14 years of age and of female labour in all branches of industrial life, such as mines, work-shops, factories, etc.⁵⁷

Linking child and female labour in this way was common at the time. Both were relative newcomers to the industrial paid work force, both were subject to severe exploitation and both were regarded as in need of protection. This confusion of two quite distinct sections of the labour force ignored the fact that the women were single and in most cases supporting themselves. In other words there was no-one to support women, as parents would support children (though even this was difficult for working-class families). Nonetheless it was argued that women should remain at home.

The American Federation of Labor, with which most unions in Canada were affiliated, took the same stand. Kessler-Harris has

documented the prevailing policy positions. In 1905 the AFL's treasurer said:

The great principle for which we fight is opposed to taking . . . the women from their homes to put them in the factory and the sweatshop.⁵⁸

AFL president Samuel Gompers outlined the economic reasons for exclusion of women from the labour force:

It is the so-called competition of the unorganized defenseless woman worker, the girl and the wife, that often tends to reduce the wages of the father and husband.⁵⁹

The fear of women competing at lower wages for men's jobs was echoed by various unions that belonged to the Canadian and American central labour bodies, and they had good reason to be fearful. As occupations expanded and employers sought cheap labour to offset the costs of expansion, women were hired, wages fell and men were forced out. This happened in teaching, clerical work and the retail trade.⁶⁰ Men could not provide for families on the wages offered, so it was impossible for them to compete successfully with single women workers who were supporting only themselves. Presenting as it did a real threat to men in the labour force, this labour market competition fostered hostility between male and female workers. A member of the United Garment Workers wrote in the *Weekly Bulletin of the Clothing Trades* in June 1905:

It is the men who suffer through the women who are employed in the manufacture of clothing. While the men through long years of struggle have succeeded in eliminating the contracting evil and the rotten system of piece work, the girls . . . are now trying to deprive the older members of the Garment Workers of the benefits because [they] . . . can afford to work for small wages and care nothing about the condition of the trade.⁶¹

The threat to wages and jobs from women workers was clear during World War I, when women were drawn into the labour force in unprecedented numbers. In Montreal, by the end of the war women had replaced men in munitions plants, railways, shops, banks and as clerical staff, generally earning from 50 percent to 80 percent of the wages paid to men.⁶² The following sentiments were published in the *B.C. Federationist*, the journal of the British Columbia Federation of Labour:

Women have worked for less than men . . . and women will continue to work for less than men. Employers have had a taste of cheap labour and will be loath to part with their feminine employees at the close of the war. . . . The "heroes" will have to accept employment at such work and wages as the employers see fit to give. The work of the trade unions will have to [be] done all over again.⁶³

By advocating the exclusion of women from the labour force, trade unions sought to resolve the problem of labour market competition,

while at the same time conforming to the prevailing ideology that women were domestic creatures, to be protected within the confines of the home.

2. Protective Legislation

Not only did women work, they were employed in the most appalling conditions and for long hours in sweatshops and factories. Factory legislation, purporting to protect women and children, offered one means to mitigate some of the worst conditions and to shorten the hours. In common with middle-class women's groups, reformers and factory inspectors, the union movement advocated protective legislation for women. In promoting protective legislation, unionists often worked with organizations such as the National Council of Women and turned to middle-class reformers to aid women workers, rather than to the union or to working women themselves. D.J. Donohue, a labour representative in Toronto, expressed to the National Council of Women "the need of some women of leisure and education to assist women workers to form benefit societies and other organizations for their help and improvement."⁶⁴

In British Columbia the Royal Commission on Labour Conditions invited the Vancouver Trades and Labour Council to provide suggestions on legislation for female shop and office workers. This union organization turned to the middle-class local Council of Women to form a committee, rather than to working women among its own membership. The Council of Women recommended a minimum wage for women of only \$5 per week and this finally appeared in the committee's brief, even though the union representative had suggested \$16.50 as reasonable. The committee also recommended seats for female employees so that they need not stand all day, a female inspector and the separation of Caucasian women from Asiatics for reasons of morality.⁶⁵ This concern with the physical and moral protection of women workers, rather than their low wages, was typical of the period.

Why did unions turn to protective legislation rather than negotiation to resolve the problems of women workers? The problems were defined as health, morality and working conditions, and in most cases unions were unable to bargain on these issues. In the struggle against starvation wages, strikes were invariably over basic union recognition, low wages or job security. Most of these strikes were lost and certainly there was little possibility for bargaining on other issues. Meanwhile legislation purported to offer the means to protect women workers from some of the worst health hazards and longest hours. Roberts and Klein suggest that liaison with other organizations on the issue of legislation offered a way for "trade unionists to break out of

their political isolation and establish links with various reformers.”⁶⁶ But the major reason was “the overwhelming influence of the prevailing ideas of the time” and the unions’ consequent “acceptance of the traditional moralistic definition of women’s place.”⁶⁷

It is difficult to know how working women regarded such efforts to protect them. In strike activity women demonstrated that their concerns were no different from the men’s — wages and job security. In some cases protective legislation may have promoted discrimination against women, although more often it was simply ineffective. Most women were not covered by the Factory Acts since they worked predominantly in private homes, stores and sweatshops. Even where it was applicable, the legislation was rarely enforced. Although suffrage organizations opposed protective legislation as discriminatory, in later years trade union women in the Federation of Women’s Labour Leagues (formed in 1924) rejected this position, viewing as desirable any protection against arduous working conditions.⁶⁸

3. Unionization

Unions were highly ambivalent in their attitudes and actions towards working women, torn between their ideology on the domesticity of women and their role of defending workers’ interests against employers. While advocating the exclusion of women from the labour force, the union movement also supported unionization for those women who nonetheless continued to work. The women’s column of the *Tribune*, a Toronto labour paper, stated in 1905:

Ideas, like conditions, are changing and the old idea that woman must confine her attention entirely to the home and the raising of children is fast becoming a thing of the past.⁶⁹

The 1902 constitution of the Toronto and District Labour Council included in its program “equal pay, civil and political rights for men and women, and the abolition of all law discrimination against women.”⁷⁰ In 1914, the Trades and Labour Congress of Canada replaced its call for the exclusion of women from the work force with “equal pay for equal work for men and women.”⁷¹

In specific instances the union movement, local unions or groups of male unionists were able to move beyond the limits of the prevailing ideology and support women’s rights as workers. In 1897 at an organizing meeting of journeyman tailors, a special reference to organizing women was “much appreciated by the large number of ladies present.”⁷² During the Toronto Bell Telephone strike in 1907, bell-boys at a local hotel refused to work when strike-breakers stayed there, forcing the scabs to move elsewhere.⁷³ In 1912, a strike by women boot and shoe workers over pay reduction was endorsed and

publicized by the union and supported by the men, who walked out in solidarity.⁷⁴

Despite these examples of worker solidarity and the policies supporting equal pay, union organizing and bargaining were marked by traditional attitudes. As an example, in Toronto

General Organizer Sam Landers was embarrassed when reading his manual for the initiation of a local body of women tailors to discover that the wording was exclusively suited to males.⁷⁵

While policy statements might favour equal pay, unions bargained lower increases for poorly paid women workers. In 1907, male bookbinders were to earn from \$13.50 to \$14.50 a week, while

for 400 female bookbinders a scale of \$5.00 per week, \$5.25 for the second, and \$5.50 for the third year was adopted, no fixed scale having previously been in force.⁷⁶

While that last phrase gives some cause to wonder whether obtaining a fixed scale was in itself an accomplishment for the women, certainly the gap in pay rates is huge. In Vancouver in 1918, the Hotel and Restaurant Employees' Union obtained

a scale of \$15 to \$18 per week for the waiters, which is an increase of 50¢ per day, and the scale for the chambermaids is \$25 per month, being an amount of 17¢ per day over the old wage.⁷⁷

Unions not only felt that women, as single workers supporting just themselves, did not require the same wages as men, but that ultimately women should be supported by men. The *Tribune* stated in 1913 concerning a minimum wage: "Give the male workers a decent living wage and a minimum wage for women will be unnecessary."⁷⁸

It might seem that organizing and bargaining better pay for women would resolve the problem of women undercutting male wages and consequent loss of men's jobs. Certainly this was argued by some unionists. For women entering industries to replace men during the war, the Canadian Trades and Labour Congress stated:

Equal pay for women employed on work usually done by men, as men are or were receiving for the same work, will be insisted upon.⁷⁹

In reality, however, unionization of women and bargaining better pay could not at the time provide a solution to the undercutting of men's wages. For all the reasons outlined above (employer opposition, the type of work women did and the composition of the female labour force), it was extremely difficult to organize women, and unions confronted all these problems in their attempts to do so. Unions did not have the power to implement equal pay, despite the insistence of the Trades and Labour Congress during the war. Moreover, the craft nature of unions did not admit the possibility of industrial organiza-

tion, which was necessary to the conditions of unskilled and semi-skilled jobs in which women worked.

Conclusion

Women in the labour force in the period 1881 to 1921 were caught within a cruel irony. On the one hand they were forced into low-paid work and were consequently most in need of collective action to improve their conditions. But by their very nature, those jobs were in most cases the most difficult to organize. Faced with this situation, trade unions at times overcame many obstacles to provide union protection and some support to women workers. But more often the union movement was hampered by the prevailing ideology concerning women's place in society, by apprehensions that women would undercut men's wages or take over their jobs and by the very organization of the international craft unions.

Chapter 2

Women in Unions Today: Facts and Figures

Unionization of Women

How Many Women Belong to Unions?

Just over one-quarter of the women workers in Canada belong to unions. While 43 percent of male workers belong to unions, only 27 percent of women workers are unionized.¹ Thus the large majority of women in the labour force do not have the protection of unionization.

Provincial Variations

Quebec has the highest degree of unionization among women, followed by British Columbia, Manitoba and Newfoundland. The pattern differs for men, with British Columbia, Newfoundland and New Brunswick the most highly unionized. Table 4 gives the breakdown by province.

TABLE 4
Degree of Unionization by Province

	Employed Women Unionized (%)	Employed Men Unionized (%)
Quebec	28.7	34.0
British Columbia	26.8	44.2
Manitoba	22.3	30.7
Newfoundland	20.0	41.1
New Brunswick	17.7	37.5
Alberta	17.6	23.8
Saskatchewan	17.6	21.0
Prince Edward Island	17.5	19.9
Ontario	17.1	34.7
Nova Scotia	15.0	34.2

Source: Calculated from employment figures from Statistics Canada Labour Force Annual Averages, 1975-78, cat. no. 71-529, p. 60, table 12; and unionization figures from Statistics Canada, Corporations and Labour Unions Returns Act, part 2, p. 55, table 20A.

Rate of Unionization of Women

During the last 10 years female union membership has more than doubled, from 322, 980 women in 1966 to 750,637 in 1976.² (See table 5.)

TABLE 5
Rate of Unionization of Women 1966-1976

Year	Number of Female Union Members	Women as Percentage of all Union Members
1966	322,980	17.0
1967	407,181	19.8
1968	438,543	20.4
1969	469,235	21.2
1970	513,203	22.6
1971	558,138	23.5
1972	575,584	24.2
1973	635,861	24.6
1974	676,939	25.2
1975	711,102	26.0
1976	750,637	27.0

Not only have the numbers of unionized women risen considerably, the proportion of women in trade unions has increased from 17 percent to 27 percent. In other words, women have been unionizing faster than men. While the number of male unionists has increased by 40 percent in these 10 years, the number of female unionists has increased by 160 percent.³

Between 1966 and 1976, the percentage of women workers belonging to unions increased from 16.3 percent to 26.8 percent.⁴

Women Within Unions

Despite the rapid increase in female unionization, women continue to be under-represented within trade unions. In 1976, women constituted 38 percent of the paid work force, but only 27 percent of union membership.

Women as a Proportion of Union Membership

Within their unions women are still most often outnumbered by men, although this situation has been changing. In 1962, 32 percent of women unionists belonged to unions where women were the majority of members; by 1976, this figure had increased to 42.6 percent. A further 26 percent of women unionists belonged to unions where women represented 40-50 percent of the total membership. (See table 6.)

TABLE 6
Distribution of All Women Union Members
by Proportion of Women in Trade Unions,
1962 and 1976

Proportion of Women to Total Membership of Trade Union(s) (%)	Distribution of All Female Trade Unionists (%)	
	1962	1976
Less than 10%	8.8	5.6
10% - 19.9%	12.0	6.8
20% - 29.9%	13.0	5.7
30% - 39.9%	20.0	13.3
40% - 49.9%	14.0	26.0
50% - 59.9%	4.5	5.5
60% - 69.9%	7.7	22.6
70% - 79.9%	12.5	3.0
80% - 89.9%	2.7	3.6
90% - 99.9%	4.8	7.9
Total	100.0%	100.0%

Source: Annual Report of the Minister of Trade and Commerce, Corporations and Labour Unions Returns Act, 1962. Statistics Canada, Corporations and Labour Unions Returns Act, part 2, 1976, p. 54, table 19.

Women on Union Executives

Between 1970 and 1975, female membership of trade union executive boards remained at just under 10 percent. This clearly under-represented women, who constituted 26 percent of union membership in 1975. However, as table 7 shows, since 1975 the percentage of women in union executives has increased, reaching 16.7 percent in 1977. Since women constituted 28.6 percent of union membership in 1977,⁵ they were still under-represented on union executive boards, although the situation has improved.

TABLE 7
Women on Union Executives (%)

Type of Union	Women Executive Board Members as Percentage of Total Executive Board Members			
	1970	1975	1976	1977
International Unions	2.8	4.2	5.1	4.5
National Unions	13.1	13.7	16.8	24.4
Gov't Employee Organizations	6.5	7.5	7.2	8.8
All Unions	9.8	9.9	11.8	16.7

Source: Labour Canada, Women in the Labour Force: Facts and Figures, 1970 Edition, table 17, p. 39; 1976 edition, part 3, table 3, p. 9. Figures for 1976 and 1977 obtained from Women's Bureau, Labour Canada, as yet unpublished.

The data is broken down by three types of unions: international unions have their headquarters in the U.S.; Canadian unions comprised largely of federal and provincial government employees are called government employee organizations; and all other Canadian unions are called national unions.⁶ The national unions have the most representative executive boards, with 24.4 percent of women members in 1977 (in 1976, the proportion of women in national unions was 41 percent).⁷

Which Unions Women Belong To

Canadian and International Unions

Both national unions and government employee organizations increased their share of union membership between 1962 and 1976, while the internationals have dropped back. Of all unionists, a small majority of 54.5 percent belong to internationals, but women belong by a considerable majority to national unions and government employee organizations. In 1976, 65.5 percent of women unionists were members of these Canadian unions. Almost the reverse situation is true for male unionists, since 61.9 percent of them belonged to internationals in 1976. (See table 8.)

TABLE 8
Distribution of Union Membership
by Type of Union and Sex
1962 and 1976 (%)

	1962			1976		
	Female	Male	Total	Female	Male	Total
International Unions	47.8	69.2	65.9	34.5	61.9	54.5
National Unions	33.8	20.2	22.3	44.9	24.3	29.9
Gov't Employee Organizations	18.4	10.6	11.8	20.6	13.8	15.6
Total	100.0	100.0	100.0	100.0	100.0	100.0

Source: Annual Report of the Minister of Trade and Commerce, Corporations and Labour Unions Returns Act, 1962. Statistics Canada, Corporations and Labour Unions Returns Act, part 2, cat. no. 71-202, p. 49, table 18.

That Canadian unions have been organizing women more rapidly than the internationals is clearly demonstrated when one examines the internal sex composition of the three kinds of unions. As table 9 shows, female membership in national unions has jumped from 23.45 percent to 40.67 percent, in government employee organizations from 24 percent to 36 percent, while the proportion of women in the internationals has increased far less, from 11 percent to 17 percent.

This difference is due to the occupational make-up of the different types of unions. The largest recruitment of female members has been among public service workers, and the internationals do not organize these workers.

TABLE 9
Female Membership Within the Three Types of Union
1962 and 1976 (%)

Type of Union	Percentage of Female Membership	
	1962	1976
International Unions	11.70	17.07
National Unions	23.45	40.67
Government Employee Organizations	23.93	35.56

Source: Annual Report of the Minister of Trade and Commerce, Corporations and Labour Unions Returns Act, 1962. Statistics Canada, Corporations and Labour Unions Returns Act, part 2, cat. no. 71-203, p. 49, table 18.

Unions with the Largest Number of Female Members

The 12 unions with the highest number of female workers in 1976 are shown in table 10.

TABLE 10
The 12 Unions with the Highest
Number of Female Members, 1976

Union and Type of Union	Total Membership	Female Membership	Women as Percentage of Total Membership
Canadian Union of Public Employees (National)	218,606	89,183	40.8
Quebec Teachers Corporation (National)	97,405	61,373	63.0
Public Service Alliance of Canada (Government)	145,141	51,761	35.7
Social Affairs Federation (National)	60,625	41,810	68.9
Service Employees' International Union (International)	52,071	34,949	67.0
Ontario Public Service Employees Union (Government)	57,346	27,504	48.0
Retail Clerks International Association (International)	48,447	21,892	45.2

Continued

TABLE 10 (Continued)
The 12 Unions with the Highest
Number of Female Members, 1976

Union and Type of Union	Total Membership	Female Membership	Women as Percentage of Total Membership
Amalgamated Meat Cutters of North America (International)	57,605	20,713	36.0
International Ladies Garment Workers Union (International)	22,582	19,101	84.6
Registered Nurses Association of British Columbia (National)	18,849	18,849	100.0
Amalgamated Clothing & Textile Workers Union (International)	30,127	18,660	61.9
Alberta Union of Provincial Employees (Government)	34,175	17,783	52.0

Source: Statistics Canada, Corporations and Labour Unions Returns Act, part 2, cat. no. 71-202, 1976, p. 49.

Seven of the unions are national unions or government employee organizations, and there is a clear concentration of unions representing public sector workers — government employees at municipal, provincial and federal levels, nurses and teachers.

Women constitute a large proportion of the total membership of these unions. The average female membership for all unions is 27 percent, but in 7 of these 12 unions women form the majority of the membership, and their proportion in all 12 does not fall below 35 percent.

Summary

- Just over one-quarter (27 percent) of female workers in Canada belong to unions.
- Women now constitute 27 percent of trade union membership, with 43 percent of unions having a majority of female members.
- Women hold 16.7 percent of union executive positions; representation has been increasing since 1975.
- Women have been unionizing rapidly in recent years. From 1966 to 1976, the number of female unionists increased by 160 percent, while the number of male unionists increased by 40 percent.

- Over 65 percent of women unionists belong to Canadian unions, where female unionization has been more rapid than in the internationals.
- The 12 unions with most female members show a concentration of unionization among women working in the public sector including government employees, service workers, teachers and hospital workers.

Chapter 3

Why Are Women Unionized Less than Men?

Chapter three examines the reasons why significantly fewer women than men are unionized (27 percent compared with 43 percent), a situation that leaves thousands of working women without union protection. The first section looks at the most frequently cited reasons for this situation, namely, attitudes — disinterest of women workers and sex discrimination by trade unions. It concludes that these factors are of questionable significance in the overall degree of unionization of women. The next four sections examine other reasons for the lower unionization of women — the historic nature of trade union membership, changes in the labour market which altered the potential membership of trade unions, employer opposition and job fragmentation.

Information and statistical data relating to trade unions are often limited or unavailable. Nonetheless, important indications and trends provide a basis for tentative conclusions. For readers interested in the statistical data, appendices 1 and 2 have been added to provide more detailed breakdowns of the material and notes on methodology.

Attitudes as Explanations

It has long been popular to cite women's attitudes as explanations for an infinite array of social and economic disadvantages. While passivity, weakness, inaction and lack of ambition are now rarely regarded as biologically determined, they are still very widely regarded as the result of socialization. Consequently "feminine psychology" remains a powerful explanatory tool for many writers: women are inhibited from obtaining management positions by their own fear of leadership and want of ambition; lack of commitment is created by expectations of a future domestic role and financial support; socialized submissiveness renders women subject to extreme exploitation; and so on.

Even feminist writers continue to find such arguments persuasive. Reference is made to psychological barriers to action even where

more concrete reasons are provided. In the introduction to *Women at Work 1850-1930*, Lindsay Kealey writes:

Although women workers experienced oppressive working conditions, the pervasive influence of the domestic role prevented women from identifying themselves as working women. The expectation of marriage and motherhood delimited the female sphere and mitigated against sustained struggle.¹

She notes that "this third theme, the powerful influence of the domestic role ideology, often appears as an explanatory device in this collection." Writing on women organizing, Jean Rands says, "Our powerlessness is reinforced by our socialization as women," which produces passive quiet women who idealize the role of housewife. "Organizing and standing up for one's rights are things that men do, not women."²

Where explanations based upon female attitudes are discarded, discriminatory attitudes by male unionists and organizers are regularly cited as the reason for the lesser unionization of women. The Royal Commission on the Status of Women stated that "male unionists have an ambivalent attitude towards women in the work world" although "fortunately, there is some evidence of the growing realization that women who choose to work should have equality of opportunity in all respects."³ The one published study on trade unions undertaken for the commission is entirely devoted to a survey of male unionists' attitudes. Patricia Marchak surveyed a small sample of white-collar workers in British Columbia and found that the women were more interested in unionizing than were men. She concludes:

The failure of unions to organize the white-collar labour force to any substantial degree may be due more to the same discriminatory attitudes of union organizers and male union members as those described above for employers, than to any disinclination on the part of women.⁴

In her article on women and unions, Grace Hartman concentrates on the attitudes of both men and women to explain the lesser role of women in unions. Women are often ignorant of unions, she says, and whether or not they join unions is subject to their husbands' approval, while "the sexist nature of our society is at least partially reflected in the labour movement itself."⁵ Jean Rands describes how a woman approaching a trade union wanting to organize is "likely to get depressed and overwhelmed," because most union organizers and representatives are men who have "accepted the myths that hold women back" and because women "are still treated like dolls or children by their union representatives."⁶

Of course both women and men are affected by the sexist attitudes of the society we live in. Women are subject to societal pressure to

regard their domestic role as primary, while men are encouraged to consider women as less than equal. It would be foolhardy to suggest that these attitudes do not affect women workers, male workers and trade unionists. However, while passivity among women workers and discrimination by unionists may affect many specific situations, they are not necessarily important influences upon the overall unionization of women. Concentration on attitudes has resulted in neglect of other economic and social influences. Because discriminatory attitudes are an immediate and personal experience (in a way that, say, shifts in the labour market are not), it is tempting to regard such attitudes as the "common sense" reason for broad social and economic results. However, as one expert on trade unions has stated, "What appears to be common sense sometimes is revealed, on closer examination, to be little more than nonsense."⁷

If the lower degree of unionization of women could be explained by socialized disinterest on the part of women or by sexual discrimination by trade unions, or indeed by a combination of the two, one might expect to find that a high proportion of women in an industry would lead to a low degree of unionization.⁸ In fact this relationship is not borne out by the statistics.

In table 11 industries are ranked according to the proportion of women workers and compared with the degree of unionization in that industry.

TABLE 11
Proportion of Women Workers
and Degree of Unionization by Industry* (%)
January 1976

Industry	% of Women Workers	% of All Workers Unionized
Services (Community, Business & Personal)	60.2	32.7
Finance	57.0	2.0
Trade	40.2	8.9
Public Administration	30.9	65.7
Manufacturing	24.6	47.9
Agriculture	22.6	2.8
Transportation	20.8	55.7
Construction	8.3	68.5
All Industries	37.9	36.8

*Certain industries with very few woman workers are excluded: forestry, fishing and trapping, and mines, quarries and oil wells.

Source: Calculated from Labour Canada, *Women in the Labour Force: Facts and Figures*, part 3, 1976, p. 7, table 2.

As table 11 shows, there is no apparent relationship between the percentage of women working in an industry and the degree of unionization in that industry. In the two industries with the largest proportion of women workers, services and finance, the first has one-third of its work-force organized, while in the second only 2 percent of workers are unionized. The agriculture and transportation industries both have a substantial minority of women workers, about one-fifth, but the variation in unionization is from 2.8 percent to 55.7 percent. A large proportion of women in an industry apparently does not lead to less unionization. However, these are highly aggregate figures, which could conceal a great deal. When such large industrial categories are broken down into subsectors one might find women concentrated in certain subsectors and little unionized, while men are highly organized in other subsectors.

Comparable data on numbers of workers and union membership for industrial subsectors were available for only two industries — manufacturing, and mines, quarries and oil wells. (See Appendix 1 for an explanation of the data used in this section.) Since so few women workers are employed in mines, quarries and oil wells, manufacturing is used here.

The manufacturing industry has 446,000 women workers, 24.6 percent of that industry's work force. There are 21 industrial subsectors in manufacturing. (Appendix 1 gives unionization data on all of them.) For reasons of space and clarity 10 subsectors are used here for comparison — the 5 with the highest proportion of women (clothing, knitting, leather, miscellaneous manufacturing and tobacco) and the 5 with the lowest proportion of women (machinery, beverages, transportation, wood products and primary metal). Again, if a high proportion of women workers could be correlated with low unionization, it might indicate that attitudes about women and unionization are a factor in the low degree of unionization among women overall.

Table 12 shows that this relationship does not exist. Three manufacturing subsectors have more female than male workers (clothing, knitting and leather), but the rate of unionization varies from 14.9 percent to 59.7 percent. Miscellaneous manufacturing and tobacco both have just over 38 percent women workers, but in manufacturing only 26.3 percent of the workers are unionized, while in tobacco 62.9 percent belong to unions. The same lack of correlation appears in the five subsectors with a small percentage of women. While the proportion of women varies only between 6 and 12 percent, the degree of unionization varies from 41 percent to almost 84 percent. Clearly the presence or absence of women does not explain why wood products, with only 8.8 percent women workers,

and clothing, with 76.2 percent women workers, are both highly unionized.

TABLE 12
Proportion of Women Workers and Degree of Unionization
by 10 Manufacturing Subsectors (%)
January 1977

Manufacturing Subsector	% of Women Workers	% of All Workers Unionized
Clothing	72.6	59.7
Knitting	65.1	14.9
Leather	56.2	50.7
Miscellaneous Manufacturing	38.6	26.3
Tobacco	38.2	62.9
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Machinery	12.4	47.4
Beverages	11.9	41.4
Transportation	10.7	83.7
Wood Products	8.8	63.6
Primary Metal	6.1	69.6

Source: See Appendix 1.

To provide a further check on this conclusion, table 13 gives separately the degree of unionization for women and for men within these subsectors. The figures show that women are not under-unionized compared to men in these subsectors.

TABLE 13
Percentage of Female and Male Workers
Unionized in 10 Manufacturing Subsectors
January 1977

Manufacturing Subsector	% Female Workers	% Female Workers Unionized	% Male Workers Unionized
Clothing	72.6	60.7	56.3
Knitting	65.1	16.1	12.8
Leather	56.8	52.3	48.6
Misc. Manufacturing	38.6	20.1	30.3
Tobacco	38.2	72.0	57.2
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Machinery	12.4	30.0	49.8
Beverages	11.9	19.9	44.3
Transportation	10.7	66.8	85.7
Wood Products	8.8	57.9	64.2
Primary Metal	6.1	20.9	72.8

Source: See Appendix 1.

In those five subsectors where a large majority of the workers are male, and only a small proportion female, male workers have a higher rate of unionization. Of interest to this analysis is the fact that the same occurs in reverse. In the three subsectors with a majority of female workers, the women are more highly unionized than the men. Even more interesting are the tobacco and miscellaneous manufacturing subsectors where women are in a minority of just over 38 percent. In miscellaneous manufacturing the expected pattern occurs given the predominance of men in this industry, namely, more men are unionized. However, in the tobacco industry, the women are more highly unionized than the men, despite being just over one-third of the work force.

The factor that determines the degree of unionization is the sex dominance in the work force, *whether male or female*. Considering all 21 manufacturing subsectors, the following pattern emerges:

- Where women are the majority (over 55 percent) of the work force, they are more highly unionized than are the male workers. Three manufacturing subsectors are in this category.
- Where men are in a large majority (over 85 percent), they are more highly unionized than are the female workers. Nine manufacturing subsectors are in this category.
- Where men are the majority, but a smaller majority (women being between 18 and 38 percent of the work force), the situation varies. In four such subsectors women are more highly unionized; in five, men are more highly unionized.

Since women are a minority of the work force in the manufacturing industry (24.6 percent), forming a majority of workers in only 3 manufacturing subsectors out of 21, male unionization is consequently higher.

Possible reasons for the higher unionization of the sex that dominates an industry will be considered later. Here it is important to indicate that the statistics show no correlation between the proportion of women in an industry and the degree of unionization. This indirect evidence suggests that attitudes of or towards women are questionable explanations for the low degree of unionization among women.

Historic Explanations

In the nineteenth century unions developed primarily among skilled workers in construction, transportation, mining and some manufacturing sectors.⁹ The great majority of non-agricultural workers were employed in these sectors at the turn of the century, and it is these industries, with their long tradition of unionization, that remain the most highly unionized today (barring public administration, a special case that will be discussed later in this chapter). (See table 14.)

TABLE 14
Degree of Unionization by Industry, 1976

Industry	Workers Unionized (%)
Construction	68.5
Public Administration	65.7
Transportation	55.7
Manufacturing	47.9
*Mines, Quarries, Oil Wells	39.7
Services	32.7
Trade	8.9
Agriculture	2.8
Finance	2.0

*This figure from Statistics Canada, CALURA, part 2, 1976, p. 74.

Source: Calculated from Women's Bureau, Labour Canada, *Women in the Labour Force: Facts and Figures*, part 3, 1976, p. 7, table 2.

Most of the occupations in the construction, transportation, mining and manufacturing industries are blue-collar production jobs, and these are traditionally male occupations. As shown in table 15, nearly half of all male workers have jobs in these industries, but only 20.8 percent of women workers are employed there. While over three-quarters of women workers are employed in community, business and personal service; trade; finance; and public administration; just under one-half of male workers are working in these industries.

TABLE 15
Distribution of Paid Workers
by Sex and Industry, 1976 (%)*

Industry	Women Workers as % of All Women Workers		Male Workers as % of All Male Workers	
Manufacturing	14.3	} 20.8	27.6	} 48.5
Transportation	5.3		12.7	
Construction	1.2		8.2	
Services (Community, Business & Personal)	44.5	} 78.4	18.6	} 49.8
Trade	19.0		18.0	
Finance	8.3		3.9	
Public Administration	6.6		9.3	
Agriculture	0.8		1.7	
Total	100.0%		100.0%	

*Figures for mining industry not available.

Source: Calculated from Women's Bureau, Labour Canada, *Women in the Labour Force: Facts and Figures*, part 3, 1976, p. 7, table 2.

As suggested above, the industries in which only one-fifth of female workers are employed — manufacturing, construction and transportation — have formed the historic base of trade union membership. In 1976, 52.9 percent of workers in these industries were unionized, compared with 27.1 percent in the four industries where 78 percent of women work. This difference in the industrial distribution of men and women, combined with the historic nature of trade unionism, is part of the explanation for the overall differential in male and female unionization.

The following analysis may also help to explain the findings described above, namely, that unionization of women is low in industries where a large majority of the workers are male (the reverse also being true). I have no conclusive information, but will suggest a tentative explanation.

In all of the manufacturing subsectors with 85 percent or more male workers, women are under-represented within the union. These subsectors consist of traditionally “male” occupations in metals, machinery, minerals, petroleum and so on. Most of the small minority of women working in these industries work in the offices. Unions in these industries have organized the production workers, but not the office workers. Consequently women are under-represented in the union, compared to their percentage in the industry.

If this explanation is correct, a number of factors may explain the lower unionization of such office workers. Historically, unions have organized craft and production workers. The large increase in white-collar workers is still a relatively recent phenomenon, and such workers may not yet have been incorporated into the union. Unions may be reluctant to branch out into organizing a different sector of workers, and office workers may feel some reluctance to join a union of predominantly blue-collar workers.

Although some of the manufacturing subsectors under discussion employ very few women (for example, petroleum has only 2,697 women workers; beverages has 3,546), the lower rate of unionization in others affects a large number of women. Table 16 lists the five industries which have more than 15,000 women workers and where women are under-represented as trade union members (excluding miscellaneous manufacturing which covers no one particular industry).

TABLE 16
Industries Employing More Than 15,000 Women,
Where Women are Underrepresented as Trade Union Members

Manufacturing Subsector	No. Women Workers	Women Workers as % of All Workers	Women Union Members as % of All Union Members
Printing	23,731	32.2	18.2
Chemicals	18,547	24.5	11.4
Metal Fabricating	18,164	15.2	8.6
Paper	15,964	13.0	8.2
Transportation	16,211	10.7	8.5

Source: See Appendix 1.

These would be particularly appropriate industries for unions to focus upon in organizing women. Increased unionization here would significantly improve the rate of unionization of women in manufacturing. They would also be appropriate for future examination as to the causes of under-representation of women in trade unions.

Labour Market Changes

The nature of women's participation in the labour force and its changes over time have been reviewed in some depth elsewhere.¹⁰ The major trends have been summarized in table 17. The period 1941-1951 initiated a new era of labour force participation for women. While the number of women in the labour force and the percentage of women relative to men were gradually increasing throughout the century, in 1951 both took a sharp upswing and that acceleration was then maintained. At the same time, a pronounced increase in the proportion of married women in the work force occurred, moving from 12.7 percent in 1941 to 30 percent by 1951.

By 1976 women constituted 37.4 percent of the total labour force, and 59.6 percent of all women in the labour force were married. Over the last 25 years, then, women have rapidly become a more significant and permanent part of the work force (permanent in the sense that women now tend to stay in the work force with only a short break for childbearing and therefore spend more years at work than was formerly the case).

Women have been drawn into the labour force to fill an expanding number of white-collar positions, especially in clerical work. Table 17 shows the large increase of women in clerical positions, again with a particular rapid expansion between 1941 and 1951. In 1951 personal service work was displaced by clerical work as the leading

occupation for women. Overall, there has been a shift away from women working in the blue-collar occupations of manufacturing and personal service, and into the white-collar clerical, commercial and financial occupations.¹¹

TABLE 17
Major Trends in Labour Force Participation of Women
1901-1976

Year	Female Labour Force (in thousands)	Women as % of Labour Force	Married Women as % of Labour Force	Clerical Workers as % of Female Labour Force	Pers. Service Workers as % of Female Labour Force
1901	238	13.3		5.3	42.0
1911	365	13.4		9.4	37.1
1921	489	15.5		18.7	25.8
1931	665	17.0	10.0	17.7	33.8
1941	834	18.5	12.7	18.3	34.2
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1951	1,164	22.0	30.0	27.5	21.0
1961	1,764	27.3	49.8	28.6	22.1
1971	2,831	33.3	56.7	32.7	22.3
1976	3,859	37.4	59.6	35.8	16.7

Source: 1901-1961 figures from Department of Labour, *Women at Work in Canada*, 1964, various tables. 1971 figures from Women's Bureau, Department of Labour, *Women in the Labour Force 1971: Facts and Figures*. 1976 figures from Women's Bureau, Labour Canada, *Women in the Labour Force: Facts and Figures*, 1977, part 1.

Nonetheless, personal service occupations remain second in importance to clerical work for women. By 1976, 62.8 percent of all women in the labour force worked in clerical, sales and service occupations combined.¹²

This change in women's participation in the labour force is not just a shift in the female labour market, but in the overall labour market situation. The statistics available on labour force changes are by industry, while the discussion above of women's participation has been based on occupational data. Although occupations cut across all industries, nonetheless it is fair to say that the great expansion of women's employment has taken place largely in four industries: trade, finance, services and public administration. It is in these industries that clerical, sales and personal service workers are concentrated.

Table 18 shows labour market shifts since 1951. It is clear that although the construction industry has expanded slightly, the overall share of mines, manufacturing, construction and transportation in the

labour market has been falling. At the expense of these four industries, and of agriculture as well, the labour market has shifted towards services, trade, finance and public administration.

This labour market shift has important implications for the trade union movement. The percentage of workers has been declining in precisely those industries which have been traditionally well unionized, while those industries with a lower degree of organization have been expanding. In this situation, just to maintain the percentage of workers unionized, let alone expand, more workers would have to be unionized or the percentage of membership would decline. In other words, the union movement needs to organize in the services, trade, finance and public administration industries, where most of the workers are white collar. These are the industries into which the increased female labour force has been moving; 50 percent of the workers in these four industries are now female.¹³ This reflects the second major labour market shift from male to female. Men comprised 78 percent of the labour force in 1951, but 62.6 percent by 1976 (see table 17). Have these labour force shifts, from male to female and between industries, been reflected in the rates of unionization?

TABLE 18
Percentage Distribution of the Experienced Labour Force
by Industry, 1951, 1961 and 1971

Industry	1951	1961	1971
	%	%	%
Manufacturing	24.8	22.2	21.5
Transportation	10.1	9.7	8.5
Construction	6.2	6.9	6.8
Mines	2.0	1.8	1.7
Subtotal	43.1	40.6	38.5
Services	15.2	20.1	25.7
Trade	14.5	15.8	16.0
Finance	2.8	3.6	4.5
Public Administration	5.3	7.5	8.0
Subtotal	37.8	47.0	54.2
Agriculture	15.7	10.0	6.1
Forestry, Fishing & Trapping	3.5	2.3	1.2
Total*	100.1	99.9	100.0

*Totals are not exactly 100 percent because of rounding.

Source: Hugh Armstrong, *Unemployment in Canada: An Historical Overview*, Urban Seminar Six, Toronto, 1978, p. 4, table 1.

Concerning the labour market shift from male to female, it is clear that the rate of unionization is greater among women than men. In the ten-year period 1966 to 1976 the percentage increase in unionization of women was 160.2 percent, compared with 40 percent among men. Moreover, since the percentage increase of women in the labour force was 73.4 percent over the same period, unionization among women far exceeded the rate of influx of women into the labour market.¹⁴ Consequently the overall percentage of women workers belonging to trade unions has risen significantly, from 16.3 percent in 1966 to 27.6 percent in 1976 (see table 19). Since women have been unionizing faster than men, their proportion of trade union membership has also increased — from 17 percent to 27 percent over the ten-year period from 1966 to 1976.¹⁵ Certainly the rate of unionization is responding to the increased participation of women in the labour force.

Turning to unionization by industry, the situation varies. As table 19 shows, in the services industry, where the largest proportion of women workers are employed, unionization was very high from 1966 to 1976. The services industry alone accounts for just over 50 percent of the total increase in union members, with 583,287 workers unionized during the 10 years, and the overall percentage of unionized workers in the industry increasing from 11.9 percent to 32.7 percent. Most of this unionization has been among teachers and nurses; in 1976, 87 percent of union members in the services industry worked in education, health and welfare.¹⁶ Public administration is second highest in unionization, with 150,094 new members. The overall degree of unionization in this industry is very high at 65.7 percent in 1976. This reflects the dramatic increase in unionization among municipal and provincial government employees. (See Appendix 2 for an explanation of unionization among federal government workers in public administration.) In trade and finance, however, unionization has been low. These two industries have by far the lowest rate of unionization, at 8.9 percent and 2 percent respectively.

The distinction that emerges here is between the public and private sectors.

TABLE 19
Percentage Unionization of Paid Workers
and Increase in Membership by Industry
1966 and 1976

Industry	Women as % of All Women Workers 1976	% of Paid Workers Unionized 1966	% of Paid Workers Unionized 1976	Increase in Number of Union Members 1966-76
Services	44.5	11.9	32.7	584,287
Trade	19.0	5.3	8.9	80,505
Finance	8.3	—	2.0	9,242
Public Administration	6.6	68.3	65.7	150,094
Manufacturing	14.3	43.4	47.9	129,292
Transportation	5.3	57.4	55.7	105,288
Construction	1.2	47.3	68.5	106,974
All Industries*	100.0	31.2	36.8	1,146,539

*Includes those categories not shown separately in the table.

Source: See Appendix 2.

Workers employed directly or indirectly by any level of government, which includes public administration and the education and health sectors of the services industry, are highly unionized (whether male or female). Private-sector workers in other subsectors of the services industry (which includes personal services, recreation, accommodation and food) and in trade and finance have low rates of unionization. Reasons for the public/private sector difference in unionization will be examined in later sections of this paper.

The influx of women into the public-sector industries and the high level of unionization in these sectors explain the large increase of women members in national and government unions, as opposed to the internationals,¹⁷ since it is these Canadian unions which cover almost all public-sector workers. Concentration of national unions is highest in Quebec, which has close to half (46.8 percent) the total Canadian membership in national unions.¹⁸ Since female membership is highest in national unions, this helps to explain why more women are unionized in Quebec than in any other province.¹⁹

It would seem, then, that unionization rates have responded to the increased participation of women in the labour force, and have responded partially to the industrial changes. These labour market shifts are still fairly recent phenomena, and if unionization continues in these "new" areas, the proportion of women unionized compared to men will continue to improve.

The evidence presented here suggests that the lower degree of unionization among women may be partially explained by the still relatively new role of women in the labour force and by the fact that women have been drawn into sectors of the work force not traditionally unionized.

Employer Opposition

The role of the employer in determining union membership has been much neglected. By law all workers, with few exceptions, have the right to organize in order to collectively bargain for pay and conditions of work. Nonetheless, the response of employers to organizing attempts can dramatically affect the real possibility of forming a union. I would argue that employers have had a significant effect on the overall degree of unionization amongst women.

As indicated in the previous section in examining the industries that have been expanding and creating jobs for women entering the labour market (services, trade, finance, public administration), unionization has been high in the public sectors and low where the employer is in private industry. Since more women than men work for private employers in these industries, this difference in degree of unionization helps to explain why women are unionized less than men overall. The private sector trade and finance industries with their low degree of unionization employed 27.3 percent of all women in the labour force in 1976, while 21.2 percent of all male workers were employed in these industries. In the private sectors of the services industry, which are the little-unionized personal service occupations, 16.7 percent of all women workers were employed in 1976 compared to 9.5 percent of men.²⁰ In contrast, public-sector workers in the health and education sections of the services industry, and municipal, provincial and federal government workers in public administration are all highly unionized.

I would argue that the role of employers has been crucial in determining the degree of unionization in these industries. Employers in the public sector have now largely accepted the existence and role of trade unions, no doubt partly as a result of the fact that labour costs can be passed along in increased taxation. In the private sector, unions present a more serious threat because pay increases may reduce profits, and here there has been continued opposition to unionization. To illustrate these arguments, I will examine unionization in public administration, specifically among federal civil servants, and then look at the role of employers in the recent campaigns in one section of the finance industry — among bank workers.

The federal government effectively opposed collective bargaining with its own employees until the Public Service Staff Relations Act of 1967. Civil service associations had existed since the early 1900s, but were not unions bargaining for their members. They could not negotiate and there was no written contract or arbitration procedure. These employee associations were conservative, non-militant organizations; the Civil Service Federation of Canada did not even call for collective bargaining rights for federal service workers until 1953. However, the federal government effectively blocked the formation of trade unions for another 14 years after this. The government argued that the state was sovereign ("The Queen does not negotiate"), that unions were inappropriate since the public service was non-profit, and that negotiation was incompatible with the merit system then in operation. What precipitated the change in government policy?

For years the civil service associations and the government discussed the introduction, not of collective bargaining and strike powers for public servants, but of compulsory arbitration as recommended by the Heeny Report. In 1965 these plans were overtaken by the postal workers' strike. Frustrated since the 1950s by delayed and insufficient wage increases interspersed with wage freezes, postal workers took strike action without permission of any law, the first such strike since 1924.²¹ This forced a review of the planned legislation — what was the point of allowing only compulsory arbitration if public service workers were going to strike anyway? While very restrictive in its terms, the Public Service Staff Relations Act of 1967 does allow public service workers to choose between a conciliation and strike process or compulsory arbitration.

The Public Service Alliance of Canada is the largest union of federal public service workers. It was formed in 1966 by a merger of the former civil service associations in response to the forthcoming legislation. As a result it is conservative both in its internal structure and in its negotiation strategies. After the 1967 Act, 98,000 federal public service workers obtained for the first time the right to bargain collectively and to strike. Non-existent in 1966, in 1967 the Alliance became the union with the fourth largest number of female members, 27,382. By 1976 the Alliance was third with 51,761 women members.²²

A similar pattern can be traced for provincial public service workers. Apart from Saskatchewan, where provincial employees have been covered by general labour legislation since 1944, provincial governments have only allowed collective bargaining since the 1960s, with Quebec leading the way in 1965. The

legislation varies in its restrictions and in which workers are covered. Five provinces still do not allow civil servants the right to strike.

The position of employers, in the form of the federal and provincial governments, has clearly been a crucial factor in the formation of bargaining unions in the public service. The acceptance of unionization by most governments (including municipal) has permitted unionization of the large number of women who work in the public administration sector.

While employers in some public service sectors have largely accepted the existence of trade unions, this is not the case in certain private-sector industries. The opposition of employers to unionization in sectors employing large numbers of women is a crucial factor in the degree of unionization among women. As an example of the kind of opposition which can take place, I will examine the campaigns to organize bank workers, a large segment of the workers in the finance industry. Of all workers employed by the banks, 72 percent were women in 1975.²³

The banks have mounted co-ordinated, relentless and often sophisticated opposition to union campaigns among bank workers. They have been successful. Of nearly 7,600 bank branches across Canada, today approximately 65 are unionized.²⁴ Since unionizing attempts developed in 1977, 67 complaints against the banks for unfair labour practices have been filed with the Canada Labour Relations Board (CLRB) by different unions.²⁵ The banks have more complaints laid against them than the other industrial sectors dealt with under the CLRB. In the CLRB's annual report of 1977-1978, complaints against banks alone constituted over one-third of all those received, as a consequence of which the CLRB now provides statistics on complaints against banks separately from the total figures. The annual report comments with considerable understatement:

The increase appears to be attributable to increased union activity among employees engaged in the banking industry.²⁶

The banks' methods of inhibiting unionization include improvements in both pay and conditions to demonstrate that unions are unnecessary, as well as the more draconian measures of intimidation and penalties. In the last two years all of the larger banks (commonly called the Big Five) have initiated grievance procedures for their workers. These resemble union grievance procedures, with, of course, the crucial exceptions that the employee does not have union protection or representation while grieving and ultimately the bank still makes the decision as there is no third party to intervene. Personnel relations officers have been visiting branches to inform employees of the various benefits available to them as bank

employees (the benefit package is generally good in banks). In reading the published deliberations of the CLRB it becomes clear that such visits are a recent innovation and occur with particular regularity where a branch is in the process of unionizing. In 1979, all five major banks gave 9 percent increases in pay to their workers. These increases will be well in line with pay increases in other industrial sectors, and represent a substantial percentage improvement (although the actual pay rates are still remarkably low, the average pay for a teller in 1977 being \$8,000). Prior to 1979 the banks have given increases *below* the Anti-Inflation Board guidelines of 6 percent.²⁷

The banks have utilized every anti-union technique available to intimidate and penalize union employees. The Canada Labour Relations Code prohibits such actions by law, but before the Canada Labour Relations Board banks have been found to be in violation of the law on all the following points²⁸:

- firing staff for union activities;
- transferring workers involved in a union in one branch to a different branch;
- denying promotion to an employee due to union activity;
- hiring additional workers at a branch in the process of unionizing in order to undermine the majority of union members required to form a union;
- holding both group and individual meetings during working hours ('captive audience' meetings) to apply pressure to employees to prevent them from unionizing, meetings sometimes attended by high-ranking officers of the bank, who had not been heard of previous to the meetings;
- requiring workers at unionized branches to make up any cash shortages at the end of the day out of their own pay, while this was not required at non-union branches.

A further crucial issue has recently been ruled on by the CLRB. Banks have withheld regular annual pay increases only from those branches that have been unionized and are awaiting agreement on a first contract. The banks have been careful to inform all employees of this distinction. This means that for many months and in some cases for over a year, unionized workers receive lower wages than all other employees, while the banks stall and delay in reaching a first contract. Workers excluded from the bargaining unit by the Canada Labour Relations Board (often part-time casual employees) received the increases, while union members working in the same branch did not. The legal technicalities of the case are complex, but the unions argue that this penalizes union workers and therefore constitutes a violation of the law. The CLRB ruled in favour of the unions,

ordering monetary compensation to the affected employees as well as requiring the bank to communicate its intentions to cease and desist from further interference to all of its employees.

While the unions may win some cases, overall the banks are in a powerful position. The CLRB's ruling of violation by the banks is limited if it is determined months after the event, the employees have been effectively intimidated, and the fired or transferred worker has no desire to return. Bank branches are small work places with close association among workers and between management and workers. Concerted opposition to unionizing by a bank branch and the resulting turmoil in relationships often convinces workers not to press the point. Moreover, the actual filed complaints represent a very small part of what goes on, since intimidation is hard to prove and banks have been particularly careful to maintain technical legality, even while violating the rights of workers. Over time banks can continue quietly and carefully to transfer and lay off union members, and then apply for decertification when there is no longer a majority of union members.

While these employer tactics are not unfamiliar in any union organizing attempt, the banks have applied them in a particularly centralized and co-ordinated manner with obvious co-operation between different banks. Extensive legal advice has been obtained and profitably used, so that proving illegality is very difficult. The banks have the time, money and personnel not only to mount a strong anti-union campaign, but to maintain the opposition for years if necessary. Needless to say branch workers feel that it is difficult to oppose these wealthy and monolithic institutions. They are right.

In my estimation the opposition of employers has been a crucial factor in inhibiting unionization in the banking sector, where 73 percent of the workers are women. A further reason, which is much exploited by the employer, is the size of the work place and the difficulty of organizing small groups of workers scattered across a city, a province or the whole country. This question of job fragmentation is examined in the next section for its effects on unionization among women.

Job Fragmentation

Job fragmentation means that workers are scattered or "fragmented" across a large number of small work places, rather than concentrated in large establishments. It is commonly assumed that women are more fragmented in this way than men, typically working in bank branches, restaurants and small offices, stores and factories. Unionization may be more difficult in these small work places than in

large establishments with hundreds of workers. This would then affect the degree of unionization among women.

Statistical information on job fragmentation is scarce. Only in the manufacturing industry is reliable data available, based upon an annual census by Statistics Canada. (See table 20.)

TABLE 20
Employment in Manufacturing by Sex
and Size of Establishment, 1976

Size of Establishment	Women Workers as % of All Women Workers	Male Workers as % of All Male Workers
- 19	6.7	7.1
20 - 49	12.6	10.4
50 - 99	15.3	10.9
100 - 199	21.4	16.2
200 - 499	24.1	20.5
500 - 999	11.2	13.4
1000 +	8.7	21.5
Total	100.0%	100.0%

Source: Calculated from Statistics Canada, "Type of Organization and Size of Establishment," cat. no. 31-210, 1976, table 7.

It is interesting that in the smallest work places, those with fewer than 20 workers, a slightly higher proportion of men than women are employed. 7.1 percent compared with 6.7 percent. In the overall



Women walk the picket line in a strike against Blue Cross at Don Mills, Ontario.

picture, however, women are concentrated into the smaller establishments. Only 19.9 percent of women work in establishments with over 500 workers, compared with 34.9 percent of men. In work places with fewer than 200 workers, 56 percent of women workers are employed, but only 44.6 percent of men. It is likely that in certain industries other than manufacturing women are even more concentrated into small establishments. For example, in the services industry, particularly personal services, one would probably find a predominance of women in establishments with fewer than 20 workers. In this sector women work in hotels, laundries, hairdressing salons and restaurants — all predominantly small work places. The same is true in trade, where women work in thousands of small stores as well as the larger supermarkets and department stores. In finance, the banking industry is another example.

Small work places tend to inhibit unionization for a number of reasons. Organizing large numbers of small establishments obviously involves more expense, more staff and more time than organizing large establishments. For every 10, 50 or 100 workers in a work place, an application for certification must be made, the hearing attended if required, proposed contract drawn up and negotiations carried on. In a large establishment the same process will cover 500 or 1,000 workers with relatively little expenditure of time and effort. Table 21 gives dramatic evidence of this problem.

TABLE 21
Number of Establishments in Manufacturing
by Size and Percentage of Workers, 1976

Size of Establishment	No. of Establishments	% of Workers
– 19	16,804	7.0
20 – 49	5,773	11.0
50 – 99	2,828	11.9
100 – 199	2,015	17.5
200 – 499	1,159	21.3
500 – 999	320	12.9
1000 +	154	18.4
Total:	29,053	100.0

Source: Calculated from Statistics Canada, "Type of Organization and Size of Establishment," cat. no. 31-210, 1976, table 7.

In order to organize 18 percent of the workers in manufacturing who are employed in the smaller work places (fewer than 50 workers) it would be necessary to unionize 22,577 work places, each with a separate certification and negotiation procedure, a mammoth task involving tremendous expenditure of time, effort and money. At the other end of the scale, to organize the same proportion of workers (18

percent) in establishments with over 1,000 workers would involve organizing just 154 work places. In a situation of limited resources, particularly staff time, it is apparent that aiming at larger establishments will unionize more workers quickly than trying to organize thousands of small work places.

Apart from use of resources, a number of factors make the organization of small work places more difficult than large establishments. Where few workers are employed, relationships with management are often closer and the workers may feel able to deal with their problems on a more personal basis. In a large work place with a high degree of bureaucratization and impersonal administration, there is little room for individual negotiation, so the process of unionization does not upset a system of personal relationships. While workers in small work places may feel that unionization is not appropriate to their situation, they are also more easily intimidated by the employer. The employer's disapproval, even hostility, is a major problem for workers in close day-to-day contact with management. The situation is yet more difficult where the employer is a large company with many small branches or establishments, such as banks and large retail companies. In this situation the employer is powerful and wealthy, while the workers are scattered and hard to unionize.

Evidence about the relationship between the size of work place and unionization is virtually non-existent. Labour Canada has provided some material, prepared specifically for this study. The data is limited and proved to be reliable only in manufacturing.²⁹

TABLE 22
Degree of Unionization by Size of Establishment
in Manufacturing, 1977

Size of Establishment*	% of Workers Unionized
20 – 99	36.4
100 – 299	54.6
300 – 499	65.2
500 – 699	69.5
700 –	71.4
All Establishments:	60.3**

*No information was available on establishments with fewer than 20 employees.

**This considerably overestimates the overall degree of unionization in manufacturing. See methodological note in note 29.

Source: Unpublished data from Labour Canada prepared for this study, based on "Wages, Salaries and Hours of Labour," October 1977.

Table 22 shows clearly that the larger the establishment, the more likely it is to be unionized. Despite the limitations of this data, the trend is clear and lends support to the suggestion that smaller work

places are less highly unionized than larger establishments. Since women are concentrated into smaller work places in manufacturing and these are less often unionized, this provides further explanation for the lower degree of unionization among women.

The evidence on job fragmentation presented here unfortunately relates only to the manufacturing industry. However, I suspect that in industries such as services and trade these findings would be substantiated and the trends could be even more distinct. Certainly the correlation between the proportion of women workers, the size of work place and the degree of unionization has been found in other countries. In his study of unionization in Britain, Bain concludes:

Density of unionization and proportion of women have no significant connection with each other except through their separate relationship to a third variable, the degree of employment concentration.³⁰

Conclusion

Why are women unionized less than men? To summarize the information in this chapter, here are the major points:

- Available evidence suggests that attitudes of either women or unions, or both, are of questionable importance in the overall rate of unionization among women. The proportion of women in an industry does not correlate with the degree of unionization.
- Historically unions have organized blue-collar production jobs in construction, transportation and manufacturing. These industries remain highly unionized today, but only 20.8 percent of all women workers are employed in them, compared with 48.5 percent of men.
- Women work predominantly in the services, trade, finance and public administration industries. 78.4 percent of all women workers are employed in these industries compared with 49.8 percent of men. Apart from public administration these industries are less unionized than the more traditional occupations.
- Women have entered the labour force as a large and permanent factor only in the last 25 years, and have moved into the relatively new industries without a tradition of unionization. However, in the last 10 years unionization has been higher among women than among men (160 percent increase compared with 40 percent), indicating a response to this shift in the labour market.
- The recent high rate of unionization among women has been largely in the public sector, in public administration and in the health and education sectors of the services industry. Unionization remains low in the private sectors where many women work, in

trade and finance and in the personal service sector of the services industry.

- One reason for the low degree of unionization in these private sectors with no union tradition is the opposition of employers, which has had a crucial impact upon unionization in certain sectors such as the banking industry.
- Evidence from the manufacturing industry shows that, compared with men, women are concentrated into small work places and are consequently less often unionized. This is probably the case in other industries also, particularly personal services and the trade industry.

Chapter 4

Does Unionization Benefit Women?

More than one writer has questioned whether unionization actually benefits women workers. In a recent issue of *Atlantis*, Joan McFarland wrote an article entitled “Women and Unions: Help or Hindrance”; her conclusions were largely on the side of hindrance.¹ Patricia Marchak’s study of white collar workers in B.C. states, with emphasis:

We found that unions as they are presently constituted are no help to most white collar women.²

These are severe accusations for the trade union movement. They suggest that perhaps women should not be joining trade unions, at least not the existing ones, but should seek some other method for resolving their problems.

This chapter examines the benefits of unionization for working women. Control over working conditions is looked at first, followed by an analysis of equal pay, union contracts and clauses relevant to women, women’s activity within trade unions and the overall awareness of women’s issues within the union movement.

Before this analysis begins, certain issues should be clarified. Two distinct approaches may be used to look at the benefits of unionization. The first is to compare the situation of unionized working women with the situation of non-unionized working women — this comparison alone answers the question of whether or not it benefits women to unionize. The second approach is to compare the situation of unionized women to some preferred standard, ideal or expectation. This approach says nothing about the benefits of unionization compared with non-unionization, although it may illuminate the question of whether unions have done all they could for working women. The two methods are often confused. For example, McFarland analyses union contracts, criticizing them for failing to meet certain of women’s needs. From this she questions whether or not women should join unions. But she has made no comparison with

the situation of non-unionized women, only a comparison to an unspecified standard of her own concerning what unions should have accomplished. She might justly suggest that unionization has failed to meet a certain standard of working conditions and benefits, but to conclude from this analysis that women should not unionize is unwarranted. In this chapter I shall attempt to clarify which approach I am using and what conclusions can therefore be justified.

The second point of clarification has to do with what is meant by the word "union." A union comprises both its membership, female and male, and its elected and paid officers. There is an interaction among these elements. Consequently it is somewhat confusing to criticize "unions" or "unionization" for failing to meet the needs of working women, where the working women themselves are part of the union. Obviously union officials may wield some influence over union members, while at the same time joining a union, electing officers, acceptance of a contract and strikes all require a vote of the membership. The subtleties of agreement, disagreement, power and influence in the relationships among female members, male members, local union officers and union headquarters are lost in this blanket criticism of "the union." While the influence of male union members and representatives is real enough in some situations, it may not explain why year after year an all-female local votes agreement to a contract with few clauses specifically benefitting women. These issues will be referred to again in the discussion that follows.

Control Over Working Conditions

Certain benefits of unionization are not specific to women since they affect all union members. They are nonetheless essential to any discussion of whether women benefit from unionization. In a sense these benefits are the very basis for unionization, providing the rights to collective bargaining and to job security. The advantages of unionization are as follows:

1. *Control Over Pay and Working Conditions*

Unionization enables workers to participate in decisions affecting their pay, benefits and any other matter they may wish to negotiate. By law, the employer must negotiate with a certified union. Non-unionized workers have no such control over their conditions of work, since the employer is not bound to discuss these issues.

2. *Legally Binding Contract*

Once a union contract between workers and employer is signed, its contents are legally binding with penalties for flouting the agreements. For non-unionized workers any customary or verbal

agreement, or the contents of any personnel manual, are in no way binding and may be changed or disregarded by the employer at any time.

3. *Third Party Arbitration*

For unionized workers, provision is made for external intervention, by a third party, of any irreconcilable disagreement between employees and the employer. If agreement on contract terms cannot be reached, an independent individual mediates to help reach an agreement. For grievances that arise during the time of the contract, a grievance procedure must by law be included in the contract. This procedure provides for independent assessment of the disputes if internal agreement cannot be reached. For non-unionized workers, the employer makes all final decisions, with no outside recourse for employees.

4. *Job Protection*

In a unionized work place it is more difficult for an employer to fire a worker without a good reason because the worker has the right to submit a grievance if fired. A contract also provides for the legal withdrawal of labour by employees (over a contract dispute) with assurance of being rehired. Workers without a union may be fired by the employer for any or no reason, and have no means of appeal.

5. *Collective Strength*

The union contract is a collective agreement for the workers, instead of individual agreements between each worker and the employer. As a group, workers have greater potential for obtaining certain conditions, benefits, and so forth, than if each non-unionized individual bargains with the employer separately.

6. *A Meeting Forum*

Non-unionized workers rarely have the opportunity to meet to discuss working conditions or anything else. Regular union meetings provide the opportunity for workers to meet and discuss any issues of concern to them.

These are the most important benefits of unionization. Without the right to bargain, and subject to unjust dismissal, workers are powerless to control their working conditions in any way. Upon these provisions depend negotiations for equal pay, benefits for women workers and all other issues affecting the work place.

Pay and Equal Pay

Pay is perhaps the most important consideration for women working in the labour force since women are concentrated in low-paying jobs. One of the reasons that women on the average receive low wages is

that they are paid less than men for equal work. Therefore one must examine whether unionization decreases, increases or makes no change in male-female pay differentials. It is also important to determine whether the wages of women workers improve as a result of unionization, compared with non-unionized women workers.

Information on union and non-union rates of pay by sex is limited. Morley Gunderson used unionization as one variable in his study of equal pay legislation in Ontario in 1968.³ This study examines pay rates for very narrowly defined occupations, covering 2,621 job descriptions. Gunderson compared pay rates for these jobs *within* establishments. In other words, his study looks at the pay differential between men and women doing the same job or similar jobs for the same employer. It therefore considers the issue of equal pay for equal work, as opposed to equal pay for work of equal value. Gunderson found that in 1968 the average differential in pay between men and women doing the same job for the same employer was 22 percent.

In 1968, equal-pay-for-equal-work legislation in Ontario was moved to the Ontario Employment Standards Act, which has more effective enforcement mechanisms than the body previously responsible, the Ontario Human Rights Commission. It is interesting to note that Gunderson found that this change had made no impact upon pay differentials. One of the variables he examined for possible impact on equal pay was unionization.

Unionization was found by Gunderson to be the most effective variable in reducing the pay differential between men and women. In unionized establishments the male-female wage differential was 10 percent smaller than in non-unionized work places, representing nearly half of the differential of 22 percent. Gunderson states:

Whether they do so to ensure minority rights of females or to safeguard male jobs from low-wage female competition, unions are effective in bargaining for equal pay. . . . Our empirical results suggest that unions can be relied upon, on their own, to pressure for equal pay. In fact, the encouragement of unionization into areas of traditionally female employment may do much to narrow male-female wage differentials.⁴

Using the same data base as Gunderson, I compared the male-female pay differential in narrowly defined occupations across all establishments for October 1977.⁵ Because of time limitations I examined only office occupations, numbering 36 and covering 425,200 office workers across Canada. Appendix 3 lists these occupations with union and non-union rates of pay. I chose office occupations because this is the major area of employment for women, and because it would allow some limited comparison with Marchak's study of white-collar workers in British Columbia.

Since both men and women were employed in 20 of the total 36 office occupations, these were the subject of my analysis of male-female wage differentials. The data on these 20 occupations covers 400,842 office workers across Canada, 78 percent of them women. Using the same statistical method as Gunderson,⁶ I found that the average pay differential for men and women in these 20 occupations in October 1977 was 13.3 percent. However, the difference in pay for non-unionized workers was 16.8 percent, while for workers belonging to a union the differential dropped to 8.6 percent. It may be concluded that unionization effectively reduces the male-female pay differential among office workers.

I also examined the difference in pay between unionized and non-unionized female office workers. The data here covers 322,123 women workers across Canada in 32 office occupations. On the average in 1977, unionized women were earning \$26 more per week than non-unionized women doing the same job. This is a considerable improvement, given that most non-unionized women office workers were earning less than \$200 a week.

Empirical evidence demonstrates that unionization not only significantly improves women's pay, it also decreases the differential in pay between male and female workers. This directly contradicts Marchak's finding that unionization did not benefit white-collar workers in British Columbia. It is worth exploring this difference further, especially since Marchak's study is being used by other authors as evidence that women do not benefit from unionization.⁷

Marchak interviewed 307 white-collar workers in B.C., 49 percent of them women and 47 percent union members. One part of her study compares unionized and non-unionized male and female workers for pay and level of responsibility on the job. From this comparison she concludes:

There is no evidence that unions provide women with more responsible positions, or with better wages.⁸

There are two serious problems with Marchak's study which invalidate her conclusions. The first is that the size of her sample does not permit the broad conclusions she has made about women and trade unions. A total of 307 workers were interviewed, but since this total is broken down by different variables (union, non-union, male, female etc.), she is often referring to fewer than 100, or fewer than 50 workers. While using small samples is not in itself invalid, the researcher should indicate the limitations of any conclusions based on such samples. Marchak, however, proceeds to suggest that women should turn to unions for women only. These conclusions go far beyond the data provided.

There is a more serious problem, however. I was surprised to find that, according to Marchak's figures, men also suffer from unionization. Since this finding contradicts all the statistical evidence to date,⁹ one is led to question whether Marchak's sample is representative. Marchak states that, while the sample is not random, it is not biased respecting the issues under consideration.¹⁰ I suggest that her sample is indeed biased concerning the union/non-union question. To obtain interviews with workers, employers were approached and their assistance requested. No doubt they were informed of the nature of the study. Of 153 employers contacted, fully 111 refused to allow interviews with their workers.¹¹ Only 27 percent of the employers contacted agreed to participate in the study. This is, then, an employer-selected sample. It seems highly likely that employers of non-unionized workers with low pay would be reluctant to allow interviews. Consequently the sample of non-unionized workers would be artificially biased towards those with competitive pay rates. It would then appear that unionization did not benefit workers' pay rates. Marchak neither mentions this problem nor refers to studies that contradict her findings.

To conclude, available evidence indicates that unionization benefits women. Unionized women workers receive higher pay, and more nearly equal wages with men, than do non-unionized women. However, there is clearly potential for further improvement since the pay differential between men and women who are unionized has not been erased. Among unionized office workers with the same job descriptions, this differential was still 8.6 percent in 1977. It is also interesting to note the implication from Gunderson's work that women can expect greater advances from the union movement than from legislative change which fails to enforce equal pay. While the impact of equal pay legislation requires further research, it is interesting to note the relative advances made by women in unions, considering the emphasis of the women's movement upon legislative change.

Contract Clauses for Women

Workers in a union periodically bargain with their employer and arrive at a written collective agreement or contract. Apart from a few provisions which by law must appear in the contract, most conditions of work may be subject to collective bargaining and consequently become part of the legally binding contract. (This will vary according to jurisdiction.) Thus there is considerable scope for women workers to see their needs met through the collective bargaining process. I am aware of three studies that have analysed contract clauses in order to establish the extent to which women's needs have been met. Before

the results of these studies are examined, some cautionary words are in order concerning their interpretation.

Firstly, it is far from clear what a good contract would consist of. The fact that the three researchers who examined contracts looked at quite different clauses is indicative of this. Only one clause, that on maternity leave, was examined in all three studies, and even here there was disagreement. While many women might agree that a good maternity leave benefit would be one that allows the longest voluntary leave, McFarland suggests that such clauses might be the result of "a desire by the employer to get rid of the pregnant or post-partum employee,"¹² rather than the successful negotiation by the union local for a desired benefit.

It is, of course, impossible to know from analysing contracts what occurred during the collective bargaining process to reach this final stage. Certain benefits may never arise for discussion, let alone negotiation. Union officials may exert some influence over the content of the proposed contract. The specific characteristics of a union local are also important. For example, in a local with very few women, or a local where the women have already completed their families, maternity leave may be ignored. Obviously, some unusual clauses are not negotiated because they are not considered at all, or are not considered attainable. In negotiating with the employer, compromise is always required and clauses may be lost. Often the employer will cut back on pay raises when improved benefits are wanted, so that the total increased cost is not above a certain percentage. It may be that women workers prefer the pay to the benefits, and this would be even more true of male workers asked to pay for benefits for women. Faced by intransigence from the employer, the final pressure is to strike. But very few contracts are settled by strikes, the workers standing to lose so much pay for uncertain results. The position of the employer is clearly of crucial importance here. If the union is an accepted part of the work place, the employer is not pressed financially and the workers have been gradually improving the contract at each round of negotiating, then the stage is set for some good contract clauses to appear. However, if the employer is resisting the union at every step and feels that profits are threatened, the negotiating team may be hard pressed to obtain even the most basic pay and benefits package.

As an example of this complexity, let us examine the question of part-time workers. Since 20 percent of the female labour force are part-timers and women comprise 70 percent of all part-time workers, contracts that provide benefits to these workers are clearly important to women, particularly since part-time workers generally receive less pay and fringe benefits than full-time workers. In her study of 59

contracts covering workers in New Brunswick, McFarland found that 39 had no provision for part-time workers. This fact is hard to assess for several reasons. We do not know how many of these contracts covered work places where there were no part-timers. It may be that the employer who hires many part-timers as cheap labour is extremely resistant to having them covered in the contract and the workers are reluctant to push the issue to a strike situation. In some cases it may be that the union or its representatives do not favour the unionization of part-time workers. McFarland also found that of the remaining 20 out of 59 contracts, only 9 provided rights and privileges to part-time workers. The remaining 11 imposed restrictions on the number of part-timers employed, to protect the jobs of full-time workers. It is interesting to find that of these 11 contracts, 4 cover work places where the majority of workers are women. Presumably, full-time women workers are no less threatened by cheap part-time labour than are men, but this demonstrates the possible conflicts — what may appear to an observer to be a good contract clause for women may not appear so to the women workers concerned. McFarland argues that if part-timers were treated on an equal basis with full-time workers, receiving the same pay rates, their threat as cheap labour would not exist. This is true, but let us consider the possible problems of obtaining equal treatment. Since most of these 11 contracts were in supermarkets, it is likely that many of the evening and Saturday part-timers were high school students. The employer may argue strongly that such students, legally subject to a lower minimum wage, are not due equal pay and benefits with the full-timers. The full-time workers may be inclined to agree with this, or may not have the power to alter it.

These questions of interpretation are raised in order to indicate something of the nature of the collective bargaining process, the various forms it may take, the conflicting interests that may be involved, and consequently the difficulty of deciding what constitutes a “good contract” in isolation from a specific situation. While contract analyses do provide a general sense of what is being bargained that is of relevance to women, they do not explain why or how such clauses were obtained. It is very questionable, for example, to rate one union against another on the basis of contract analysis alone (although this might be useful as one factor), because it is crucial to take into account the employer, the membership, past contracts, the desirability of benefits over pay raises and so on.

A final point should be mentioned here. Comparison of benefits between unionized and non-unionized workers does not always adequately reflect the impact of unionization. It is not unusual for employers to provide good benefits in certain areas (often while

retaining low pay), both to encourage workers not to unionize and also to compete for labour with non-union work places. Where non-unionized workers have good benefits it is interesting to examine their wage rates and the state of unionization in that particular industry.

Three studies have analysed contract clauses and will be drawn upon here. Pentland-Smith examined 22 contracts from 16 unions in British Columbia.¹³ The selection of the unions in the sample is not consistent. For reasons not specified two contracts were taken from two unions and three from another, while only one was examined for each of the remainder (the more contracts examined, the more chance there is of progressive clauses appearing). While all of the unions had a high percentage of female members, no information is provided on the membership of the actual locals covered by the contracts. The date of the analysis is not provided, but the paper was completed in July 1977. It has not been published.

McFarland examined 59 New Brunswick contracts from 24 unions.¹⁴ The method of selection is not explained, but the contracts covered 13,827 female union members, over half the total of female members in New Brunswick in 1976. Forty-one of the contracts covered a minority of female members, while 18 covered locals with a majority female membership. The contracts cover a wide variety of occupations. The date of analysis is not given, but the paper was published in spring 1979.

The third contract analysis is Giroux's examination of one union's contracts, the Canadian Union of Public Employees.¹⁵ The data is drawn from CUPE's computerized system and gives information on 340 contracts covering 129,732 workers. The contracts were in major municipalities, major school boards, Ontario hospitals, and university and post-secondary institutions, the sectors that have been computerized by the union. The contracts expired at different times throughout 1977 and 1978. The paper has not been published.

These three papers, while not comparable, together provide a partial picture of contract clauses relevant to women. The CUPE data is particularly interesting since this union has the highest female membership of any union in Canada and claims to have made an attempt to deal specifically with women's problems. It should be noted that the information on CUPE contracts overlaps with CUPE locals in the two regional studies.

In the following discussion, the benefits considered are length of maternity leave (this is the only contract clause examined by all three studies), retention of seniority during maternity leave, paid maternity leave, benefits for part-time workers and paid leave for family

illness. Also considered are provisions for union activity and whether the language of the contracts is discriminatory, since these provide additional information on the extent to which union contracts provide for equality for women.

Maternity Leave

Maternity leave legislation covers all workers, both federally and provincially, except in Prince Edward Island where no legislation exists on the subject. Federal and most provincial legislation provides for 17 or 18 weeks' maternity leave. In British Columbia and New Brunswick, however (the provinces covered by Pentland-Smiths' and McFarland's studies), only 12 weeks are allowed. Where workers are non-union or where the union contract makes no special provision, then the legislation applies. Consequently, with respect to maternity leave, unionization is only of benefit to women where the contract provisions exceed the legislated allowances. Of the 59 New Brunswick contracts examined, 30 made some provision for maternity leave. Most of these were for four months, therefore providing more than the legislation. Of the 22 B.C. contracts, Pentland-Smith says only that 14 contracts provided for six months or more, this being three months more than is required by law.

The CUPE contracts in Giroux's study cover all provinces. Out of 340 contracts, 52 provided for four to five months, 111 allowed six months or more. Overall, then, approximately half the union contracts in these three studies provided for maternity leave exceeding legislated allowances. In the case of CUPE this somewhat underestimates the coverage for female employees, since, as Giroux points out, many of the agreements with no maternity leave provision cover all-male or primarily male production workers. McFarland, however, mentions that four of the New Brunswick contracts with no provisions covered bargaining units where the majority of workers were women.

Only in the legislation of Nova Scotia, Ontario and Quebec are the benefits and seniority of women on maternity leave protected. Loss of seniority is a serious issue since it may affect training and promotion prospects, and may also be a disadvantage in the case of lay-offs. Only Giroux obtained information on this aspect of maternity leave and it was available for only 170 CUPE contracts. Of these, 75 enabled workers on maternity leave to retain their seniority status, and a further 4 provided for accumulation of seniority while on leave. These 79 agreements actually covered 60 per cent of all the workers under the 170 contracts.

Concerning pay during maternity leave, employees are entitled to collect unemployment insurance benefits during the specified period.

Provision for payment over and above this is rare in union contracts. In 24 CUPE contracts and 11 New Brunswick contracts, the employee on maternity leave could use a specified number of days of sick leave pay. Only two cases were found in all three studies where the employer agreed to pay the difference between unemployment benefits and full pay after the employee's return to work.

Overall, about half the union contracts in these studies provided maternity leave benefits that exceeded those available to non-unionized workers. In the CUPE contracts more than half the workers covered retained seniority but very few contracts in any of the studies provided any payment to workers on maternity leave. It is clear that there is room for much improvement in maternity benefits clauses in collective agreements.

Part-Time Workers

The CUPE analysis did not provide information on part-time workers. As already noted, in the New Brunswick study only 4 out of 59 contracts provided benefits to part-time workers. The findings in the B.C. research were different. Here, 17 of the 22 contracts provided benefits to part-timers, either full benefits (the same as the full-time employee) or on a pro-rated basis (according to the hours worked). One further contract provided a percentage of their salary to part-time workers in lieu of benefits. Pentland-Smith states:

The large number of unions in the sample which include this provision reflects an awareness of unions of the exploitation of the unorganized part-time worker.¹⁶

Non-unionized work places rarely provide benefits for part-time workers.

Family Illness

Allowances for leave in the case of family illness can be a real boon to the working woman who has responsibility for sick children, must take time to see a doctor, and so on. There is no legislative provision to give such a benefit to non-unionized workers. However, it is also uncommon in union contracts. In the British Columbia study, 9 of the 22 contracts analysed provided such leave. Of the 340 CUPE contracts, 54 had clauses allowing family sickness leave (it is interesting that none of the contracts covering hospital workers provided this leave). This provision was not examined in the New Brunswick study.

Union Activity

Since family responsibilities may make it difficult for women workers to participate in union activities, allowances may be made

within the contract to ease the problem. Only in the B.C. study was the issue of holding union meetings during working hours examined. One of the 22 contracts provided this. Of the 340 CUPE contracts, 56 allowed leave with pay for union functions, while 290 provided for leave without pay. While the latter arrangement would be far easier to negotiate with an employer, few workers can afford to take much unpaid leave.

Contract Language

In the New Brunswick study, 18 of the 59 contracts examined were judged to be non-sexist in their use of language, and half of the 22 B.C. contracts were considered non-discriminating (either "he/she" was used, or a "he includes she" clause was written in). It is interesting to note that of the 24 New Brunswick contracts that used "he" or "him" exclusively, three covered work places where the majority of employees were female. Information was not provided on the language of CUPE contracts.

There is no question that the language of union contracts should be non-discriminatory and this was not the case in the contracts covered by these two studies.

Summary

Do women workers who belong to unions receive greater benefits of specific value to women than non-unionized women? Certainly some do, and a majority do on certain benefits. About half the contracts examined provide longer maternity leave than non-unionized workers receive, and half the CUPE contracts provide for retention of seniority after maternity leave. Although the findings varied for part-time workers, it was apparent that some unionized part-timers receive benefits, whereas the unorganized generally do not. Only a small minority of unionized women benefit from paid maternity leave or family illness leave; few unorganized workers have such benefits.

On the question of whether more could be obtained for women through union contracts, it is clear there is scope for much negotiating. Certain issues that would benefit women are virtually non-existent in contracts at this point — provision of day care, protection from sexual harassment, prohibition of personal favours. While such benefits depend upon negotiations with the employer, the language of the contracts does not. It is discouraging to find discrimination in the contract language when this is a matter easily changed. In a few isolated cases contract clauses discriminated against women. Among the New Brunswick contracts one specified the colour of slacks a female employee might wear on the job and

another specifically excluded “babysitting problems” as grounds for emergency leave. The researchers of all three studies correctly conclude that much more needs to be done by and for women in union contracts.

Union Activity

When considering the benefits of unionization for women it is important to examine the role of women within the trade union movement. The involvement of women at all levels within trade unions is necessary if improvements are to be obtained for working women through the union movement.

Looking first at the highest levels of union leadership, it is apparent that women are severely under-represented. While women comprise 27 percent of total union membership, in 1977 just 16.7 percent of all union executive board members were women.¹⁷ The same situation prevails in the major labour unions and organizations. The Canadian Labour Congress (CLC) has the affiliation of 75 percent of all union members in Canada.¹⁸ In 1978, one of its four national officers was a woman and there were only two women out of twenty-six positions on the executive council.¹⁹ The Confederation of National Trade Unions (CNTU) is the next largest labour body. While only 5.4 percent of Canada’s union membership is affiliated to this organization, the membership is almost entirely from Quebec. Consequently, the CNTU represents one-fifth of trade union membership in Quebec.²⁰ Approximately one-third of the organization’s membership is female. In 1975, the female composition of its leadership was as follows:

Executive committees of central councils	32.3%
Executive committees of federations	7.4%
Confederal Council	23.2%
Confederal Bureau	12.0%
Executive Council	0.0% ²¹

The picture does not change when one examines those unions with the largest number of female members. In 1976, the three unions with the highest number of female members in Canada were the Canadian Union of Public Employees (CUPE) with 89,813 female members, the Quebec Teachers’ Congress (QTC) with 61,373 female members, and the Public Service Alliance of Canada (PSAC) with 51,761 female members.²² In CUPE, women constitute 41 percent of the total membership. In 1978, just 3 of the 17 national executive officers were women (18 percent), 7 of the 20 provincial officers (35 percent) and only 9 of the 140 staff representatives in the field were women (6 percent).²³ Women form two-thirds of the Quebec teachers’ unions

(including the Quebec Teachers' Congress and the Corporation des Instituteurs Catholiques), but only 2 of the 11-member executive were women (18 percent), 12 out of 125 members on the Provincial Council (10 percent), 3 out of 42 regional union presidents (7 percent), and 5 of 46 full-time staff were women (11 percent).²⁴ In the Public Service Alliance, with 36 percent of its membership female, in 1978 1 of the 5 national executive officers was a woman (20 percent), and 1 of the other 19 members of the national board of directors was a woman (5 percent).²⁵ Of the 17 executive secretaries who are entitled to attend the meetings of the national board but cannot vote, two are women.²⁵

While women are obviously still dramatically under-represented in these top leadership positions, there has been some improvement in recent years. The overall figures for all unions in Canada showed no change in the percentage of women on union executives for five years, the figure remaining at just under 10 percent between 1970 and 1975.²⁶ However, in the following two years the figure climbed to 16.7 percent. Female representation in the CNTU improved markedly between 1968 and 1975.²⁷

Female involvement is more representative at intermediate and local leadership levels. In CUPE, 12 percent of local presidents were women in 1968. This had climbed to 28 percent by 1974.²⁸ In the PSAC in 1973, there were 76 female local presidents out of 197.²⁹ This is actually an over-representation of women (39 percent compared to a PSAC female membership of 36 percent). In her analysis of the *Fédération des affaires sociales* (a Quebec union with the fourth highest number of female members in Canada), Gagnon found that

the participation of women dwindled as we went further up the scale of authority and/or responsibility.³⁰

While the membership was 70 percent female in 1973, approximately 50 percent of the women were active members in their union locals; between 36 percent and 46 percent of local executives and delegates to the union conference were women; 32 percent of the national office members were women, and only 10 percent of the full-time union staff were women.

The likely reasons why women play a less active role than men in the union movement, particularly at the higher levels of leadership, relates to women's responsibilities in the family. Union activity is conducted outside paid working hours and involves a considerable commitment of evening and week-end time. Family responsibilities make such a commitment extremely difficult for women, even at the level of local union activity. Gagnon found that while 45 percent of

the general female membership of the Fédération des affaires sociales was unmarried, of women holding local executive positions in the union 78 percent were unmarried. This dramatizes the difficulties discouraging women with families from becoming active in their unions. The demands on unionists' time increases with the level of responsibility and authority, making the higher union positions the hardest for women to obtain.

As Jane Stinson has noted, unionists at top leadership levels commonly have 20 years or more of union activity behind them.³¹ Women with small children usually leave the workforce for several years, or they are fully occupied with their families outside working hours and have no time for union activities. Such a break means not only re-entering the paid labour force, but also starting anew with union involvement. Childbearing responsibilities make it difficult for women to build the years of experience common in union executive positions, and helps to explain why women are more active at the local level where such lengthy experience is not required.

In her examination of the Fédération des affaires sociales, Gagnon found two other variables that affected the union activism of women. One was the proportion of women in the union — the higher the proportion of women in the union the better represented they were in executive positions. She also found that there were four times as many women in officer positions in small unions within the Fédération (fewer than 50 members) than in large unions (1,000 or more). Further research is required to substantiate these trends and examine their causes.

Union Awareness of Women's Issues

There is no question that issues that concern working women have been receiving increasing attention within the union movement in recent years. Progressive policy statements, women's committees and conferences have become commonplace to a degree that was unimaginable 10 years ago. While articulation of policy and establishment of women's committees do not necessarily lead to action, particularly speedy action, they are pre-conditions for improving the situation of working women through the union movement.

The Canadian Labour Congress first presented broad recommendations on the status of women in 1968 in its submission to the Royal Commission on the Status of Women. The following principles have been reiterated throughout the 1970s:

- Equal opportunity, equal pay for work of equal value, paid maternity leave without loss of seniority or benefits, child care, elimination of sex

discrimination in pension and fringe benefit plans, training and educational opportunities for women, affirmative action, abortion on demand, removal of discrimination against native women, elimination of part-time work as a source of cheap female labour.³²

The general tendency of the CLC has been towards a more egalitarian and less protectionist stance. For example, its 1976 policy statement recommends that both male and female workers should receive assistance "to facilitate the harmonious combination of home and work responsibilities" in the form of flexible working hours and shorter working days "for all workers."³³ In 1977, the CLC established the Women's Bureau to conduct research, and provide information and consultation on questions of equality for women workers. The Women's Bureau has produced a kit entitled "Equal Partners for Change: Women and Unions," which will be distributed through the union movement. The kit includes information on health, fringe benefits, sexual harassment and day care, as well as suggestions on how to establish women's committees in local unions and what these committees could do. The CLC has also held two conferences of women trade unionists, in 1976 and 1978; both were educational (as opposed to policy-making) sessions. Of the 10 Federations of Labour, the provincial organizations of the CLC, 5 have established women's committees in recent years — B.C.,



Members of the women's committee sponsored by the Quebec Federation of Labour, the Confederation of National Trade Unions and the Quebec Teachers' Corporation march in Montreal on International Women's Day, 1979.

Saskatchewan, Manitoba, Ontario and Quebec. Alberta is likely to organize one shortly. At the municipal level, some labour councils have also established women's committees.

The Confederation of National Trade Unions (CNTU) in Quebec has developed an active, high-profile programme for women.³⁴ Between 1972 and 1973, women in the CNTU began to meet to discuss the need for a separate women's committee. The CNTU has a convention every two years; at the 1974 convention the Women's Committee was formally established. Its first priority was to study in detail the situation for women and the changes necessary and to analyse the role of the union movement in the struggle for women's liberation. At the 1976 convention, a wide-reaching report was submitted. (Of great importance was the fact that of the five days of the convention, one and a half were devoted to a discussion of this report. It was the initiation of the membership into serious consideration of women's issues.)

From a broad platform, three priorities were established by the CNTU: paid maternity leave, free day-care centres controlled by the parents, and equal pay for work of equal value. In 1978, following another major debate at the convention, a resolution was adopted establishing the necessity for free abortions as a fourth priority.

The Women's Committee consists of 10 women elected from different unions affiliated to the CNTU and 5 women who are paid staff of the CNTU. Since 1978, two women, a consultant and a secretary, have worked full-time with the Committee. The Committee meets at least every two weeks, more often when necessary.

The fact that the Women's Committee of the CNTU works closely with rank and file women members is significant. The Committee is available to provide direct advice during collective bargaining on issues that affect women. It has met regularly with women workers to discuss progress during negotiations. Ideal contract clauses on women's issues have been developed, providing the goals for which women may try to negotiate. The Committee also provides direct advice and support to women on strike. Establishment of women's committees at local and regional levels is encouraged and has been particularly successful in the public sector. Materials and resources on women are provided for the regular educational programmes of the CNTU, so that women's issues can be integrated into these programmes. The Women's Committee also operates its own educational programmes, covering a wide range of issues. For example, a two-day workshop on equal pay for work of equal value has been developed, covering the technicalities of negotiating and implementing such a contract clause. Other educational programmes are less specific, offering broad discussions of women's situation and

needs. Finally, the Committee makes representations to government on questions of concern to women.

The commitment of the CNTU to meeting women's needs and the extensive activities of the Women's Committee have produced results. For 10 years CNTU unions have been bargaining higher increases for the lowest paid workers, and in the public sector the pay differential between men and women is decreasing. Twenty-five local unions have negotiated free space for day care at the work place. In the summer of 1979, the CNTU established two priorities in organizing the unorganized: women and immigrants. In October 1979, Quebec women obtained a major breakthrough. The public sector unions in the CNTU negotiated 20 weeks of maternity leave *with full pay*. This provision covers 20 per cent of women workers in Quebec and sets a precedent for public servants in other parts of the country.³⁵ It also paves the way for attempts to negotiate such provisions in the private sector. The Women's Committee of the CNTU has been active in the struggle for this provision over the last two years. The Quebec labour movement is leading the way on women's issues, as indeed it is on many other questions.

The situation varies widely with respect to awareness of women's issues in individual trade unions. Undoubtedly there is more consideration and action now on women's issues than there was 10 years ago, or even 5 years ago. Particular unions have been active in educating their members on women's issues and in acting to improve the conditions of working women. The Canadian Union of Public Employees is notable in that it has also undertaken public examination of the position of women within its own structure. Many unions, however, remain untouched by the developing awareness that the women's movement initiated, and have taken no action to improve the conditions of their women members. While it is likely that an increasing number of unions will respond to the growing proportion of women workers, there will doubtless be resistance from many. For women workers much will depend upon which industry they work in and consequently what union they belong to, as well as how much pressure they can exert to produce action.

Conclusion

Does unionization benefit women? When considering the overall situation the answer must be positive; women do indeed benefit from unionization. Even if the union provides only the basic rights to collective bargaining and job security, unionized women have a great advantage compared to non-unionized, unprotected women. These basic advantages are provided by the large majority of unions. In

many cases unionization also means better pay, more nearly equal pay, and improved benefits, all vitally important to women workers.

The fact that unionization generally benefits women does not mean that this is always the case in specific situations. Much depends upon the industry or occupation in which women work, and consequently which union they are eligible to join. Women have clearly benefitted a great deal from unionization in certain unions, but much less in others, and occasionally not at all. Even given differences between industries, employers, and so on, certain unions still provide far more protection and services to their members than do others.

In some situations the question of whether unionization is beneficial may be very complex. For example, I considered in chapter three the opposition of the banks to unionization attempts among bankworkers. Undoubtedly many women bankworkers have suffered considerable penalties from unionization. In British Columbia, 22 branches were unionized and then decertified (i.e. they were no longer unionized) and branches in other parts of the country have failed in their attempts to unionize. In all these cases the women workers have been left in an extremely precarious position, obviously subject to retaliation by the employer and without union protection. Those bank branches which have organized successfully may obtain benefits only in the short term. If they remain isolated with few branches organized and continued opposition from the banks, they too may be subject to gradual erosion and decertification. The risks involved in unionization are not specific to women; all workers need to carefully assess the situation (employer, union, co-workers) when undertaking such risks.

For women interested in non-traditional occupations, particularly in the craft trades such as the building trades, the union possibilities are bleak. In these traditionally male occupations, the craft unions exercise great control over training and hiring and are primarily concerned with protecting their members' skills and status. It is common knowledge that these unions are generally opposed to women entering the trades, a situation substantiated by at least one study.³⁶

Certain unions have been justly labelled "company" unions. These unions may cover the workers of just one employer, frequently are initiated or organized by management, and protect the company's interests before the needs of the workers.

Despite many particular exceptions, on the whole unionization does benefit women and women workers can exercise some control over this. Certainly women considering unionization should explore the alternatives that are available. Where more than one union covers

a particular type of work or industry it is important to find out about the options. Representatives of the unions may be asked to meetings and questioned about the advantages of their unions. Members of other locals of the union under consideration should be asked about the union's services, awareness of women's issues and any other matters of concern. A copy of the union's constitution may be obtained and questions asked about the degree of local autonomy, finances and representation at policy making conventions. There is no perfect union, but there may be one available that has good services, along with a concern for women's issues, or a good local union representative, and so on.

It is possible to form an independent union local, unaffiliated to any larger union. This is usually possible, however, only where the employer is not opposed to unionization, because an independent local will have no money to finance unfair labour practices grievances, legal services and payment to attend hearings, which are likely to be necessary where the employer opposes unionization. Organizing independently means handling the process of unionizing alone (see "How to Unionize," chapter six), which might be a good experience, or might prove impossible because of the time involved. An independent local will certainly not have the back-up of a larger union's research, publications, strike fund, and so on, although this must be compared with the services actually provided by the appropriate unions.

It is possible to change from one union to another if you are dissatisfied with the union you belong to and there is another which you would prefer to join. This is somewhat akin to the initial process of unionization and requires the consensus of a majority of members in the bargaining unit. However, there are restrictions on when such a change can be made. These restrictions are related to the timing of the current collective agreement. The Labour Relations Board, or in Quebec the labour commissioner general, should be contacted for precise information.

Once unionized it is obviously important that women be as active as possible to ensure that their needs are met, as well as to obtain good general benefits for everyone. Women form a majority, or large minority, in an increasing number of unions. In 1976, over 68 per cent of unionized women belonged to unions where women were over 40 per cent of the total membership.³⁷ This represents considerable power which may be used to obtain good benefits and set the standards for unions with a smaller female membership.

It seems likely that the advances made by women in the union movement will be built upon and expanded in the future. To give

examples from the area of contract clauses for women, a number of very good but rare clauses have been negotiated:

- twenty weeks of maternity leave with full pay (Quebec Common Front unions covering 20 percent of women workers in the province);
- sixty months (i.e., five years) maternity leave (Calgary city workers in CUPE);
- ten days leave with pay for family illness (B.C. Government Employees' Union);
- three months for maternity leave, the same applicable for clinical abortion (municipal workers in St. John's, New Brunswick, CUPE); and
- provision that women workers do not carry out personal services not included in their job descriptions, such as run errands, get lunches or coffee, etc. (workers in two B.C. universities in the Association of University and College Employees).

It is likely that improved contract clauses for women will become more common in the future. It is important to note that all these clauses appear in contracts covering public sector workers. There is no doubt that the struggle to obtain improved benefits in private sector industries will be more difficult and prolonged than in the public sector.

There are now more women active in the union movement than ever before; expectations have been aroused and precedents have been set for improved conditions. It will not be a speedy or dramatic process, but it seems likely that working women can gradually improve their conditions through the union movement.

Chapter 5

The Structure of the Trade Union Movement

What does it mean to belong to the trade union movement? How does an individual member in her local union at her work place relate to the national or international union of which the local is a part? The national and international unions in turn are affiliated to central labour bodies which bring unions together to cooperate on common concerns.

What are these central labour bodies and how does a union member relate to them? They may seem remote or difficult to understand, structured as they are by constitutions and formal regulations, with names that are easy to forget and interrelationships that may be hard to grasp. In fact, trade unions are among the most democratic organizations in our society and it is worth struggling through the complexities of their structures in order to understand just how they function.

Local Unions

The local union is the basic unit of labour organization. It is formed by a majority of the workers in a particular plant, office or locality deciding to bargain with the employer in unison rather than as individuals. In most cases a legal procedure is followed for the local to become "certified" (see chapter six, "How to Unionize"). The advantage of certification is that it gives the workers in the local the right to bargain with the employer, who is required by law to bargain "in good faith."

A local may be formed as the result of an organizing drive by a larger union, or it may form independently and decide to affiliate to a particular union. The degree of autonomy of local unions from the larger union structure varies. In bargaining for pay and conditions some locals have a great deal of autonomy. The members of the local will decide what proposals to make to the employer and elect a negotiating team to meet with management. Frequent meetings of the

local members may be held to discuss progress and the contract may be voted upon by the members before the agreement is signed. In some unions, however, bargaining is more centralized and may be carried on provincially or nationally for all the workers employed in a particular kind of work or for a particular employer. In such cases the negotiation procedure is removed from immediate local control, and the vote on the contract would be by workers from many locals. One example of this kind of negotiation would be the Canadian Union of Postal Workers, which bargains centrally for all postal workers across the country. Another would be the Common Front in Quebec which bargains centrally on certain agreed items for public sector workers from different unions, all of whom work for the provincial government.

There is some dispute as to the benefits or disadvantages of local and centralized bargaining. Centralized bargaining may present a strong and united front to the employer, thereby obtaining benefits which individual locals could not win in isolation. It is also argued that the locals, relieved of negotiating responsibilities, have more time to closely monitor the contract and enforce it, and also to branch out into more political and educational work. Against these benefits are balanced the reduced role and autonomy of the locals and the danger that they may become apathetic if they are not involved in other action. Much depends upon the particular union involved and the level of participation and awareness of the members.

Local members elect their own officers (usually president, vice-president, secretary and treasurer) to administer the affairs of the local. The members also pay union dues, part of which are retained by or returned to the local for the operation of its own affairs. The union headquarters receives the rest to operate its international, national, provincial or regional offices.

National Unions

Canada is the only country in which a distinction must be made between national and international unions. National unions are entirely Canadian organizations, with all members Canadian and with headquarters in Canada. In 1978, just over half (52.6 percent) of all unionized workers in Canada belonged to national unions, one and three-quarter million workers, while the rest belonged to international unions.¹ The majority of the membership of national unions works in the public sector — government employees, teachers, hospital workers and so on. Since many women work in these occupations, the majority of women unionists (65.5 percent) are in national unions.²

Each national union holds a convention for all or part of its membership every year or two years. Resolutions to be discussed at conventions are submitted by locals, whose elected delegates attend the conventions. At these conventions, the national policy of the union is decided and national officials are elected to execute policy decisions between conventions. Also decided are any changes in the union's constitution and the amount that members should pay in dues. Every union has a written constitution which can be obtained from the national, provincial or district office.

The national union headquarters receives a proportion of members' dues with which to finance a number of activities. These include research, legal advice, staff for organizing and negotiating, publication of regular newsletters and specific information, education programmes, a strike fund, and maintaining national and regional offices. While some unions are provincial only, others are national and have provincial and sometimes district organizations and offices to provide services at a more local level than would be possible with one national office. Any local union may call upon the resources of its larger union for services to help deal with any problem, from certifying a new local to negotiations, grievances, strike pay and so on.

International Unions

International unions are those which have Canadian members but are based in the United States with a predominantly American membership. One and one-half million Canadian workers belong to international unions, close to half of all unionized workers in Canada (47.4 percent).³ In 1978, 18 unions had more than 50,000 Canadian members, and 11 of these were international.⁴ Nonetheless, Canadian workers make up only a small proportion of the total membership of international unions, less than 10 percent, while the rest of the membership is American.⁵

International unions predominate in the traditional trades of the craft unions, and in the industrial unions, most of which were organized in the 1930s and 1940s. It is useful to explain this distinction further, since it influences the operation of international unions in Canada. For the most part, craft unions take in skilled tradespeople, in trades where an apprenticeship is often required such as the building trades and printing. The structure is usually referred to as "horizontal" because the membership cuts across many industries. In building, for example, 20 different unions separately represent carpenters, electricians, sheet metal workers and so on. It is not where a person works but what a person does that determines

which union he or she joins. Craft unions have been organizing in Canada for well over a century, and were largely affiliated to the American Federation of Labor (AFL) prior to its 1955 merger with the Congress of Industrial Organizations (CIO).

Industrial unions are "vertical" in that they take in everyone in a particular work place, skilled and unskilled, relying on numbers for strength rather than on the members' skills. Industries where international unions are organized include steel, mining and refining, autos, retail and wholesale, rubber, clothing, meat packing and textiles. These unions emerged in response to increased industrialization, mechanization and consequent large numbers of unskilled workers who could not join the craft unions. They were affiliated to the CIO prior to the 1955 merger with the AFL.

Canadian unions are also organized in crafts and many industries, but the international unions predominate.

At the local level, some international unions allow their locals considerable autonomy over electing their officers, administering their affairs and collective bargaining. However, members' dues are paid to U.S. headquarters in most cases, with the international secretary-treasurer authorizing Canadian expenditures. Conventions are held in the U.S. and dominated by American members and issues. This then may be reflected on the locals regarding services and financing from headquarters. There is an increasing trend to provide separate constitutions and conventions for Canadian members, and even separate Canadian finances, but these situations remain in the minority.

The degree of control exercised over Canadian members from unions with U.S. headquarters varies. One writer on the subject, Stuart Jamieson, has suggested that more control is exercised by the international headquarters in the traditional craft unions previously affiliated to the AFL.⁶ The nature of craft work necessitated a large number of small, scattered locals which in Canada hindered both opposition to the central executive and the formation of intermediate Canadian bodies with some autonomy. Such unions have large dues and substantial benefits and the fear of jeopardizing finances may prevent Canadian members from taking autonomous action. Because the elections in these unions are usually on a slate basis by plenary vote at conventions, the incumbent officers can dominate election results and the small Canadian membership may have no effective voice. Then the chief Canadian officer is effectively appointed by the international president and first allegiance is owed to U.S. headquarters, rather than to Canadian members. But again there is variation, and on some occasions the Canadian membership has played a strategic role with its support sought as a block vote.

The operation of the industrial unions previously affiliated to the CIO allows somewhat more autonomy. The larger, more concentrated locals counterbalance the international executive. Canadian vice-presidents and district officers are chosen not by plenary vote at conventions, but by votes of the Canadian members from the districts they represent. Canadian directors then appoint union representatives for the areas under their jurisdiction. Consequently, Canadian officers are responsible to the Canadian membership and do not rely so much upon U.S. headquarters for continuation in office. However, despite these arrangements, the U.S. headquarters are still the ultimate authority and a good deal of formal and informal influence may be exercised.

Although an assessment of the overall role of international unions would be too lengthy and complex a discussion to be included here, the many complaints that have been levelled against international unions, and their possible advantages, will be outlined. Criticisms of international unions by, or on behalf of, Canadian workers have included the following:

1. Canadian members of international unions lack autonomy over their affairs. For example, some international unions have a very small Canadian membership, and these unions cannot merge into larger and more powerful organizations because the parent bodies in the U.S. must first agree to merge.
2. Internationals do not properly serve their Canadian members, because of the predominance of the American membership. Clearly this varies from union to union. It is true, however, that few internationals have Canadian editions of their publications. Certainly there have been several splits from internationals based on dissatisfaction with the service received.
3. In some international unions Canadian members pay dues to U.S. headquarters for which they do not receive equivalent services.
4. International unions have failed to organize workers in certain sectors, particularly retail and personal services. While this is true, it is also the case that these sectors are not organized in the U.S. either and that factors concerning the nature of the work make unionization difficult.
5. The philosophy of the American-based unions to concentrate on wages and ignore political considerations or affiliations has militated against the growth of class consciousness among Canadian workers.
6. International unions will protect American industry and union members at the expense of Canadian members.

On the other side it has been argued that Canadian workers have been glad to join international unions. In the 1800s American unions were more advanced than their Canadian counterparts and offered protection on both sides of the border to a mobile work force. Canadian workers have benefitted by demanding parity with higher-paid American members and from the extensive benefits available in some international unions.

Robert Laxer has suggested that Canadian workers were content with international membership as long as good contracts were bargained and therefore services were perceived as adequate. Since this has become more difficult with the inflation of the 1970s, combined with the long contracts and anti-strike philosophy of some international unions, Laxer suggests a new nationalism is growing among Canadian workers.⁷

Membership in international unions is now at a low point, if we consider their history. Following the organization of craft unions in the 1800s, by 1911 almost 90 percent of Canadian unionists belonged to international unions. By 1935, with the growth of industrialization and the ineligibility of most industrial workers to join the craft unions, international union membership had fallen to 50 percent. There followed the formation of the CIO, with its industrial unions actively organizing unskilled workers in Canada. By the mid-1950s membership in international unions had again risen to 70 percent.⁸ In 1978, however, less than 48 percent of Canadian unionists belonged to international unions, largely as a result of the dramatic growth of Canadian unions in the public sector.

The role of the internationals has been discussed and debated as long as the Canadian labour movement has existed. Whatever the advantages or disadvantages of the situation, there is no doubt that Canadian unionists lack the clear autonomy over their affairs that exists in the labour organizations of other nations around the world. Canada is the only country where trade unionists belong to unions based in another country. It is also apparent that the recent growth of powerful national unions has introduced a new dimension to the discussion and to the politics of the situation.

Central Labour Bodies

National and international unions affiliate to central labour bodies in order to combine resources and strength for common concerns. In Canada there are several labour bodies; Canadian unionists are affiliated to them in the numbers shown in table 23.

TABLE 23
Union Membership by Affiliation, 1978

	Number	Per- centage
<i>Central Labour Body</i>		
CLC (Canadian Labour Congress)	2,203,812	67.2
CNTU (Confederation of National Trade Unions)	177,755	5.4
CSD (Centrale des syndicats démocratiques)	38,083	1.2
CCU (Confederation of Canadian Unions)	26,007	0.8
AFL-CIO (American Federation of Labour— Congress of Industrial Organizations)	10,573	0.3
<i>Unaffiliated Unions</i>		
Unaffiliated International Unions	96,278	3.0
Unaffiliated National Unions	665,088	20.3
Independent Local Organizations	60,372	1.8
Total	3,277,968	100.0

Source: Labour Canada, *Labour Organizations in Canada 1978*, p. 11, table 2.

Although the Canadian Labour Congress is by far the largest central labour body, each of these organizations will be examined in the discussion that follows.

It is of interest here to note the large number of members of national unions who are not affiliated to any central labour body, fully 20 per cent of all trade unionists. These unaffiliated unions are largely professional bodies, made up of workers such as nurses and teachers, which have decided to remain independent.

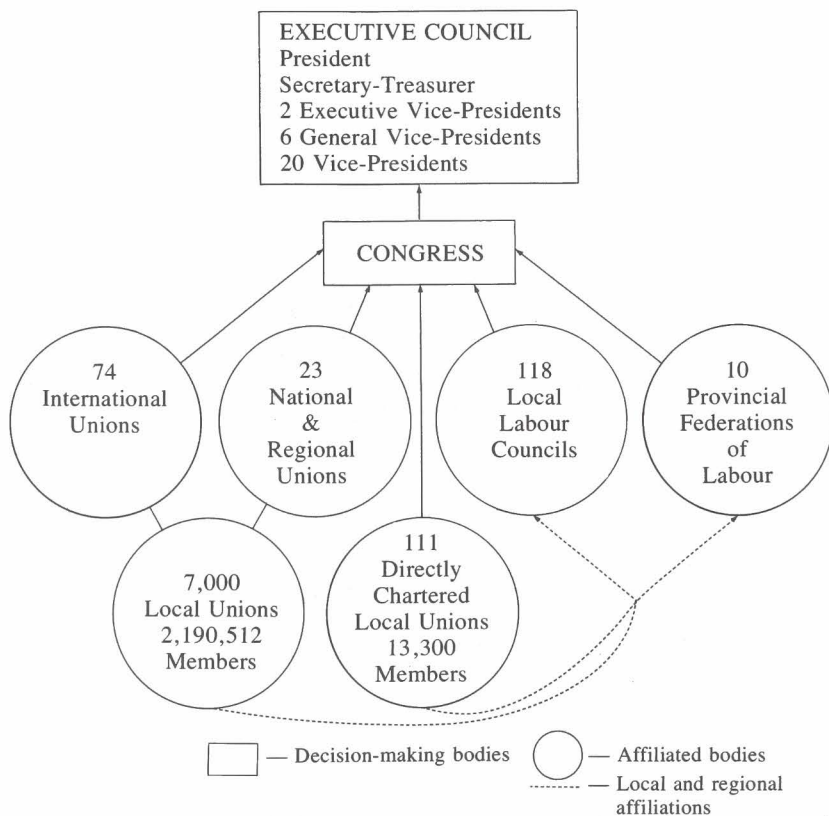
The Canadian Labour Congress (CLC)

The Canadian Labour Congress was formed in 1956, the result of a merger between two existing national bodies — the Trades and Labour Congress of Canada, composed largely of craft unions, and the Canadian Congress of Labour, which comprised mainly industrial unions. As of 1978, the CLC consisted of 23 national and 74 international unions, as well as a small membership in the directly chartered local unions. The affiliated membership represented 67 per cent of all unionists in Canada, that is, 2,203,812 workers.⁹

Of the 74 international unions affiliated to the CLC, all but five are also affiliated to the central labour body in the U.S., the AFL-CIO. These unions are subject to the regulations and policies of the AFL-CIO as well as to those of the CLC. It is not within the scope of this paper to assess the degree of autonomy of the CLC. Certainly the internationals do not necessarily vote as a block and the CLC has taken some positions opposed to those of the AFL-CIO. However,

the CLC is clearly not an entirely autonomous central labour body, given its unique situation where the majority of its affiliates owe allegiance to the American central labour body as well.

FIGURE 1
The Structure of the Canadian Labour Congress



Source: Canadian Labour Congress, "The Structure of Labour in Canada," *Notes on Unions*, no. 3; Labour Canada, *Labour Organizations in Canada* 1978.

Five types of organizations participate in the CLC (see figure 1):

1. 74 international unions are affiliated, with a membership of 1,446,626. This constitutes 66 percent of affiliated membership.
2. 23 national and regional unions are affiliated with a membership of 743,886, constituting 34 percent of affiliated membership.¹⁰
3. Directly chartered local unions are independent of any national or international union. They pay their dues directly to the CLC and receive services from it. There are just 111 such locals, representing 13,300 members, a small and declining number.

4. 118 local labour councils chartered by the CLC have been established in cities and districts across Canada. They are made up of local unions in a particular city or district, and they exist to deal with matters of local concern to the labour movement. Local unions may vote to affiliate to their local labour councils only if they are affiliated through their union to the CLC. Affiliations to labour councils vary widely. While local unions are encouraged to affiliate, it is not mandatory and in some areas less than half of those eligible belong. Elsewhere the labour councils represent the large majority of unionists in their area. Likewise the level and range of activities of the labour councils vary greatly. Some are very active, have their own offices and staff, provide advice to locals and have active strike support committees. They will organize locally on national campaigns approved by the CLC, for example, to fight wage controls or protest high unemployment. Some labour councils also run their own education programmes on issues of importance to local unionists. Some labour councils are largely inactive and fulfil few or none of these functions.
5. 10 provincial federations of labour are chartered by the CLC. Provincial unions and provincial branches of unions may affiliate to the federation if they are also members of the CLC. Yearly conventions are held to which the affiliates send delegates to decide federation policy and elect officers. The federations of labour represent their members in provincial affairs and particularly relate to provincial governments and legislation, once a year presenting the concerns and recommendations of the labour movement to government. Other activities vary from one federation to another, but may include coordinating national campaigns at a provincial level, lobbying and organizing on provincial concerns for their affiliates and maintaining education programmes and labour schools.

All five types of organization send delegates to the CLC convention every two years.¹¹ The convention delegates elect the executive council, decide CLC policy, set the rate of dues and may make changes in the constitution. Any local union or other affiliated organization with the right to send delegates to the convention may submit resolutions on any issue to be voted on at the convention.

Committees established before the convention receive, translate and distribute copies of the resolutions, which may be combined or reworded. Each delegate has one vote on all questions dealt with at the conventions.

The executive council is the governing body of the CLC between conventions and meets at least four times a year. The president, secretary-treasurer and two executive vice-presidents work full-time

for the CLC, their salaries being decided at conventions. The CLC now has nine departments established to deal with concerns of the union movement and provide services to members on education, research and legislation, public relations, international affairs and social and community programmes.

The CLC represents the concerns of its members to the federal government. Once a year a written statement of current conditions and the CLC's recommended policies are presented to the federal government at a formal meeting. The CLC represents the labour movement in a variety of other organizations and institutions at the national level, and internationally on the International Labour Organization and the International Council for Free Trade Unions.

These activities are financed by a per capita tax which each union pays to the CLC, currently 25¢ per member per month. Labour councils and provincial federations of labour pay an annual fee of \$10-\$25.

Quebec and the Confederation of National Trade Unions (CNTU)

It is important to place the Confederation of National Trade Unions within the context of the overall labour situation in Quebec, since the labour organizations of this province differ from the rest of Canada. (See figure 2.)

Although in other provinces the Federations of Labour, affiliated to the CLC, are the only provincial labour centrals, there are four such centrals in Quebec. The CLC-affiliated Quebec Federation of Labour is the largest. It has a membership of more than 35 percent of the unionized workers in the province¹² and is composed largely of industrial unions in construction, steel, autos, chemicals and meat packing as well as some public sector workers, including postal workers and members of the Canadian Union of Public Employees.

The CNTU is the second largest central labour body in Quebec, with more than 20 percent of unionized Quebec workers. Much of its membership is drawn from the public sector, although it also includes workers in textiles and clothing, pulp and paper, transport and metals. None of its members belong to international unions.

The third largest central labour body in Quebec is the Quebec Teachers' Corporation (QTC). Its members, who work in the education system, constitute 10 percent of trade unionists in the province.

The Centrale des syndicats démocratiques (CSD), comprising less than 5 percent of Quebec unionists, is a small breakaway group of unions. Dissatisfied with the increasing militancy of the CNTU, they

formed the CSD in 1972. The members work in the metal, mines, textile and garment industries.

As the largest central labour body in Quebec independent of the CLC, the CNTU and its structure are outlined in the following discussion.

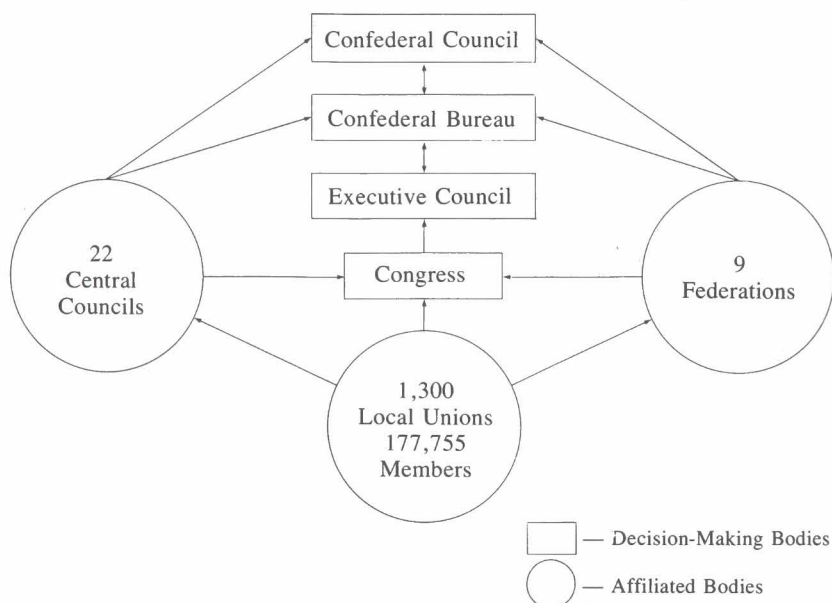
Unions, federations and central councils all send delegates to the CNTU's congress every two years. Each local union has the right to send at least one delegate, a second delegate if it has more than 150 members, and a further delegate for every additional 200 members. Federations and central councils may send three delegates each. The congress determines the overall political direction of the CNTU, its policies, constitution, finances and membership. It also elects the executive council.

The executive council is composed of the president, secretary-general, treasurer and three vice-presidents. It is responsible for the day-to-day affairs of the CNTU, prepares budgets, administers staffing arrangements, receives new affiliations and requests for assistance from affiliates. However, unlike the CLC, this executive is not the final authority of the CNTU between conventions. There are two further bodies, the confederal bureau and the confederal council, to which the executive is responsible.

The executive council members are part of the confederal bureau, along with delegates from the federations and central councils. Allowed to participate in the confederal bureau, but without a vote, are the representative of the union of CNTU's own employees and directors of services of the CNTU and of the federations. The bureau determines jurisdiction of affiliates and is responsible for ensuring that affiliates properly serve the needs of their members. If necessary, it may direct the executive in its conduct of everyday affairs. It studies and makes recommendations on any issues set before it, receives financial statements from the executive and reports to the confederal council on its activities.

The CNTU has 177,755 members,¹³ only 5 percent of the total trade union membership of Canada, but over 20 percent of Quebec unionists. There are 1,300 local unions affiliated to the CNTU, which are organized into 9 federations according to the type of industry or occupation. The local unions are also grouped into 22 central councils, each covering a particular region or city of Quebec.

FIGURE 2
The Structure of the Confederation of National Trade Unions



Source: CNTU "Structures de décision à la CSN," 1976; Labour Canada, *Labour Organizations in Canada* 1978.

The confederal council is the ultimate authority of the CNTU between conventions. It is composed of the members of the confederal bureau, with additional representation from both the federations and the central councils — altogether about 175 members. The confederal council meets at least three times a year and has responsibility for carrying out the decisions of the conventions and giving general direction to the CNTU. Both the executive council and the confederal bureau report to the confederal council on their activities. It approves budgets, establishes committees on specific issues, may levy additional dues in emergencies, and may authorize modifications of the budget adopted by the conventions.

By means of the confederal bureau and the confederal council, the CNTU structure allows for participation in decision-making by the federations and central councils, not only every two years by electing the executive committee, but on a continuing basis. This ensures that there will be participation from the intermediate levels of union organization between conventions.

A further check is provided on activities between conventions through the surveillance committee, whose members are elected at

the conventions. It examines the treasurer's reports, including any extraordinary expenses, and makes recommendations to the executive committee and the confederal bureau. Two other permanent committees exist under the CNTU constitution. One is the Comité permanent de l'action politique, which studies the political situation and recommends effective action for the CNTU and its affiliates. The second is the Comité d'orientation which studies the political, economic, social and cultural realities of Quebec in order to contribute to the ideological progress of the CNTU.

Confederation of Canadian Unions (CCU)

The Confederation of Canadian Unions (CCU), founded under the name Council of Canadian Unions in 1969, was an attempt to form an all-Canadian central labour body, an alternative to the international unions and their influence in the Canadian Labour Congress. Its membership is small — in 1978 it was 26,007, less than 1 percent of unionized workers in Canada.¹⁴ The affiliated Canadian unions are organized in mines, metals, textiles, pulp and paper, oil, transportation and bricklaying. Some of its locals have broken away from international unions and others are new locals organized by the CCU.

The CCU has been vociferous in its opposition to international unionism, particularly in the early 1970s. It has raised the issue of Canadian nationalism within the trade union movement and has had more impact than its small membership would suggest. However, it has grown very slowly and has not been the path chosen by many Canadian workers. Meanwhile large Canadian unions have grown to have more influence within the CLC. While the CCU continues to raise the issue of Canadian unionism, it is not at present a real alternative to the power of the CLC.¹⁵

Chapter 6

How to Unionize

In Canada, labour relations, including the process of unionization, are subject to extensive legislation. A group of workers in a non-unionized establishment may not simply contact a union, become members and obtain representation as is possible in other countries, since in Canada certain processes and regulations must be followed.

The vast majority of workers are covered by provincial labour relations legislation, which varies from province to province. Nonetheless, many of the basic requirements are the same, and it is these that will be described here. In every province, the Labour Relations Board (in Quebec the Labour Court) and the ministry responsible for labour are the established bodies that administer labour relations legislation. They should be contacted for more detailed information on the law in a specific province, for a copy of the legislation or for answers to specific questions.

A minority of workers are covered by the federal Canadian Labour Code which regulates labour relations in interprovincial businesses, including shipping, railways, air transport, banks and broadcasting. The Labour Code does not vary in its basic regulations from those of the provinces. However, one group of workers, those employed by the federal government, are covered by quite different legislation. The Public Service Staff Relations Act, which applies to all federal public servants (except Crown corporations), is far more restrictive on the rights of workers to unionize and bargain. This legislation will not be discussed here since it covers such a small percentage of workers in Canada. Employees of the federal government should obtain specific information on this legislation.

Who Can Join

In most provinces, certain workers are either excluded from unionization or are subject to different laws from other workers. There is considerable variation provincially, but if you work in any of the following areas you should check your status under the

legislation: police, construction workers, firefighters, hospital staff, teachers, agricultural workers, domestics, public servants, and professional workers such as lawyers, engineers, doctors, dentists and architects.

Workers who are eligible to join the union, regardless of whether or not they actually do, constitute what is called the bargaining unit. These are the workers for whom the union can bargain a contract. Most legislation does not specify any number of workers required to form a bargaining unit.

All Labour Relations Boards have exclusive and final authority to determine what bargaining unit is appropriate for collective bargaining purposes and, in so doing, they may include or exclude employees from the bargaining unit. The boards have wide discretion to decide each question on the circumstances of the particular case. Excluded by definition from the bargaining unit in all provincial legislation are two broad categories of employees:

1. Those exercising managerial functions, such as hiring, firing, promoting, etc.
2. Those employed in a confidential capacity in matters pertaining to labour relations. This may include management trainees and assistants, but is also often applied to secretaries.

The exclusions made are by no means clear cut and will finally depend upon the Board's ruling. You can attempt to get as large a bargaining unit as possible. Then it is up to the employer to make a case for excluding certain positions that appear on the union list.

Applying for Union Certification

A certified union is one that can force the employer to bargain in good faith in order to reach a collective agreement. To obtain this certification an official hearing is usually held by the Labour Relations Board or other body administering the act, and certain regulations followed by the workers wishing to unionize. This varies by jurisdiction.

Once a decision is made to join a union those workers who wish to join sign cards and pay a small fee to become members of the union. Usually the law requires written documentation on union membership. In most provinces, a certain percentage of workers must join the union before an application for certification may be made. While in Saskatchewan only 25 percent of workers need to have joined, in Quebec 35 percent are required, in Nova Scotia 40 percent and Manitoba 50 percent. Once a sufficient number of workers have joined, the union completes a form requesting certification. The form

is sent to the appropriate administering body, the Labour Relations Board or the labour commissioner-general.

This body then informs the employer of the application to form a union and the employer must post notification of the application where all workers can see it. At this point the employer, or any worker, can raise objections to unionizing or to the size of the bargaining unit, or claim unfair labour practices (see below). Such objections or modifications may be sent to the Board or commissioner-general and form part of the deliberation over the size of the bargaining unit and whether to certify a union.

If a date for a hearing is set, at that time all evidence is considered and the union, the employers and any workers may make representations. The Board or commissioner-general determines which workers should rightly form the bargaining unit and are eligible to join the union. Concerning certification, there are several alternatives:

1. Certification may be granted if the Board or commissioner-general is satisfied that the majority of workers in the bargaining unit have joined the union. In British Columbia and Ontario 55 percent of workers must have joined the union in order to obtain immediate certification.
2. A vote by secret ballot may be held to determine the workers' wishes. This normally must be done if fewer than a majority of workers have joined the union. However, a vote may be held regardless of how many have joined should the Board suspect any unfair labour practices on the part of the employer or the union. If a majority of workers vote to join the union, then certification is granted.
3. Some legislation makes provision for certification of a union in cases where the workers' wishes cannot be determined due to employer intimidation or coercion.

Unfair Labour Practices

Certain practices that would constitute a violation of a worker's right to unionize are prohibited under the law. There is considerable variation among the provinces, but some protection is provided to workers during the process of unionization. The following list of unfair labour practices is found in some form in all provincial legislation.

The employer may not:

1. participate in or interfere with union formation or administration, nor give money to the union;
2. fire or otherwise discriminate against any worker because of union involvement;

3. prohibit unionization as a condition of providing employment, as part of a work contract;
4. intimidate, coerce, or influence workers because of union involvement, acting as a witness at a certification hearing, taking a complaint against the employer or otherwise exercising rights under the law (Manitoba legislation specifically prohibits an employer from voicing objection to unionization);
5. alter wages or working conditions without the union's consent once the union has applied for certification (Saskatchewan legislation specifically prohibits threats of such changes, or threats to move or shut down the work place);
6. bargain with any union other than the one certified.

A union may also be guilty of unfair labour practices. The union may not:

1. interfere in the formation of an employer's organization;
2. persuade workers to join a union during working hours;
3. intimidate or coerce workers to join a union;
4. bargain for workers unless certified to do so for that group of workers, unless they are recognized by the employer;
5. discriminate against any workers for exercising their rights under the legislation.

Provision is made for an employer, union or worker to make a complaint of unfair labour practice, obtain an investigation and/or hearing and be compensated where the complaint is upheld.

Negotiation

Once the union is certified the employer must negotiate "in good faith." Either the union or employer can give notice to commence negotiation and the law specifies that only a limited period of time may then expire before negotiation begins, usually 10, 15 or 20 days. In Quebec, notice to negotiate must be given within 90 days of certification being granted.

If agreement cannot be reached between the employer and the union, three alternatives are available:

1. At the request of either the union or the employer, or upon a decision by the Minister, a third party may be appointed to assist in reaching an agreement. This person or body is variously called a conciliation officer, a mediator or a conciliation board depending on the legislation. Reports are sent to the Minister on the endeavours of such persons or bodies, but they are in no way binding on either side.

2. Binding arbitration is provided where both parties request it. The union and the employer each select an appointed member, and together these two select a chairperson. This body is usually called an arbitration board. The decisions of such a board are binding upon the union and the employer and are incorporated into the collective agreement.
3. A strike can usually be held only after a third party has attempted to assist the parties in reaching an agreement. However, in Manitoba, workers may strike 90 days after certification is granted; in Quebec 90 days after the Minister has received a copy of the notice to bargain; in Saskatchewan workers may strike at any time after notice to negotiate has been given (unless conciliation is in process). Under these various legislative conditions a strike is then legal, the employer-employee relationship continues and workers may not be penalized for such action.

The Collective Agreement (or Contract)

The collective agreement between the union and employer, once negotiated and signed, is legally binding on both sides. Provisions in the agreement can only be changed during the operation of the contract if both sides consent. In all provinces, a contract may not last less than one year, and in most provinces a contract may not last for longer than three years.

During the length of the agreement, strikes and lockouts are illegal. If grievances arise during the contract and negotiation fails to produce a settlement, the contract must provide for binding arbitration. The process is usually similar to that described for interest arbitration (arbitration of a dispute during negotiation). The union and employer may choose a representative and select a chairperson. The decision of this body is final and binding on both parties.

These are the only legal requirements concerning collective agreements. Some legislation specifies that certain other items *may* be included, such as membership in the union being a condition of employment, that union dues be paid through a check-off on wages, that union affairs may be dealt with by a worker during working hours, and that the union may use the employer's premises. The purpose of this is generally to specify that such clauses would not be considered unfair labour practices.

Not all the provisions of the legislation have been dealt with here, and some have been covered only in a general way. While the processes may seem complicated (because they are), from the point at which you choose which union to join, you may request help from

your union representative. Usually, this union officer will help to complete forms, attend the certification hearing and assist in taking any complaints of unfair labour practices.

Chapter 7

Struggles of Union Women: Case Histories

This chapter consists of three case studies of struggles undertaken by women unionists for improved conditions at work. The intent is that they should bring to life some aspects of the union movement and perhaps to illustrate through real events parts of the previous more academic discussion.

The case examples were selected with an eye towards representation on several levels. Geographically they include the province of Quebec; a small town in Ontario; and Winnipeg, Manitoba. Two examples involve workers in the public sector, where most women work, and the third involves a small factory. One of the unions discussed is a large industrial international union; another is the Canadian Union of Public Employees, which has the largest number of female union members in Canada; and the third example involves the Common Front in Quebec, an organization of unions that bargain together for provincial government workers.

What is by no means representative, however, is that in all three examples the women were successful and obtained their goals. Apathetic workers, sexist union representatives, and uninterested union head offices will not be found in the following discussion. The object was to provide some cases of women who have made advances through the union movement by becoming actively involved and insisting on their rights in this regard as in any other.

Women Strike for a First Contract: Fleck Manufacturing Ltd., Ontario

In March 1978, 75 women went on strike at a small auto-parts factory near Exeter, Ontario. They were striking for union security in their first contract with the employer. This small industrial dispute, which might easily have passed the notice of any but those directly involved, rapidly became known throughout the province and then nationally. The strike was characterized by unprecedented police

involvement, violence at the picket lines and massive support from the trade union movement. The case stands as a classic example of employer intransigence, police intimidation and worker solidarity.

What Led to the Strike?

The women at Fleck earned between \$6,000 and \$7,000 a year. Starting at the minimum wage of \$2.85 an hour they could earn an additional 39¢ an hour only after 10 years. Low pay was not the only concern. The women complained that the factory was infested with rats, encouraged by the filthy washrooms and unemptied garbage cans in the lunch room. In winter when the heating was turned off on Saturday it took until the following Wednesday before the women could work without wearing their coats and snowsuits. The lack of ventilation in the summer meant the place was stifling; one worker testified before the Ontario Labour Relations Board that six women had fainted from the heat in one day.

Safety standards were not maintained and the women worked on unguarded machines. After the start of the strike a government inspection resulted in five machines being shut down. A worker said that on one occasion the floor was covered in water, in which the women stood to operate the electrically-powered machines.

Complaints to management did not produce results, but a unionization drive did. The Fleck workers became Local 1620 of the United Automobile Workers when their union was certified in October 1977. Negotiations for a first contract began.

The Rand Formula

The bargaining did not go well. Months later the union won a case before the Ontario Labour Relations Board, obtaining permission to prosecute Fleck Manufacturing for failure to bargain “in good faith,” which is required by law. Two primary issues were in dispute — pay and union security. The union proposed that the basic starting pay rate should be \$3.20 an hour, with the current workers getting 75¢ an hour above that. Management offered a 10¢ increase to \$2.95 the first year, and 10¢ for each of the following two years. While the pay issue remained deadlocked, the women workers were more prepared to compromise on this than on their other major concern — union security through a Rand formula. It is necessary to understand the meaning of a Rand formula, and how it relates to union security, in order to understand the struggle of the women at Fleck.

Union security is always an important issue. Without it any negotiated improvements in pay or conditions may be lost if the union cannot be maintained. In a situation where the employer is clearly

anti-union, it is even more crucial to obtain some kind of union security. The best provision is mandatory union membership for all workers in the certified bargaining unit, and for all new workers hired in the future. This arrangement makes it difficult for the employer to undermine the union. Of course the employer can still ensure that all new workers hired are anti-union and ultimately encourage them to apply for decertification of the union, but this is a long and complicated procedure. Meanwhile the workers are members of the union and the union has the opportunity to convince them of the advantages of unionization. The UAW at Fleck at first proposed mandatory membership as its union security clause. The employer was totally opposed and the union dropped its demand, asking instead for the Rand formula.

The Rand formula was established in 1946 by Justice Ivan C. Rand who arbitrated a Ford Motors case. He rejected the union demand for compulsory membership, but granted a compulsory check-off of union dues from the pay checks of all employees, whether union members or not. This compromise at least recognized the likelihood of attack on the union by the employer and provided the financial strength for a union to continue to function. However, it is certainly a minimal demand in terms of union security as it leaves union membership wide open to erosion by the employer's hiring practices. Nonetheless, it does provide the finances for the union to protect its members and to some extent relies on the fact that, having agreed to the Rand formula and thereby accepted the existence of the union, the employer will not persist in attempts to destroy the union.

At Fleck the employer refused even the Rand formula, insisting that payment of dues should be voluntary for all current workers and compulsory only for new workers hired — in other words a modified Rand formula, sometimes called a “grandfather clause.” As the name suggests, under this formula it may take many years before new employees replace those who did not pay dues. Meanwhile the union has to finance negotiations, research, legal fees, grievance procedures and so on, the benefits of which accrue to workers who do not contribute to the union just as much as to those who pay their dues.

An analogy might be drawn between the Rand formula and our political system. In the latter we are expected to pay taxes, whether or not we voted for the government in power. If we did not pay, the system of benefits in health, education, transportation and so on would collapse. Likewise the Rand formula requires every worker to contribute to the union, which the majority of workers have elected to join. Without the Rand formula the union faces collapse.

The Fleck management refused to alter its position on the Rand formula; the workers were convinced that without it the union would

not survive, given the opposition of the employer. As a result, on March 6, 1978, 75 women workers at Fleck went on strike.

Police Involvement

Three days before the strike, Fleck management called all the workers to the lunch room during working hours (a captive-audience meeting, at which the workers had no choice but to be present). The management spoke of the problems posed by the strike — that other workers could easily be hired, that strikers could not be guaranteed to have their jobs back, and that the factory might be forced to close down. More remarkable was the appearance of two Ontario Provincial Police officers. The local OPP constable from Exeter told the women what was illegal on the picket lines and that they could be jailed for certain activities. The women, never having been on strike before, said afterward that they were scared and confused and that some were crying by the end of the meeting. Months later, the constable admitted before the Ontario Labour Relations Board that he had told the workers only what was illegal, without mentioning the rights of the picketers. More basic is the question of just what the



Ontario Provincial Police officers subdue a striker at Fleck Manufacturing Company shortly after the start of the bitter strike in 1978. At the end of the strike, good relations were restored between the two sides in the dispute.

Canadian Press Photo

police were doing by asserting themselves into a pre-strike situation at all, let alone at the request of management. The Labour Relations Board granted permission to the UAW to prosecute the OPP constable, Fleck Manufacturing and the Fleck manager, stating that there was evidence of a "deliberate and concerted attempt" to interfere with union representation for the workers.¹

The impact of such tactics is hard to assess. On the first day of the strike 75 women were out, but 35 were crossing the picket line. This situation continued throughout the strike.

The first day was an indication of things to come. Riot police, squad cars and paddy wagons were out in force, along with a helicopter and police camera surveillance of the picket line. The union representative for London, Al Seymour, and another union representative were dropped, Mr. Seymour was tried in court for "obstructing a police officer." While the charges against the second representative were dropped, Mr. Seymour was tried in court for "obstructing the highway" and acquitted.

In the following months hundreds of police were transported to the area. Normally the Exeter police force comprises 14 men; as many as 520 police faced the picketers at Fleck. On several occasions riot police forced a path through the picket line for the bus transporting the 35 women crossing the line. One such incident occurred on May 24, after which three of the women picketers laid charges against the police claiming they had been assaulted with riot sticks. The OPP commissioner admitted that on this occasion an excessive number of police had been used to break through the picket line. By the end of the strike 29 people who had joined the picket line to support the Fleck women had been arrested on various charges.

In the Ontario legislature the NDP asked questions about the number of police used at Fleck and the cost to the Ontario taxpayer. Between the start of the strike and the end of May, 7,000 police days were logged at Fleck, an average of more than 80 police per day. By June the police bill approached \$2 million; it cost \$1 million just for transportation and accommodation of the police brought into Fleck. The use of police at Fleck constituted one of the largest deployments of police force in the history of Ontario, and the question was asked why 75 women in a small factory were attracting such attention.

After the strike was under way the women discovered that James Fleck, then Deputy Minister of Industry and Tourism in the Conservative government of Ontario, was the Fleck of the factory's name. His family owned half the company. In June, a Liberal MPP, Eddie Sargent, called for James Fleck to resign if there was any question of the OPP policing the strike because of Fleck's

government position. James Fleck claimed throughout that he was remote from the company and had not been involved in the day-to-day running of the factory. However, in an interview with the London *Free Press* the president of the company said that he had sent James Fleck monthly reports on the business and more frequent reports since the strike. The Deputy Minister was removed from the controversy in May, when he left the country to teach at the Harvard Business School in the U.S.

Whatever the reason for the massive deployment of police to the Fleck strike, if the strategy was to quickly intimidate the women and effect a quiet return to work, it failed. The continued show of force attracted media attention and then increasing public support for the Fleck women. They had two major advantages — their own determination and solidarity, plus tremendous support from the union movement.

Support

Hundreds of people joined the Fleck women on the picket line to show support of their struggle. UAW workers came in busloads from locals all around the area, including Talbotville, London, Kitchener, Waterloo, Sarnia, Cambridge, Windsor, Ajax, Brampton and Toronto. Members of other unions also joined the line, including the Canadian Union of Postal Workers and the Canadian Union of Public Employees. In the middle of April, the president of the Canadian Labour Congress, Dennis McDermott, went to the picket line along with 700 workers for a mass demonstration. The president of the Ontario Federation of Labour joined another major demonstration. The women's movement publicized the issue, and in May 400 women arrived at the Fleck picket line to mark the strike as one of particular concern to women. The NDP also supported the strike, with both Cassidy, leader of the Ontario party, and Ed Broadbent appearing on the picket line at different times.

Despite all this activity, with demonstrations organized by the UAW as many as three times a week, success in closing the factory was rare. Throughout the whole five and a half month strike, the women who continued working were prevented from entering the factory only about 10 times. Without the mass demonstrations, however, not only would the factory never have been closed, but the situation at Fleck would not have been so well publicized.

The strikers were also supported financially. At the start of the strike the UAW paid \$40-\$50 a week to each woman, depending upon her situation. As the strike continued this was raised to \$60-\$70 a week. The union paid a total of \$170,000 in strike pay over the whole five and a half months, plus the cost of legal fees and two

full-time staff members working on the situation. At the end of the strike one woman said she was glad they had chosen the UAW — a large international with powerful financial backing, capable of providing the necessary support — to represent them. Donations were made by other unions and organizations. The Ontario Public Service Employees Union gave \$10,000, one of the largest donations ever made to another union's strike fund. By June, the donations totalled \$32,000. This kind of support made the strike feasible. One of the striking Fleck women was asked in an interview how she managed on strike pay. She said, "Lord, if you're used to making do on \$100 a week take-home, \$60 ain't no problem."²

The Strike Continues

As the strike continued into its fifth month, the police cut back to just a few observers and the picket line was reduced to only a few women. Throughout the deadlocked weeks of July and August, with 35 women still crossing the picket line and operating the factory, the Fleck strikers maintained their determination and solidarity.

Meanwhile, several meetings had been held with the Disputes Advisory Committee established by the Ontario Minister of Labour to resolve the strike. The Committee suggested that the union should have its Rand formula in the contract, but should allow all the workers, whether union members or not, to vote on the contract. This was a somewhat unusual suggestion, a concession to the Fleck management's commitment to protect the women who had continued to work throughout the strike. After an initial refusal, in June the union agreed. Fleck management did not.

Before the Ontario Labour Relations Board, the legal struggle continued. The UAW was seeking permission to prosecute Fleck, Fleck's general manager, the Exeter OPP constable, and also Jack Riddell, a local MPP who, the union claimed, had made slanderous statements against the union on a CBC radio station. In July the Board decided there was sufficient evidence to grant the UAW permission to prosecute all four and the union immediately announced its intention to do so.

The End

Quite unexpectedly in the middle of August, Fleck management capitulated, allowing the Rand formula. A number of factors may have caused this reversal. Perhaps it finally became clear that the strikers and the UAW were not planning to back down and that the strike might continue for months longer. Meanwhile the factory, despite its 35 workers, was operating at well below capacity and was probably losing contracts that it was unable to fulfil. The prospect of

further legal expenses and possible fines, as a result of the UAW's prosecutions, may have been an issue. Perhaps this was a point of negotiation since the UAW dropped its plans to prosecute when the contract was signed. One worker commented that the UAW had put pressure upon Ford not to make further contracts for supplies with Fleck if the strike continued.

Whatever the reason, the women at Fleck had won. The pay was not as high as hoped for, the final agreement being an increase of 40¢ over two years, raising the base rate to \$3.25 an hour. But the women had what they had fought for — union security. All the workers, strikers and non-strikers, voted on the contract as the union had agreed. The result was 73 in favour, 37 against. The contract was signed on August 15, 1979.

The Fleck Women

The women who had carried on a successful five-and-a-half month strike had never been on strike before. They ranged in age from 16 to 65 years, and they included single women, wives and mothers, widows, separated and divorced women with dependent children. This diverse and inexperienced group of women demonstrated a determination and solidarity that captured the admiration of many. This is what they said about themselves:

“A lot of these girls didn't realize they had the backbone until they went out on that picket line. And now I think everybody's proud of their own personal self.”

the government:

“Just don't believe everything you hear. In politics, in the government, it looks great on the outside but we found out what goes on in the inside. They're a bunch of hypocrites really.”

the police:

“You go into shock. . . . I seen them (police) pick women up and throw them in the snowbanks and stuff. But to hit them with those riot sticks!”

the law:

“Here we are standing out fighting a cause that we consider just, and yet our law seems to be all slanted against us. . . . It's a disgraceful affair in our country.”

unity:

“We've got to learn to stand together and the sooner people do that the better.”

women:

“The power of the women and all the supporting women who've come up was really unbelievable.”

and sisterhood:

“We’ve learned the meaning of the word ‘sisterhood,’ really and truly, since we came in here; maybe we were just personal units before then and now we’re a force.”

Equal Pay for Work of Equal Value: The Winnipeg Health Sciences Centre

The struggle by the workers at the Health Sciences Centre in Winnipeg for equal pay for work of equal value began in 1973. It was not until the fall of 1978 that an extensive job evaluation programme was finally and fully implemented. Through these years the workers and their union had to confront not only the employer but also the Anti-Inflation Board established by the federal government.

The Start of the Struggle

The Winnipeg Health Sciences Centre is one of the largest medical centres in the country, employing 5,000 workers. The Canadian Union of Public Employees represents the support staff of the centre, which includes nursing aides, orderlies, and dietary, laundry and housekeeping staffs. This local union, CUPE Local 1550, is 72 per cent female, with 950 women workers out of a total of 1328.

A job evaluation programme to implement equal pay for work of equal value was first proposed by the union in contract negotiations in 1973. Rejected by the employer, it became one of the issues that led the workers to vote in favour of strike action in April 1974. Just before the strike deadline, the minister of labour in Manitoba appointed an industrial inquiry commission in an attempt to resolve the dispute, and the union agreed to await the commission’s decision before taking action. The result was a recommendation in favour of the union, and the new collective agreement signed in June 1974 provided for a joint union-management job evaluation programme.

The Process of Evaluation

Resolving wage inequities through job evaluation is a lengthy, expensive and complicated process. Its success “depends directly upon how diligently the methods, techniques and personnel are selected to install and carry out the program.”³ Without input from the union and its members, and lacking employer co-operation, job evaluation can be used to justify and institutionalize wage inequalities. As CUPE has stated:

The classification method which has been in use in government sectors for years tends to embed sex stereotyping within its structure and being a non-quantitative, non-analytical plan does not delve into the depths of job analysis and measurement.⁴

CUPE has been involved in about 75 job evaluation programmes; since 1971 it has advocated a weighted-point process for analyzing jobs. Nonetheless, in some ways the programme at the Health Sciences Centre was breaking new ground. It was the first major job evaluation plan in Manitoba and the largest evaluation which has been undertaken in the health care field — there were more than 200 different jobs to be evaluated. How was this accomplished?

Following the signing of the collective agreement in June, many meetings were held in 1974 between the union and the employer to study job evaluation systems in other organizations and to discuss ideas for their application to the Health Sciences Centre. A joint union-management committee was established to prepare all the necessary materials. These included a job evaluation manual which described the system to be used, the job information questionnaire and the job description forms. The committee also decided how these materials were to be used and the standard factors to be looked at when analyzing each job. Representatives from both the union and management were selected and trained as job raters in joint seminars. These preparatory steps were completed early in 1975. The job evaluation system agreed upon by union and management was then put into practice, using the following procedures:

1. In March 1975 a letter explaining the purpose of the programme and the procedure to follow was sent to all 1,328 Health Sciences Centre workers in the CUPE bargaining unit.
2. Then the job information questionnaires were distributed to these workers with instructions on how to respond and a time limit for completion. Each worker participated in the job evaluation by providing information on her or his own job. There was also space on the questionnaire for the comments of supervisors in each classification.
3. Since the actual process of evaluation is highly technical, professional job analysts were hired to write job descriptions based on the questionnaires completed by the workers (more than 200 descriptions had to be prepared). When necessary, the job analysts conducted interviews with individual workers to help them complete questionnaires or to gain a better understanding of the jobs being performed. For a job description to be written, at least 50 percent of the workers in each job classification had to respond to the questionnaire, in order to ensure consistency and accuracy in the description.
4. The written job descriptions were sent both to workers in each classification and to supervisors for confirmation of their accuracy. When necessary the job analysts made whatever changes

were required for the mutual satisfaction of the workers and the supervisors.

5. Once a job description was complete it was submitted to the Joint Job Evaluation Rating Committee for final processing. The Committee consisted of three union members and three management representatives, all of whom had been trained as job raters in joint seminars. A job analyst was always present to answer questions and record the results.

Provisions were made for appealing the final job evaluation, through which a worker, the union or management could question the rating of any position.

The whole process, from the agreement to perform job evaluation in June 1974 to the results in the spring of 1976, took almost two years. The time needed was partly the result of the minimal use of professional consultants. Throughout the job evaluation system, participation by workers in co-operation with management was used wherever possible. The result of this approach was a high level of commitment to the job evaluation programme, a commitment which proved to be an important factor in the ensuing battles with the Anti-Inflation Board.

The Results of Evaluation

The job evaluation system demonstrated that out of the 950 women employed at the Health Sciences Centre, 936 should be evaluated upwards. Out of 378 men, 231 of them were in jobs which were evaluated down from their previous position in relation to other jobs. Implementing the results would close the average male-female pay differential from \$109 to \$29 a month. The cost of implementing the total programme involved an 11 percent increase overall on labour costs; 93 percent of this wage increase would be for upgraded women. There was no question that implementing the job evaluation plan would promote equal pay for work of equal value and greatly benefit the women workers.

These results were available for the new contract negotiations, which were initiated in April 1976. In bargaining, the union insisted that no worker should suffer a cut in wages due to the equal pay scheme, and that the 231 men and 14 women who would be in such a position should be "red-circled." This meant that as long as those specific workers remained in the positions they would be paid the higher rate, but when new workers were hired they would receive the lower rate set by the job evaluation. In return for granting this demand, management required that the positions to be upgraded be "green-circled," meaning that the pay increases should be staggered

over a period of time. It was agreed that the increases should be made in five payments over two years, the final one being in February 1978. This meant that of the total 11 percent cost of implementing the job evaluation 8 percent would be incurred in the first year and 3 percent in the second.

The union also negotiated a \$50 per month addition for everyone in the bargaining unit as the regular wage increase. This amounted to an 8 percent overall increase, in addition to the 8 percent for the first year of implementation of the job evaluation. These agreed pay increases were written into the new contract, signed in October 1976. The employer immediately increased the workers' wages by the \$50 per month, but it was agreed that payments stemming from the job evaluation would await approval from the Anti-Inflation Board (AIB). The appropriate forms were forwarded to the AIB in November 1976.

The Anti-Inflation Board

The AIB was established by the federal government in October 1975 to curb inflation. During its three years of operation the wage increases of unionized workers were reduced from 14.4 percent in 1975 to 7.1 percent in 1977 and 5.3 percent in 1978.⁵ Meanwhile, inflation never dropped below 9-10 percent per year. The wage control system imposed by the AIB was condemned by the whole trade union movement, because it deprived workers of the right to collective bargaining, lowered their standard of living and failed to control inflation. The women's movement also expressed its opposition, criticizing the AIB for encouraging percentage increases that widened the wage gap, and for making low-paid women workers suffer in a situation of generally poor wage increases.

Those who defended the AIB pointed out that, under the guidelines, higher wage payments were permitted "in respect of an increase in the compensation of an employee that results from the elimination of differences in compensation based on the sex of employees." It was under this section of the AIB guidelines that CUPE Local 1550 applied for an 8 percent increase to implement equal pay for work of equal value at the Health Sciences Centre.

The AIB responded five months later, in April 1977. The general \$50 per month pay increase to all the workers was permitted, since it did not exceed the percentage guidelines set for that year. But regarding the 8 percent increase to implement equal pay, the AIB rolled this back to only 2.94 percent (it is not known how this particular figure was arrived at). Such an increase was totally inadequate to put into effect the job evaluation results. After two years of evaluation and six months in negotiations with the employer,

the union and the workers now faced the AIB, which clearly intended to destroy the results of the whole process. The AIB decision was not accepted.

The Protest

CUPE had good reason to be dismayed by the AIB decision. The union case appeared to be indisputable on the following grounds:

1. Under the AIB regulation quoted above, wage increases above the established guidelines were permitted in order to end sex discrimination in pay rates. Since 93 percent of the cost of implementing the job evaluation results were increases to upgrade women, the application of this regulation to the Health Sciences seemed certain.
2. A further AIB regulation permitted changed in job classifications if they were the result of a new job evaluation scheme.
3. The job evaluation programme was initiated in the summer of 1974, fully 18 months before the AIB was established, and it was a logical extension of the contract signed in June 1974. By its own regulations the AIB did not have jurisdiction over agreements entered into prior to October 14, 1975. In fact, in two other CUPE locals, the AIB had acknowledged that it did not have control over the results of job evaluation programmes which had been agreed upon before the formation of the AIB.
4. In 1974, nursing aides at the Municipal Hospital in Winnipeg (also CUPE members) won a complaint to the provincial Human Rights Commission that they were being sexually discriminated against and should be paid the same amount as the male orderlies. Following this action, the nursing aides at the Health Sciences Centre presented the same complaint in June 1975. After discussion it was agreed by all involved to await the outcome of the job evaluation process then in operation, since it would resolve the issue. Indeed, of the total cost of implementing the job evaluation, 65 percent was to upgrade the salaries of nursing aides. Clearly the Manitoba Human Rights Commission had felt that the job evaluation plan had to do with equal pay, and this lent further support to CUPE's case.

The AIB rolled back the union's submission for equal pay just four months after the close of International Women's Year, a year in which the federal government spent thousands of dollars asking women the question "Why Not?", meaning why not be equal. For women at the Health Sciences Centre the answer had more than a little to do with the federal government itself.

Within a week of receiving the AIB decision, the CUPE local requested a reconsideration of its submission. Meetings were held

and a thorough brief was prepared describing the whole process since 1974 and the union's case.

Meanwhile, the issue was widely publicized. Newspaper articles pointed out the injustices of the situation. Particular pressure was brought to bear on June Menzies, then the vice-chairman of the AIB. In February 1977 Menzies had given a speech to the Victoria Business and Professional Women's Club in which she stated the AIB's specific mandate to allow pay increases to eliminate sex discrimination. Moreover, she stated that not only was the AIB not discriminatory, but that management and the unions were at fault for not taking advantage of the AIB regulations. Then in March she spoke to the National Action Committee on the Status of Women (NAC) at its annual conference. NAC had passed a resolution condemning the AIB for discriminating against women. Point by point Menzies spoke against the resolution and defended the AIB, referring to the provisions for women as "a goal for unions and employers to strive for."⁵ She ended her speech by saying "I believe that the legislation that I am helping to direct and apply is not unfair to women workers."⁶ Exactly four weeks later the AIB handed down its decision on the Health Sciences Centre.

The union representative for CUPE 1550 immediately called for Menzies' resignation from the AIB. He pointed out that the AIB decision would prolong sex discrimination in pay rates for years, and said of Menzies:

How can she say the Board is not widening the gap and will allow adjustments for inequities and then be part of a rollback like this?⁷

Some weeks later, Grace Hartman, the president of CUPE, also publicly demanded Menzies' resignation.

Meanwhile Stanley Knowles, NDP House leader, stated in the Commons that the AIB's decision was not consistent with government policies on equal pay for work of equal value. It was just at this time that federal legislation on the issue was under discussion. The federal finance minister agreed to examine the decision with the AIB.

Both the Manitoba Action Committee on the Status of Women and the National Action Committee protested the AIB's decision. NAC wrote to the AIB urging compliance with the government's stated policies, and this was reported in the press.

In August, Menzies announced that the AIB would review its previous decision on the Health Sciences Centre. She also stated that a guide would be produced setting out how elimination of sex discrimination should be calculated in future cases.

The End

At the end of August the AIB agreed to allow 4.3 percent for the implementation of the job evaluation scheme at the Health Sciences Centre. This was just over half the original 8 percent negotiated by the union. The union was also informed that no further amount to implement equal pay would be allowed in the following year. Since the year-long contract originally signed in October 1976 was almost over with no progress on equal pay, the union membership decided to accept the AIB's allowance of 4.3 percent.

However, this was not the end. Almost immediately CUPE 1550 went into negotiations with the employer for the next year's contract. Given the previous position of the AIB, the employer was reluctant to make any further submission for increases to implement the job evaluation plan. Nonetheless, the union insisted that the full amount of the implementation of job evaluation be included in the new contract. This comprised not only the difference between the 8 percent previously requested and the 4.3 percent allowed, but also the additional 3 percent required for complete implementation of the job evaluation. This increase was then submitted to the AIB.

No sound of opposition was heard from the AIB; the full amount of the increase for equal pay was processed smoothly and agreed upon. Perhaps the AIB did not relish the idea of another public debate over its position on women. As well, 1978 was the year the federal government introduced its human rights legislation incorporating "equal pay for work of equal value." It was therefore particularly susceptible to possible charges of inconsistency. This would have been embarrassing in a year that looked at the start as if it would be a federal election year.

By the fall of 1978 the women at the Winnipeg Health Sciences Centre had obtained their full increases under the job evaluation programme, just seven or eight months later than had been originally planned before the intervention of the AIB.

Maternity Leave in Quebec — A Breakthrough

In the fall of 1979 women working in the public sector in Quebec obtained maternity leave of 20 weeks, with full pay. About 20 percent of all women workers in Quebec will benefit from this agreement, negotiated through the Common Front. Nowhere else has any major group of workers obtained full pay for maternity leave. Elsewhere women continue to be covered by federal unemployment insurance regulations, which provide 60 percent of regular pay for just 15 weeks, after a two-week waiting period with no pay. In other words, women continue to be penalized for their child-bearing role, and find themselves on a reduced income at a time when they need

increased resources. The idea that women should not lose by their reproductive function is now a reality for many women in Quebec.

The Common Front

Public workers in Quebec are in a unique position because Quebec unions have negotiated jointly on crucial issues since the formation of the Common Front in 1972. The three major Quebec central labour bodies have united to bargain for their public-sector workers, the Confederation of National Trade Unions (CNTU), the Quebec Teachers' Corporation (QTC), and the Quebec Federation of Labour (QFL). Two hundred thousand workers are included in the Common Front. They work in hospitals, all educational institutions and in social affairs, including both skilled and unskilled workers. The CNTU has half its members in the Common Front, 95,000. All 80,000 of the QTC's membership and 20,000 from QFL are included. Of all workers in the Common Front, more than two-thirds are women.

Negotiations between the Common Front and the provincial government are carried on at two levels, central and sectoral. At the central level or table, major issues of pay, pensions and regional adjustments — those issues which the three labour centrals can agree upon and which the government agrees to negotiate with the Common Front — are negotiated. Each of the three labour bodies sends an equal number of negotiators to the table and there must be unanimous agreement for a final settlement. Bargaining takes place with the provincial treasury, with the minister of finance being ultimately responsible. Because the central level is where common-front negotiation occurs, it is where there is the most power to obtain union proposals.

All other issues are negotiated by each sector at sectoral tables. In the last round of negotiations there were 22 sectoral tables bargaining individually. There is no common-front negotiating at the sectoral level, although there is often taut agreement on minimum demands. At this level negotiations are with the Ministries of Social Affairs and Education, and with employers' associations such as the *Fédération des Commissions Scolaires*.

The Struggle for Paid Maternity Leave

During 1972 and 1973 all three labour centrals began to focus on women's issues and upon paid maternity leave as a priority. Their position was that women should not be financially penalized for their childbearing responsibilities. Women's committees were established in all three centrals, and carried on educational programmes with the

membership. For example, in the CNTU since 1976 there have been frequent meetings and publications on maternity leave, through local unions, regions and federations and also within the CNTU.

In 1976 public sector workers asked for paid maternity leave for the first time in negotiations. The proposal was made at the sectoral level, however, on an individual basis. Not one sector obtained this demand. The only agreement made at this time was that the provincial government would pay women to cover the two-week waiting period under the unemployment regulations, so that women on maternity leave would not be left without an income for this period.

By the start of negotiations in 1978, conditions had changed. The intensive educational programmes, combined with women's increased awareness, had yielded results in certain sectors. In the CNTU there was a strong demand from the rank and file members for paid maternity leave and for safety during pregnancy. This was particularly the case among hospital workers, who are on average in their early twenties and have their childbearing years before them. The Quebec Federation of Labour public sector workers, including the Quebec locals of the Canadian Union of Public Employees, were also strong on this issue. The Quebec Teachers' Corporation was more determined at the leadership level, and specifically within the Women's Committee, than among the rank and file, despite the fact that its membership is female. The reason is directly related to age. The average age of the QTC's membership is 37 years. Thus the women wanting children have completed their families and maternity leave is not regarded as an important issue. Nonetheless, the Common Front as a whole presented a strong demand for paid maternity leave.

In the fall of 1977 an intercentral committee on women's issues was formed, comprised of members from the three women's committees within each of the three centrals. This is the only intercentral committee in existence and it reflects the strong agreement on the women's question within the Common Front. As a result of this agreement, for the 1978 negotiations the Common Front insisted that women's issues be negotiated at the central level. This time the government agreed. This was a major breakthrough — the united power of the whole public sector was backing the demands, rather than each sector bargaining individually and from a much weaker position.

By 1978 the nature of the Common Front's proposals had changed. Paid maternity leave had become one demand within a much broader concern for the family and parental rights. This will become clear when the results of the negotiations are discussed below.

In Quebec in the last few years women's issues have become a very public and popular concern, and the government has committed itself to the need for increased equality for women. Consequently, the government was under some pressure to demonstrate its consistency and not obstruct demands for improved benefits for women. Because of these pressures it would have been difficult for the government to refuse to negotiate women's issues at the central level rather than the sectoral level.

The central table negotiations started in March 1979. On maternity leave, the government first proposed maintaining the status quo. A new proposition made in August was still very poor. The government insisted throughout that paid maternity leave was impossible financially. The cost to the province to make up unemployment insurance to full pay for 20 weeks was estimated at \$45 million per year. While this sounds like a large amount expressed in dollars, in fact all the family demands including maternity leave amount to only 2-3 percent of the total cost of wages and benefits for public service employees in Quebec.

It was not until October that the government finally acceded to the demand for paid maternity leave. The strong position of the Common Front throughout was essential to this success. The government was testing the strength of the union demand, hoping to bargain reduced benefits. In fact, negotiations between the province and the federal government on financial arrangements had taken place earlier. As of January 1, 1979 every working women on maternity leave in Quebec received \$240 from the provincial government as compensation for her reduced wages from unemployment insurance. To establish such a payment, some financial agreement had already been reached between the federal and provincial governments.

It was important that other benefits, or wage increases, were not lost or reduced in order to obtain paid maternity leave. Instead, it was negotiated as a separate issue, one of high priority with strong support.

What Was Gained?

This agreement for 20 weeks paid maternity leave is an extremely important breakthrough in Canada. Before this only a few isolated contracts covering a small number of workers, usually at universities, provided any pay for maternity leave. Now approximately 20 percent of women workers in Quebec will receive paid maternity leave and will no longer be penalized for their childbearing role.

However, paid maternity leave was only the central demand; the gains for women and parents are broader than this. The other major gains are as follows:

1. During pregnancy, a woman worker retains her right to all sick leave, sick pay and health insurance benefits and cannot be excluded from them if she is incapacitated as a result of her pregnancy. (It is quite usual for a pregnant woman to be regarded as a special case not subject to regular sick-leave benefits.)
2. The employer has the responsibility of informing all workers if there is an outbreak of any disease that might be dangerous to a pregnant woman or her foetus. In this situation, or in the case of a job that requires exposure to possible danger, the pregnant woman need not continue working in that position. The employer may transfer her to work *in the same category* if it is available, or to work in a different category if both the union and the worker agree. If such a change in work is not possible, the pregnant woman has the right to stop work for as long as necessary until 8 weeks before the birth at 90 percent of her regular pay. Then she benefits from 20 weeks of maternity leave.
3. While on maternity leave for 20 weeks, a woman not only retains her benefits, but continues to *accumulate* annual leave, pension, experience, seniority and all other benefits, as if she had continued working.
4. Either a father or mother have the right to take up to two years of unpaid leave to care for a new infant. Whether a worker takes 20 weeks or two years, that person must be returned to the same position he or she held before taking leave.
5. At the time of childbirth, the husband has the right to five days paid leave (elsewhere one day is the norm, if anything is provided at all).
6. Where a child is adopted, leave is 10 weeks with full pay for the adopting mother or father and five days' leave for the parent who does not benefit from 10 weeks' leave.

While all these provisions are very progressive, three are particularly remarkable. The health provisions for pregnant women are outstanding. Common Front workers, including teachers subject to outbreaks of german measles and hospital workers in operating rooms and X-ray departments, are exposed to possible dangers. Pregnant women are now protected from such dangers. Also exceptional are the provisions for adoption. It has been common (if irrational) for adoption leave to be equivalent to paternity leave, and this is generally one day. Here adoptive parents are given the same rights as natural parents, excluding only a period for the physical recovery of the natural mother. Of great importance also is the specific provision for men to take leave for child care over a two-year period. This separates childbearing (20 weeks) from childrearing (two years) responsibilities, making the latter available to either sex.

A Precedent?

Such progressive contract clauses may be regarded as a goal for private-sector women workers in Quebec and for all women workers in other provinces. Can these advances made by the Common Front be repeated elsewhere?

In Quebec there may be further advances within a few years. The Quebec government is now caught in a highly contradictory position, where its own workers have benefits far in excess of those in other sectors. This is clearly unjust and not likely to win the government popularity with the majority of workers not covered by the Common Front's agreement. As a result it may well be that within a few years legislation will be passed in Quebec to extend these benefits to all workers. The position of the CNTU on such legislation is that a state fund should be established into which *all* employers would pay according to the number of workers they employ (whether male or female). Women would then receive their maternity pay from this central fund. This scheme overcomes the discrimination that would stem from legislation which attempted to force individual employers to provide paid maternity leave. Such individual responsibility would merely encourage employers not to hire women of childbearing age.

For women workers outside Quebec the situation is less hopeful. In no other province is the union bargaining position as strong as among public sector workers in Quebec. In Quebec the public sector is more highly unionized than in any other province. In addition, the Common Front is unique in Canada. Elsewhere each union representing public workers bargains individually with the government and is consequently negotiating from a weaker position. Moreover, the level of education and militancy in unions and among union membership in Quebec is not equalled in any other province; union proposals are therefore less demanding elsewhere. However, despite these differences, the agreement obtained in Quebec will surely be used as a model for negotiations elsewhere, especially in the public service. A precedent has been established, and it must now be pressed to advantage.

Conclusion

The second-class place of women in the early trade union movement has followed us into the 1970s; women have yet to obtain their proper and equal role within trade unions. Women are under-represented as union members and as members of union executives. Unequal pay persists between unionized men and women, and many benefits of concern to women are rarely negotiated. The barriers to equality are many, including the traditional craft and blue-collar membership of trade unions, the type of work women do, their recent entry into the labour force, and the unequal distribution of family responsibilities. Such concluding remarks can hardly sound unfamiliar since the study of every institution (political, economic, social and familial) has recorded the unequal status of women. What distinguishes trade unions, however, is that the position of women is improving, and improving rapidly. Here at least the barriers are proving to be surmountable.

Why are trade unions responding to the needs of women? Throughout its history the union movement has stated its commitment to the welfare of working people in general, and to its own membership in particular. Indeed this is its very reason for existence. Since women now constitute 38 percent of "working people" and 27 percent of trade union membership, the welfare of working women is an unavoidable component of workers' interests. As well, because unions are structured as democratic organizations with considerable power retained by the membership, women can make demands and obtain a hearing.

Trade unions have shown themselves capable of translating women's needs into action, and of improving the conditions of women in the labour force. As the only mass organizations of working people in the country, with over 3 million members, and the only mechanism whereby working people can place their concerns directly before employers, trade unions are an essential means of protecting and advancing the conditions of workers. More women than men are joining unions. They are also increasing their share of official positions and obtaining improved contract clauses. Pay is better and more nearly equal for unionized women, and benefits are stabilized and improved. With respect to such immediate day-to-day issues, unions undoubtedly benefit women.

This does not mean that women should be uncritical of trade unions. Because unions vary so much in their response to women, the services they provide and the degree of democracy within their organizations, it is most important that women choose their union

with care. Once women are unionized, the struggle for them to be fairly represented and to obtain good contracts is an enduring one. Only with struggle will women obtain an equal role in the union movement. Given the union movement's claim to promoting the interests of workers and its role in presenting these interests to employers, however, there is a good chance that women in trade unions will continue to make gains.

More discussion is needed about the role of trade unions in the lives of women in the labour force, including the potential for future change. We know that unions can make improvements in the "bread and butter" issues of pay and benefits. Can they also be expected to participate more in broader social issues, such as day care and abortion, sexual harassment and other forms of violence against women? What is the role of the trade union movement in producing a more egalitarian society? Should there be more interaction between the women's movement and the trade union movement? In Britain, for example, the women's movement mounted a campaign to improve the policies of trade unions regarding women's issues.¹ The Trades Union Congress (the British equivalent of the Canadian Labour Congress) in November 1979 organized a mass demonstration to oppose plans to restrict abortion, and 40,000 people attended. In Canada we have our own examples of joint action between women's groups and trade unions to draw upon when analyzing the situation and formulating strategy.²

Although unions cannot solve all of the problems confronting women, it is time to consider what can be accomplished and how best to do it, both within the women's movement and by women in the trade union movement. It was with the need for such discussion in mind that Part Two of this book was written. The structure of the union movement and the legal constraints within which it operates must be understood if any discussion of potential and strategy is to be based upon reality. The three case histories in chapter seven provide concrete examples of the complexity of the union movement's task, even where there is a commitment to the needs of women. Sometimes the most straightforward demands meet with opposition from employers, as with the Fleck women's demand for union security. Implementing certain improvements may require unrelenting effort over several years, as in the job evaluation programme at the Winnipeg Health Sciences Centre. Obtaining paid maternity leave for public service workers in Quebec was the climax of a process of discussion, education and negotiation that lasted seven or eight years. And yet these examples, beset as they are with opposition and delay, are the victories, the successes.

Progress for women through the union movement will be gradual, circumscribed by employer opposition, legislative restrictions and the balancing of demands, which are a necessary part of the negotiation procedure. Nonetheless, if the trend of the last 10 years continues, women have much to gain from involvement in the trade union movement.

Appendix 1

Number of Workers and Union Membership for Industrial Subsectors

Data on Union Membership

Under the Corporations and Labour Unions Returns Act (CALURA), information on union membership has been collected each year since 1962 by Statistics Canada. Excluded from the survey are small trade unions with fewer than one hundred members. Under the terms of the Act only organizations formed for the purpose of regulating employer-employee relations must file returns and this excludes certain teachers' and nurses' associations. Consequently, union membership is under-estimated.

Until 1977, the Labour Organization Section of Labour Canada carried out a yearly survey in January to obtain information on these unions and associations not covered by the CALURA survey. This survey material was then added to the CALURA data to produce more accurate aggregate statistics. It is this aggregate data that is used in the publication from the Women's Bureau of Labour Canada, "Women in the Labour Force: Facts and Figures." Consequently, there is some discrepancy between information in this publication and from CALURA.

In my calculations, I have used the aggregate data from Labour Canada, which is broken down into industrial subsectors in a document called "Industrial and Geographic Distribution of Union Membership in Canada, 1977," Labour Canada, March 1979. This most recent information is based on a survey carried out in January 1977.

Data on Number of Workers

The Statistics Canada publication "Employment, Earnings and Hours" (cat. no. 72-002) provides the number of workers by industrial subsector. It is based on a monthly survey, so January 1977 figures were used to compare with data of the same month for union membership. However, comparable and reliable data was available for only two industries — manufacturing; and mining, quarries and oil wells. The latter was excluded since so few women work in this industry.

"Employment, Earnings and Hours" is based on a survey that covers only establishments with 20 or more employees. Since size of establishments varies by industry, the data is more reliable for certain

industries than others. For example, while the survey covers an estimated 90.6 percent of employees in mining, in services only 20.1 percent are estimated to be covered. Clearly, it would be unreliable to calculate degree of unionization on the basis of only one-fifth of the work force. In manufacturing an estimated 90.6 percent of employees are included in the statistics.

Not all of the industries were broken into subsectors. Neither trade nor finance were broken down in the Labour Canada statistics on union membership. The industrial category of public administration does not appear in "Employment, Earnings and Hours." While the industrial subsectors were exactly comparable for manufacturing, this was not the case for transportation, where additional subsectors appear in "Employment, Earnings and Hours."

Unionization data on the manufacturing industrial subsectors are given in table 24.

TABLE 24
Number of Workers and Union Members by Sex and Industrial Subsector
in Manufacturing, January 1977

	% Female Workers in Industry	Number Workers	Number Unionized	% Unionized	Number Female Workers	Number Females Unionized	% Females Unionized	Number Male Workers	Number Males Unionized	% Males Unionized
Clothing	76.2	84,300	50,293	59.7	64,237	39,007	60.7	20,063	11,286	56.3
Knitting	65.1	19,300	2,886	14.9	12,564	2,021	16.1	6,736	865	12.8
Leather	56.2	23,000	11,655	50.7	12,926	6,762	52.3	10,074	4,893	48.6
Misc. Manuf.	38.6	67,200	17,696	26.3	25,939	5,212	20.1	41,261	12,484	30.3
Tobacco	38.2	9,400	5,910	62.9	3,591	2,586	72.0	5,809	3,324	57.2
Textile	35.7	62,200	31,818	51.2	22,205	11,471	51.7	39,995	20,347	50.9
Printing	32.2	73,700	32,486	44.1	23,731	5,912	24.9	49,969	26,574	53.2
Electrical	31.6	114,600	59,755	52.1	36,214	17,390	48.0	78,386	42,365	54.0
Foods	27.4	155,000	93,823	60.5	42,470	27,642	65.1	112,530	66,181	58.8
Chemicals	24.5	75,700	21,536	28.4	18,547	2,465	13.3	57,153	19,071	33.4
Furniture	22.8	34,400	17,461	50.8	7,843	3,824	48.8	26,557	13,637	51.3
Rubber	18.3	27,200	20,838	76.6	4,977	4,262	85.6	22,223	16,576	74.6
Metal Fabricating	15.2	119,500	64,263	53.8	18,164	5,544	30.5	101,336	58,719	57.9
Petroleum	14.9	18,100	5,606	30.9	2,697	80	3.0	15,403	5,526	35.9
Paper	13.0	122,800	90,918	74.0	15,964	7,413	46.4	106,836	83,505	78.2
Non-metallic										
Mineral Products	12.5	45,100	31,704	70.3	5,638	2,644	46.9	39,462	29,060	73.6
Machinery	12.4	74,900	35,469	47.4	9,288	2,789	30.0	65,612	32,700	49.8
Beverages	11.9	29,800	12,332	41.4	3,546	708	19.9	26,254	11,624	44.3
Transportation	10.7	151,500	126,749	83.7	16,211	10,831	66.8	135,289	115,918	85.7
Wood Products	8.8	88,600	56,385	63.6	7,797	4,518	57.9	80,803	51,867	64.2
Primary Metal	6.1	113,900	79,287	69.6	6,948	1,458	20.9	106,952	77,829	72.8

Appendix 2

Unionization of Paid Workers, 1966 and 1976

The 1976 figures on the degree of unionization of paid workers by industry were calculated from "Women in the Labour Force: Facts and Figures," 1976, part 3, p. 7, table 2.

For the 1966 statistics, information on the number of paid workers by industry was obtained from the Labour Force Survey section of Statistics Canada and is unpublished data. Union membership figures for 1966 are from "Annual Report of the Minister of Industry, Trade and Commerce under the Corporations and Labour Unions Return Act," part 2, 1966, p. 86. These figures are given in table 25.

TABLE 25
Number of Paid Workers and Union Members
by Industry, 1966

Industry	Number of Paid Workers	Number of Union Members	Percentage of Paid Workers Unionized
Services	1,422,000	169,525	11.9
Trade	966,000	51,186	5.3
Finance	281,000	—	—
Public Administration	419,000	286,301	68.3
Manufacturing	1,699,000	736,905	43.4
Transportation	583,000	334,805	57.4
Construction	417,000	197,281	47.3
All Industries	6,077,000	1,895,402	31.3

Concerning the union membership figures in the public administration industry, there is a problem with the data collected under the Corporations and Labour Unions Returns Act. The 1966 statistics include the memberships of the federal civil service associations and several provincial civil service associations, which were not able to bargain pay and conditions of work with their employers owing to restrictive legislation (this issue is further discussed in the body of the text under the heading "Employer Opposition"). While these organizations may have been required to file returns under the Act and therefore appear in the statistics, they were not in fact trade unions in the usual meaning of the term, since they were unable to bargain with the employers. Inclusion of these associations in the

1966 statistics makes the unionization figures in public administration artificially high. By excluding only the two largest federal civil service associations (the Civil Service Federation of Canada and the Civil Service Association of Canada), the percentage of workers unionized in public administration in 1966 would fall to 44.9 percent. The figure would probably be below 30 percent if all such associations were excluded.

Appendix 3

Weekly Rates of Pay for Male and Female Office Workers by Occupation and Union Status, October 1977

Occupation	Unionized		Non-Unionized	
	Female	Male	Female	Male
Accounting Clerk, Junior	193	222	162	183
Accounting Clerk, Senior	230	266	195	246
Bookkeeper, Senior	242	276	217	275
Clerk, General Office, Junior	170	183	149	163
Clerk, General Office, Intermediate	196	211	177	206
Clerk, General Office, Senior	228	256	212	265
Computer Operator, Junior	221	242	180	199
Computer Operator, Senior	252	276	210	256
Computer, Peripheral Equipment Operator	208	215	181	206
Cost Clerk	224	270	186	246
Draughtsman, Apprentice	—	220	—	200
Draughtsman, Junior	—	253	—	208
Draughtsman, Intermediate	—	278	—	265
Draughtsman, Senior	—	326	—	330
File Clerk	175	—	141	—
Key punch Operator, Junior	193	—	169	—
Key punch Operator, Senior	207	—	191	—
Machine Operator, Junior	186	—	149	—
Machine Operator, Senior	205	—	183	—
Office Boy/Girl	163	166	141	151
Office Manager	310	325	271	347
Order Clerk	207	248	175	233
Programmer, Junior	251	268	243	263
Programmer, Senior	308	333	300	326
Secretary, Junior	206	215	187	191
Secretary, Senior	224	229	219	228
Stenographer, Junior	176	—	167	—
Stenographer	200	—	193	—
Stock Records Clerk	212	240	171	226
Systems Analyst, Junior	358	380	314	336
Systems Analyst, Senior	430	462	352	389
Telephone Operator	182	—	164	—
Transcribing Machine Operator, Junior	194	—	171	—
Transcribing Machine Operator, Senior	199	—	186	—
Typist, Junior	176	—	149	—
Typist, Senior	187	—	173	—

Note: Where no pay rate is given, either no men or no women are employed in that occupation.

Source: Labour Canada, *Wage Rates, Salaries and Hours of Labour*, October 1977.

Notes

Introduction

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²Grace Hartman, "Women and Unions," in Gwen Matheson (ed.), *Women in the Canadian Mosaic*, Peter Martin Associates Ltd., Toronto, 1976; Joy Langan, "Trade Union Women's Committees," *Canadian Labour* 21, no. 3 (September 1976); Vivian Zachon, "Negotiating Equal Pay," *Canadian Labour* 21, no. 3 (September 1976).

³Julie White, *Women and Work: A Resource Kit*, 1977, available from the Women's Programme, Secretary of State, Ottawa K1A 0M5.

⁴See chapter seven, "Struggles of Union Women: Case Histories" for the most recent achievements of the Quebec Common Front on women's issues.

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²Harold A. Logan, *Trade Unions In Canada*. MacMillan, Toronto, 1948, Calculated from p. 19, table 3, and p. 78, table 4.

³*Ibid.* Calculated from p. 18, table 2.

⁴Harold A. Logan, *op. cit.*, p. 78, table 5.

⁵W.A. Mackintosh, *The Economic Background of Dominion — Provincial Relations*. McClelland & Stewart, Toronto, 1964, p. 55.

⁶Mona-Josée Gagnon, translated from "Les femmes dans le mouvement syndical québécois," Marie Lavigne and Yolande Pinard, *Les femmes dans la société québécoise*, Boréal Express, Montreal, 1978, p. 147.

⁷Alice Klein and Wayne Roberts, "Besieged Innocence: The 'Problem' and Problems of Working Women — Toronto, 1896-1914," *Women at Work 1850-1930*, Women's Educational Press, Toronto, 1974.

⁸Terry Copp, *The Anatomy of Poverty. The Condition of the Working Class in Montreal 1897-1929*. McClelland & Stewart, Toronto, 1974, p. 68.

⁹Sylvia Ostry, *The Female Worker in Canada*. 1961 Census Monograph, Queen's Printer, Ottawa, 1968, p. 3, table 1.

¹⁰Quoted in Terry Copp, *op. cit.*, p. 49.

¹¹Terry Morrison, "Their Proper Sphere," *Ontario History* 68, March 1976, p. 47.

¹²*Ibid.*; and Deborah Gorham, "The Canadian Suffragists," Gwen Matheson, (ed.), *Women in the Canadian Mosaic*, Peter Martin Associates Ltd., Toronto, 1976.

¹³Nellie McClung, *In Times Like These*, McLeod & Allen, 1915, p. 51.

¹⁴Genevieve Leslie, "Domestic Service in Canada 1880-1920." *Women at Work 1850-1930*, Canadian Women's Educational Press, Toronto, 1974, p. 71.

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¹⁶Wayne Roberts, *Honest Womanhood*. New Hogtown Press, Toronto, 1976, pp. 31-32. The Corrective Collective. *Never Done*. Canadian Women's Educational Press, Toronto, 1974, p. 134. Organization among domestic servants is recorded both for Toronto and for Alberta.

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¹⁸Cited in Greg Kealey, *Working Class Toronto at the Turn of the Century*. New Hogtown Press, Toronto, 1973, p. 10.

¹⁹Wayne Roberts, *op. cit.*, p. 9.

²⁰*Ibid.*, p. 48.

- ²¹*Ibid.*, p. 17.
- ²²Terry Copp, *op. cit.*, p. 129.
- ²³Wayne Roberts, *op. cit.*, p. 48.
- ²⁴The Corrective Collective, *op. cit.*, p. 99.
- ²⁵Campbell R. McConnell and William Henry Pope, *Economics*, McGraw-Hill, Scarborough, Ont., 1978, table 38-3.
- ²⁶Statistics Canada, *Labour Force Annual Averages*, 1975-78, cat. no. 71-529, p. 12.
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- ²⁹Cited in Terry Copp, *op. cit.*, p. 49.
- ³⁰Wayne Roberts, *op. cit.*, p. 31.
- ³¹The Corrective Collective, *op. cit.* Margaret Llewelyn Davies, *Maternity. Letters from Working Women*, Virago, London, Eng., 1978.
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- ³³Wayne Roberts, *op. cit.*, p. 10-11.
- ³⁴Genevieve Leslie, *op. cit.*, p. 96, table C.
- ³⁵Lori Rotenberg, "The Wayward Worker: Toronto's Prostitute at the Turn of the Century," *Women at Work 1850-1930*, Canadian Women's Educational Press, Toronto, 1974, p. 68, table A.
- ³⁶Wayne Roberts, *op. cit.*, p. 17.
- ³⁷Wayne Roberts, *op. cit.*, p. 40.
- ³⁸Campbell R. McConnell and William Henry Pope, *op. cit.*, p. 789.
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- ⁴⁰Wayne Roberts, *op. cit.*, p. 49.
- ⁴¹*Ibid.*, p. 40.
- ⁴²The Corrective Collective, *op. cit.*, p. 90.
- ⁴³Wayne Roberts, *op. cit.*, p. 32.
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- ⁴⁸Joan Sangster, "The 1907 Bell Telephone Strike: Organizing Women Workers," *Labour, Journal of Canadian Labour Studies*, 1978, vol. 3.
- ⁴⁹*Ibid.*, p. 126.
- ⁵⁰Terry Copp, *op. cit.*, p. 129.
- ⁵¹*Ibid.*, p. 130.
- ⁵²Joan Sangster, *op. cit.*, p. 126.
- ⁵³Harold A. Logan, *The History of Trade Union Organization in Canada*, University of Chicago Press, Chicago, 1928, p. 130, table 7, p. 131.
- ⁵⁴Alice Kessler-Harris, "Where Are the Organized Women Workers?" *Feminist Studies* 3, no. 1/2 (Fall 1975).
- ⁵⁵Alice Klein and Wayne Roberts, *op. cit.*, p. 220.
- ⁵⁶Wayne Roberts, *op. cit.*
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- ⁶³Marie L. Campbell, "Women and Trade Unions in B.C., 1900-1920: The Social Organization of Sex Discrimination," Prepared for the Women's Research Centre, Vancouver, June 1978, p. 8.
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- ²Statistics Canada, *Corporations and Labour Unions Returns Act*, part 2, cat. no. 71-202, 1976, p. 48.
- ³Labour Canada, Women's Bureau, *op. cit.* part 3, 1976, p. 5, table 1.
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- ⁵Labour Canada, Women's Bureau. Data for 1977 unpublished at the time of writing.
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- ³Canada, *The Royal Commission on the Status of Women*, 1970, p. 64.
- ⁴Patricia Marchak, "The Canadian Labour Force — Jobs for Women," *Women in Canada*, Marylee Stephenson (ed.), General Publishing Co. Ltd., Don Mills, 1973, p. 156.
- ⁵Grace Hartman, "Women and the Unions," *Women in the Canadian Mosaic*, Gwen Matheson (ed.), Peter Martin Associates Ltd., Toronto, 1976, p. 247.
- ⁶Jean Rands, *op. cit.*, p. 144.

- ⁷George Bain, *The Growth of White Collar Unionism*, Oxford University Press, Don Mills, 1970, p. 51.
- ⁸In the following analysis, unionization statistics are broken down by industry rather than occupation, since unionization data by occupation was not available for this study.
- ⁹See chapter one, table 3.
- ¹⁰Canada, Department of Labour, *Women at Work in Canada*, Queen's Printer, 1964. Sylvia Ostry, *The Female Worker in Canada*, Dominion Bureau of Statistics, 1968. *Women at Work 1850-1930*, Canadian Women's Educational Press, Toronto, 1974. Pat Armstrong and Hugh Armstrong, *The Double Ghetto*, McClelland and Stewart, Toronto, 1978.
- ¹¹Canada, Department of Labour, *Women at Work in Canada*, Queen's Printer, 1964, p. 27, chart 8.
- ¹²Women's Bureau, Labour Canada, *Women in the Labour Force: Facts and Figures*, part 1, 1977, p. 66, table 26a.
- ¹³*Ibid.* p. 62, table 25a.
- ¹⁴*Ibid.* p. 11, table 2.
- ¹⁵See chapter two, table 5.
- ¹⁶Labour Data Branch, Labour Canada, *Industrial and Geographic Distribution of Union Membership in Canada 1977*, March 1979.
- ¹⁷See chapter two, table 9.
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- ²⁰Women's Bureau, *op. cit.*, part 1, 1977, p. 66, table 26a.
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- ²⁶Canada Labour Relations Board. *Annual Report 1977-78*, p. 12.
- ²⁷Information in this section is from the Bankworkers Organizing Committee, Canadian Labour Congress, Ottawa; and the "Reasons for Decisions" of Board hearings, from the Canada Labour Relations Board.
- ²⁸From the "Reasons for Decisions" of Board hearings, from the Canada Labour Relations Board.
- ²⁹This data is derived from material obtained for Labour Canada's publication "Wages, Salaries and Hours of Labour," October 1977. This is a survey of all establishments with more than 20 workers and has a 65 percent response rate. It is most reliable for the manufacturing and transportation industries, covering over 60 percent of workers in these sectors. Manufacturing data is used here since the previous data also relates to this industry. Table 21 shows the overall degree of unionization as 60.3 percent, but it is actually 48 percent from the more reliable Labour Canada *Women in the Labour Force: Facts and Figures*. This discrepancy is caused by the absence of the smaller establishments (fewer than 20 workers), which probably have a low rate of unionization, and the over-representation of the more highly unionized large establishments, because they have a higher response rate to the survey.
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Chapter 4

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- ⁴*Ibid.*, pp. 467-468.
- ⁵Labour Canada, *Wages, Salaries and Hours of Labour*, October 1977. Unlike Gunderson, I was unable to use the raw data tapes, so I could not compare male-female pay differentials *within* establishments, only across all establishments. Two methodological questions arise concerning the validity of the data on office workers. First, establishments with fewer than 20 workers are not included and no data exists that would indicate how many office workers are therefore excluded. Second, no recent estimate exists of the number of office workers in Canada (the most recent data being the 1971 census), so it is impossible to know how representative this survey sample is. We know only that the data covers 64 percent of all establishments with more than 20 workers, numbering 18,417 establishments in total. In my view, the data has considerable reliability despite these limitations. The data covers a large number of establishments and workers. For the purposes of this study it is used in a highly aggregate manner, so it does not have to be reliable for detailed statistical breakdowns.
- ⁶The female wage is subtracted from the male wage, the result is divided by the female wage. Expressed briefly this is $(W_m - W_f) / W_f$.
- ⁷Marchak's study is referred to in Joan McFarland, *op. cit.*; Mona-Josée Gagnon, "Les femmes dans le mouvement syndical québécois," Marie Lavigne and Yolande Pinard, *Les femmes dans la société québécoise*, Boréal Express, Montreal, 1977; Pat Armstrong and Hugh Armstrong, *The Double Ghetto*, McClelland and Stewart, Toronto, 1978, p. 50.
- ⁸Marchak, *op. cit.*, p. 156.
- ⁹H.D. Woods, and Sylvia Ostry, *Labour Policy and Labour Economics in Canada*, MacMillan, 1962, pp. 461-467; H.G. Lewis, *Unionism and Relative Wages in the U.S.: An Empirical Inquiry*, Chicago, University of Chicago Press, 1963; Morley Gunderson, *op. cit.*
- ¹⁰Marchak, *op. cit.*, p. 159.
- ¹¹Marchak has published three articles based on this study. The methodological information appears in Patricia Marchak, "Women Workers and White Collar Unions," *Canadian Review of Sociology and Anthropology* 10, no. 2 (1973), pp. 134-147.
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- ¹³Janice Pentland-Smith, "Provisions for Women in B.C. Union Contracts," July 1977. Unpublished. Available in Julie White, *Women and Work: A Resource Kit*, from the Women's Programme, Secretary of State, Ottawa K1A 0M5.
- ¹⁴McFarland, *op. cit.*
- ¹⁵Claudette Giroux, *The Role of Women in the Canadian Trade Union Movement*, August 1978. Unpublished paper. Available at the Carleton University library, Ottawa.
- ¹⁶Pentland-Smith, *op. cit.*, p. 17.
- ¹⁷Women's Bureau, Labour Canada. Unpublished data.
- ¹⁸Statistics Canada. *Corporations and Labour Unions Returns Act*, part 2, 1976, cat. no. 71-202, p. 23.
- ¹⁹Giroux, *op. cit.*, pp. 101-102.
- ²⁰Statistics Canada, *op. cit.*, p. 24.
- ²¹CSN, *La lutte des femmes, combat de tous les travailleurs*, 1977, p. 71.
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- ²³Giroux, *op. cit.*, pp. 107-108.
- ²⁴Gagnon, *op. cit.*, p. 14.

²⁵Giroux, *op. cit.*, p. 111.

²⁶Women's Bureau, Labour Canada, *Women in the Labour Force: Facts and Figures*, 1970 edition, p. 39, table 17; 1976 edition, part 3, p. 9, table 3.

²⁷For 1968 figures see Gagnon, *op. cit.*, p. 13.

²⁸Giroux, *op. cit.*, p. 108.

²⁹*Ibid.*, p. 111.

³⁰Gagnon, *op. cit.*, p. 23.

³¹Jane Stinson, *Women in Trade Unions*. Unpublished paper, Carleton University, Ottawa.

³²Giroux, *op. cit.*, p. 94.

³³Canadian Labour Congress, *Equality of Opportunity and Treatment for Women Workers*. Policy Statement approved by the 11th CLC Constitutional Convention, 1976, p. 6.

³⁴Information on the CNTU's Women's Committee was obtained by interviewing the consultant to the Committee and from reports to the conventions.

³⁵Details of the achievement of paid maternity leave are provided in chapter seven, "Struggles of Union Women: Case Histories."

³⁶Pat Armstrong, *Women in Trades and Apprenticeships in Manitoba: A Giant Step*. Unpublished paper. Armstrong interviewed union representatives of the carpenters', plumbers' and electricians' unions, and found that only the representative of the carpenters' union thought that women should enter the trades.

³⁷See chapter two, table 6.

Chapter 5

¹Labour Canada, *Labour Organizations in Canada 1978*, p. 12, table 3.

²See chapter two, "Women in Trade Unions Today: Facts and Figures," table 8. National union membership is understood to include government employee organization membership.

³Labour Canada, *op. cit.*, p. 12, table 3.

⁴*Ibid.*, pp. 8-9.

⁵In 1976 Canadian workers comprised 9.1 percent of the total membership of international unions. Statistics Canada, *Corporations and Labour Unions Returns Act*, Supplement, part 1, A, p. 15.

⁶Stuart Jamieson, *Industrial Relations in Canada*, MacMillan of Canada, Toronto, 1973.

⁷Robert Laxer, *Canada's Unions*, James Lorimer, Toronto, 1976.

⁸John H.A. Crispo, *The Role of International Unionism in Canada*, Canadian-American Committee, 1967, p. 2.

⁹Labour Canada, *op. cit.*, p. 13, table 4.

¹⁰*Ibid.*

¹¹Information on the structure of the CLC from Canadian Labour Congress Constitution, 1978.

¹²Pierre Dupont, *Les syndicats en crise*, Les Editions Quinze, Montreal, 1976, p. 11. Statistics on percentage membership of central labour bodies in Quebec from this source.

¹³Labour Canada, *op. cit.*, p. 12, table 3.

¹⁴*Ibid.*, p. 12, table 3.

¹⁵For further details see Robert Laxer, *op. cit.*

Chapter 7

¹London *Free Press*, July, 21, 1978, "Fleck Executive Calls Labour Hearing 'A Joke'."

²Toronto *Star*, July 24, 1978.

³Brief to the Anti-Inflation Board regarding the ruling of the AIB concerning the recent collective agreement between the Health Sciences Centre and the Canadian Union of Public Employees, Local 1550, Winnipeg, Man. Issued by Local 1550 Canadian Union of Public Employees and the Health Sciences Centre Board, 1977, p. 3.

⁴*Ibid.*

⁵Anti-Inflation Board, *Final Report*, October, 1979. p. 8, table 4, "Effective Rate of Compensation Increases to Date and Average Arithmetic Guidelines by Program Year."

⁶S. June Menzies, transcript of remarks to the National Action Committee on the Status of Women, Parliamentary Caucus, March 21, 1977, p. 7

⁷*Ibid.*, p. 9.

⁸Winnipeg *Free Press*, April 25, 1977, "AIB Action Stuns."

Conclusion

¹The Working Women's Charter campaign was initiated in 1972. Its aim was to have the trade union movement at all levels adopt as policy a series of 10 demands affecting women (the charter). For further information see *Women in the Community*, edited by Marjorie Mayo, (Routledge and Kegan Paul, London, England.)

²Various women's groups concerned with the issue of women in the labour force have worked with or through trade unions. These include Organized Working Women, the Equal Pay Coalition, the Working Women's Alliance and Cleaner's Action. The Service, Office and Retail Workers' Union of Canada (SORWUC) in Vancouver is a union oriented to the needs of women. For further information on these organizations see Julie White, *Women and Work: A Resource Kit*, 1978, Women's Programme, Secretary of State, Ottawa K1A 0M5.

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