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Women and Part-Time Work

Julie White

ERRATUM

The last paragraph on
p. 120, finishing on
p. 121, is inaccurate
and should be deleted.

WOMEN AND PART-TIME WORK

Julie White

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PREFACE

Part-time work has steadily expanded over the last 30 years and is now a significant sector of the labour force. Consequently, interest and concern over the issue has increased and, since nearly three-quarters of part-time workers are women, the role of part-time work in women's lives has received particular attention. The purpose of this study is to examine the controversy that surrounds the issue of part-time work, provide factual information on the subject, and give some direction to future policy and practice on part-time work.

There has been no agreement either among feminists or within the trade union movement upon the subject of part-time work. The controversy, and sometimes confusion, surrounding the issue is the subject of the first chapter of this book. Through an analysis of both the reasons why some women seek part-time work and the exploitation of part-time workers in the labour force, an attempt is made to answer the question: is part-time work good or bad for women?

Chapter 2 examines the facts of the situation. What is part-time work? Who does it? In what industries and occupations? These are some of the questions dealt with here. The remarkable expansion of part-time work over the last 30 years and the reasons for its growth are also considered.

The two major routes toward improvement in the situation of part-time workers, trade unions and legislation, are examined in chapter 3. The chapter is based upon interviews with representatives from 18 major trade unions, which together represent 63% of all unionized women workers. The policies and practices of these unions on part-time work are analysed in depth, and suggestions for future union action are proposed.

Chapter 4 investigates the inadequacies of government legislation on part-time work through an examination of employment standards, industrial relations and social welfare legislation. Again, specific suggestions for change are offered, which would improve the position of part-time workers in the labour force.

It should be noted that, in dealing with these various issues, this report focuses upon women part-time workers and particularly upon those who are over 25, married, and often mothers of young children — the predominant group of part-time workers. While much of the information provided is relevant to all part-time workers, the specific problems which may be encountered by the many young and single part-time workers of both sexes have not been a central concern of this study.

Three years ago I completed the research for *Women and Unions*, another study prepared for the Canadian Advisory Council on the Status of Women. In the introduction I noted that the research had encompassed a broad range of issues, but acknowledged that "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."

Part-time work had already become a major component of women's participation in the labour force when that report was written, and it has continued to expand since then. It is hoped that this study will contribute to the recognition of the importance of part-time work and provide some understanding of the issue, as well as rectify its exclusion from *Women and Unions*.

ACKNOWLEDGEMENTS

Contributions to the production of this book have been many and varied. The chapter on part-time work and trade unions would not have been possible without the involvement of many trade unionists, who gave generously of their time, knowledge and experience to answer detailed questions in long interviews. I am also indebted to several workers in government departments who provided valuable information and advice. Specifically I must mention the Labour Force Activity Section and the Special Surveys Group of Statistics Canada. For their detailed readings and comments upon earlier drafts of this study I thank Allan Moscovitch, Louise Dulude, Rick Deaton, Céline St-Pierre, John Calvert, Lynda Yanz and Betsy Comstock. Finally, this project has been facilitated by the reliable work of the support staff at the Canadian Advisory Council on the Status of Women.

While this study has benefited greatly from these many contributions, responsibility for the final product is mine alone.

THE AUTHOR

As a freelance researcher in Ottawa, Julie White has been investigating issues of concern to women in the labour force for six years. She is the author of *Women and Unions* (Ottawa, April 1980), which was also prepared for the Canadian Advisory Council on the Status of Women.

1

IT'S GOOD, IT'S BAD: THE CONTRADICTIONS

It would be difficult, perhaps, to find a subject more fraught with controversy than part-time work. It has been applauded as an ideal solution and denigrated as exploitation. Much of this disagreement has centred around the role of women since almost three-quarters of all part-time workers are women.¹

In 1970, the Royal Commission on the Status of Women suggested that part-time work enabled women to combine work and family life and to maintain their skills in preparation for a return to full-time work. The report concluded:

*We also believe that part-time work will help women to achieve equality of opportunity in employment. Women who need or want to supplement their income should have a chance to do so, a chance many can only get by working part-time. Part-time work may also alleviate the feeling of alienation from society which some housewives suffer.*²

More recent studies have echoed these arguments, particularly the argument that part-time work enables women to combine work with home and family responsibilities. From this perspective it has been argued that part-time work should be expanded, so that more women can benefit from its advantages. The Royal Commission recommended "that the federal government undertake a study of the feasibility of making greater use of part-time work in the Canadian economy."³

According to the proponents of part-time work, its advantages are not confined to women. One study has suggested that working part-time not only serves the needs of mothers with young children, but also helps students who need to finance their education, handicapped workers who need a reduced work week and older workers making a transition to full retirement. Moreover, part-time workers are said to enjoy "better mental health" and "higher job satisfaction through exercising choice of work arrangements."⁴ Even more broadly, some researchers have argued that part-time work may be an important way

of dealing with the current economic recession and the resulting high levels of employment. It has been suggested that the available work must be "spread over as many workers as possible" and that "forcible reduction of hours, and hence earnings" may become necessary.⁵ Yet another advantage of part-time work has been suggested, the "reduction of claims on social assistance through increasing opportunities for employment."⁶

All of these acclaimed benefits of part-time work have been thoroughly attacked, and part-time work has been denounced as detrimental to workers in general and women in particular. When the Quebec government announced plans to expand part-time work, a coalition of major women's organizations and unions was formed to oppose it. The coalition's initial press release of December 1981, "200,000 Women Denounce the Trap of Part-time Work," began:

Part-time work is just another means by which women are kept in job ghettos where they are badly paid, where chances of unionization are limited and where they are subjected to indecent work conditions. We refuse to accept the fact that the future of women workers is restrained within the framework of part-time work and we denounce its use.⁷

Some studies have suggested that part-time work only camouflages the real problems workers face. As such, part-time work is for mothers to whom day care is unavailable, for students with inadequate grants, for unemployed youth who cannot find full-time work and for older people and mothers on welfare whose incomes are inadequate.⁸ The argument made here is not to expand part-time work as the solution to these problems, but to provide expanded day care services, reasonable student grants and adequate social security payments.

Nor is it accepted that part-time workers choose to work part-time. In fact, far from resolving the unemployment problem, part-time work is perceived as merely camouflaging the real extent of the crisis. Workers are driven involuntarily, it is argued, into part-time work. The result is underemployment, not increased employment opportunities.

The hiring of part-time employees initiated by our employer is being presented as the "magic" possibility of being able to work whenever one chooses. What irony! When it is in fact the employer who has the possibility of organizing the work to suit themselves and certainly not in the best interests of the workers, for part-time work is merely a new disguised form of unemployment.⁹

Is part-time work the solution to the mother's double work day, or does it ensure her exploitation in the labour force as well as in the home?

Does part-time work force women who need full-time jobs into underemployment and low pay, or are there many women who want part-time jobs and cannot get them? Perhaps part of the problem of part-time work is that those who are concerned with the issue have often felt obliged to take one side or the other. Either part-time work is exploitation, cheap labour and underemployment, and should be restricted, or it is the perfect solution to women's double work day and should be expanded.

In fact, such a choice between "good" and "bad" is not conducive to a proper understanding of the issues. There are such contradictions inherent in women's dual role of domestic labour and paid employment that what may be beneficial for one may be disadvantageous for the other. It is necessary to look at the issue of part-time work from an approach that recognizes both women's domestic responsibilities and the position of women in the labour force.

To this end, the discussion in this chapter looks first at what it means to be a woman with young children and the various pressures which make part-time work a practical compromise. Then the situation of part-time workers in the labour force is detailed and the evidence of their secondary status reviewed.

Being a Mother — the Social, Economic and Ideological Realities

The large majority of women experience being a mother, each woman having two children on average.¹⁰ Because the role of mother is not only biologically but also socially and culturally determined, it is a crucial part of a woman's life. The fact is that in our society women not only give birth to children, they also bear almost the entire responsibility for their care. The tremendous impact of this primary social role upon the lives of women both at home and in the labour force has received increasing attention, but it has yet to be accorded the importance it deserves. It is not possible to understand the phenomenon of part-time work without grasping the social, economic and ideological realities of being a mother.

A woman with children experiences conflicting pressures as to whether she should work in the home or go out to work in the labour force. The discussion that follows considers the kinds of pressures experienced by mothers, including finances, day care, housework, paid work and ideology.

I Need The Money — Finances

It is not news that we live in a period of economic recession with high unemployment and high inflation and, recently, unpredictable interest and mortgage rates. To meet the increased cost of living and to deal with economic insecurity, even in order to live above the poverty line, a second income has become a necessity for many families. In 1980, there were 391,050 two-parent families living below the Statistics Canada poverty line, 7% of all two-parent families. However, if the wives' incomes are deducted, a further 214,240 of the families fall below the poverty line, raising the percentage of impoverished families to 12%.¹¹ In a recent study which interviewed 40 married women with pre-school children and full-time jobs, nearly all of the women worked either because "their households were in an economic crisis" or because economic disaster was anticipated in the future and it was important to build up a nest egg for the hard times.¹²

Since economic necessity is a major incentive for many women to work outside the home, it is not surprising that as husbands' incomes fall, women are proportionately more likely to find paid work outside the home. In 1980, in families where husbands' incomes were less than \$5,000, 72% of wives worked in the labour force; 60% of wives were employed when husbands earned more than \$30,000.¹³

Part-time women workers are in the labour force for the same reason as full-time women workers. A Saskatchewan study found that 63% of the part-time women workers surveyed gave finances as their reason for working. Their responses are summarized in table 1.

Table 1

Main Reason for Working Part-Time

Main Reason for Working	Women Part-Time Workers	
	Number	Percent
One income inadequate	113	26
Finance education	94	21
Support family and for self	71	16
Prefer work out of home	104	23
Other	59	14
Total	441	100

Source: Saskatchewan Department of Labour, Women's Division, Research Unit, "A Study of Part-Time Employment in Saskatchewan," September 1979, p.25, table W8.

A small study of 97 women part-time workers in Manitoba also found that financial need was the most common reason given for working.¹⁴

The need to add to family income is a major incentive for women seeking paid employment. However, there are also economic disincentives, and the major one is the cost of day care.

Who Will Look After the Children? — Day Care

The cost of supervised day care (in day care centres or supervised family day care) varies from one region to another, but the average cost in 1982 has been estimated at \$12 per day for full-time supervised care, that is, almost \$3,200 per year.¹⁵ At this price, the only families able to use supervised care are those with very low incomes who can obtain government subsidies and some high-income families who can afford the full fee.¹⁶ The nature of the subsidy system is such that only the lowest income families can obtain financial help. In 1980 even a one-parent, one-child family earning just \$10,000 per year before tax would have to pay a minimum of \$240 to \$360 annually in five provinces, from \$720 to \$1,000 in four provinces and a remarkable \$1,800 in Newfoundland.¹⁷ The vast majority of two-income families are excluded from the subsidy system and find supervised day care beyond their means.

While studies have found that parents prefer care in a day care centre for their children, cost and lack of space are often insurmountable barriers.¹⁸ In fact, only 12% of preschool-aged children with working mothers attend centres or supervised family day care.¹⁹ The rest, the vast majority, are placed in unsupervised day care situations, usually with a woman who takes several children into her home for a fee. Such private babysitters are cheaper than supervised care, although the cost is still substantial. A 1978 Toronto study found that the charge for such private care was on average \$1,104 per year, and this figure is now five years out of date.²⁰ Of course, all of the costs quoted here have been for just one child; for two the price would be doubled.

While the cost of day care is one concern, the issue of quality is another. For the 88% of children whose mothers are in the labour force and who are in unsupervised placements, the quality of care is unregulated and unpredictable. Although a minority of such arrangements are good, most have been found to be only adequate to very poor.²¹ In the most recent survey, 281 private babysitters in Toronto were interviewed, of which 76 were relatives of the working parents.²² The results were disquieting. Education and income levels of the care-givers were low, while health problems affected one-quarter. The vast majority of the sitters reported that the children in their care watched television on average more than two hours per day, and the survey found that one-third of the sitters did not offer an adequate

program of trips and excursions. While 20% of the sitters were judged to be providing excellent care for the children, a further 20% were considered to be very poor. The majority were found to be adequate, but the comment on this 60% of private sitters was: "Like the pre-packaged instant macaroni and cheese dinners that so many of the caregivers reported serving to their charges, their program seems to lack enrichment and variety."²³ Different studies have found anywhere from one-quarter to two-thirds of working parents less than satisfied with their child-care arrangements.²⁴

The problems of child care do not cease during the early school years, and in some ways they worsen. School hours could hardly be organized more effectively to prohibit women from working, particularly in full-time work. School is likely to start at 9:00 a.m., finish at 3:30 p.m. and deny responsibility for the children during a one-hour lunch break at midday. Then, there are the school breaks at Christmas and Easter, the long summer vacations and several professional development days in between. In 1980, just 16,718 children of school age in Canada had supervised child care arrangements for the time outside school hours — less than 1% (0.68%) of children aged 6 to 16 years with mothers in the labour force.²⁵

Part-time work may be sought because there is no day care at all, because it costs too much or because its quality is poor. For a mother in need of extra income, taking a job working two evenings and Saturdays in a supermarket, or cleaning offices at night, means that the father or older children can be at home to care for the youngest children. Family relationships may be disrupted, but the problems of day care cost and quality are avoided. Alternatively, a woman may work just four hours each day because the quality of care is low, and she justifies placing her child in less than satisfactory care by the fact that it is only a few hours each day.

There is little doubt that some women who work part-time do so because of the lack of good, low-cost day care. In 1981, 17% of women working part-time said they did so because of "family responsibilities."²⁶ While some of these women might prefer to work part-time even if day care were available, it seems reasonable to assume that the lack of alternative child care also prevents a proportion of women from taking full-time work. In a small study of 468 part-time workers, of which 444 were women, 159 (34%) said they would prefer full-time work. "The main block to full-time employment" was given as child care alone by 47% of these 159 part-time workers, a combination of child care and finding work by 47% and finding work alone by 5%.²⁷

It is hard to exaggerate the problem of day care for women with young children. In fact, it has been suggested that if good, low-cost day care were readily available, the need for part-time work would be virtually eliminated. However, as the following discussions of housework, paid work and ideology reveal, the problem of day care is not the only disincentive to full-time work.

It Still Has To Be Done — Housework and Child Care

In our society, women have responsibility for housework. Once a woman is also a mother, the domestic work-load is not a question of how neat and tidy she is or whether she washes the kitchen floor every week, month or year. As a mother, a woman is confronted with the necessity of providing for her children and a long list of chores are unavoidable — shopping, cooking, washing up, clearing away dishes, tidying toys, collecting dirty clothes, changing bed linen and doing laundry. Young children must be fed, bathed, dressed and undressed, settled into bed and cared for in every way. Then there is housecleaning, including vacuuming, dusting, washing floors and windows, cleaning the oven and refrigerator, the sinks and the bathroom. The reality of the *work* that is done in the home is only just beginning to be recognized after too many years of silence and misunderstanding.

Two important Canadian studies have analysed the housework and paid work done by husbands and wives.²⁸ Three hundred forty couples in Vancouver and 1,051 couples in Halifax completed daily time budgets on how their time was spent, including very detailed breakdowns of household chores. The results from different ends of the country were remarkably similar. According to the studies, a housewife works a full-time week of 46 to 51 hours on household and child-care responsibilities, with 37 to 39 hours per week for leisure activities. This picture changes dramatically when she enters the labour force. Her overall work-load (now paid work and housework combined) increases by 11 to 17 hours per week, up to a 63-hour work week. Even with this long work week, the two jobs are maintained only with a radical reduction in housework. The number of hours of housework are reduced from between 46 and 51 to between 22 and 27 hours per week. While certain tasks are dropped and others done less frequently, the reduction in hours spent on housework may well mean that the tasks are compressed by a speed-up in the pace of work. Another major adjustment for housewives who enter the labour force is a reduction in their leisure time by 9 to 11 hours per week.

What happens to the husband when the wife enters the labour force after being a full-time housewife? The short but accurate answer is nothing. His hours of paid employment drop slightly by one or two hours per week, perhaps indicating a reduction in overtime. The amount of housework undertaken increases by only one or two hours, leaving the total hours for all work at the same 56 to 58 hours which prevailed when the wife was at home. Meanwhile, his leisure time varies only slightly, actually increasing by one half hour to two hours per week.



In sum, when a wife with children also works in the labour force, she works six or seven hours more per week than her husband, and has eight hours less leisure time than he does. As one of the studies concludes, "Despite the radical difference which a paid job makes in the working week of married women, their husbands' contribution to the regular necessities of the household remain small and virtually unchanged."²⁹

For the employed mother, the reality of the double work day means an unremitting round of activity from early in the morning until late at night, with almost no time for rest or leisure. One English study of mothers working in three factories has found high levels of stress, including headaches, stomach aches, intense weariness and depression.³⁰ The stress was attributed to the constantly high work-load and its inescapable nature. One woman described the reasons for such stress:

I think basically it is working full-time and then going home and you see things that haven't been done and have got to be done, and meals to be cooked. It's a bit of drudgery you know, doing two jobs. You can't sort of say, "Oh, I'm going out for the night." I suppose you could, you know, but, like your husband will say, "My mates asked me to go for a drink," and he's gone. He's had his dinner and he's gone. Whereas you think, "Oh, I've a pile of ironing to do there."³¹

The working lives of men and women are different, the difference being household responsibilities. One means of adjustment which mothers make, and most fathers do not have to consider, is part-time work. For many women it is a realistic response to otherwise intolerable working conditions. As one study noted:

Women with children under five were unwilling to consider full-time work unless financial pressures were extreme. Those currently working part-time felt it would be difficult for them to cope with full-time work in addition to their domestic responsibilities. Women working full-time generally said that it was their financial situation which prevented them from working part-time.³²

Part-time work has been viewed as an easy option, a free choice by women who can choose to dabble in the work force rather than be seriously committed. The reality for most mothers who work in low-paid, low-status part-time jobs while maintaining their families at home is very different. There follows a description of a regular work day by a part-time worker. It was considered typical by the researchers since there were so few differences in the work-loads of the women interviewed:

I get up about quarter to five, make the children's lunches up, get the children up about half past six, get breakfast, do their hair and everything and then I go out to work about ten to

*seven. I get home at lunch-time, make the beds and do the housework. I just sort of make a drink of tea and a sandwich and I keep going while I'm eating because if I sit down I don't feel like working. I pick the children up from school, go swimming one night, then it's their tea time. I make the dinner, get the children to bed and that's it really. Most nights I'm either doing the garden or doing the ironing. I never really do sit down. I never watch much telly unless I get worn out sometimes. I can't sit down if I know something has to be done. I'd rather get stuck into it. I go to bed between ten and eleven, otherwise I can't get up for work.*³³

Paid Work for Women

Women in the paid work force are disproportionately ghettoized into low-paid, low-status jobs with little hope of advancement and a future which for many offers only more machines and more tedium.³⁴ Teaching and nursing are the only two occupations with higher pay and prestige that have been available to women. But most women are clerical workers in offices and banks, salespersons in food and department stores, service workers in hospitals, hotels and restaurants, and production workers in factories.³⁵ They are paid on average half of what men earn with a work status to match.³⁶ While such jobs are not devoid of interest, content or companionship, many have been gradually deskilled with the introduction of new technology, and now require less knowledge and more repetition.

In describing the paid jobs that most women do, one describes jobs which have all the characteristics required to produce high stress levels. Job dissatisfaction is a primary cause of work-related stress and is itself caused by underutilization of skills, lack of recognition and low status accorded to work, lack of control over work and the work environment, and by work which is paced by machines.³⁷ All of these criteria are common elements of the work many women perform, that is, support services accorded little status or control and often paced by machines. As a result, as one expert on work-related health has stated, "Stress is a major occupational health hazard for a majority of employed women."³⁸

Mothers of young children add all their household responsibilities to their already stressful jobs, creating yet higher stress levels. It is interesting to note that, apart from job dissatisfaction, stress-inducing factors include excessive hours of work, responsibility for the welfare

of others and juggling time schedules for multiple responsibilities.³⁹ A mother in the labour force is clearly subject to all these factors. She works a 63-hour week, is responsible for the welfare of her children and must balance the requirements of two jobs. She gets up early to feed and clothe her children so that she can get to work on time, does her family shopping in the lunch-time, and rushes away from work to pick up her children and make dinner, and she must remember that one child has a doctor's appointment the next day. Meeting both family and job commitments involves for women a delicate balance of arrangements, easily upset by anything from a temper tantrum at breakfast to chicken pox or an increase in day-care fees. Part-time work is one way to reduce the stress caused by the combined health hazards of a stressful job and responsibility for a family.

Part of Me Wants to Stay Home — Ideology

It is now the case in this country that just over half (52%) of all women with children under 11 are in the labour force and 46% of women with pre-school-aged children work outside the home.⁴⁰ It is undoubtedly the case that mothers working outside the home have become an increasingly accepted part of Canadian life. However, it is also true that there remain strong ideological pressures upon women to stay at home to care for their young children, and 54% of women with pre-schoolers do so. A Saskatchewan survey of 1,708 parents found that about 30% felt that mothers should care for children under the age of 12.⁴¹ The controversy around whether or not mothers with young children should or should not work does not need to be considered here. The fact is that many women do decide to stay at home with their children during the early years. They want to care for their children because of the emotional attachment which makes child care unlike any other kind of work.

It is interesting that mothers are now almost evenly divided between those who do work in the labour force and those who do not. The situation reflects the ambivalence that many mothers face in making the decision whether or not to undertake paid work. Part-time work also reflects that ambivalence. It allows a mother to divide her time between working in the labour force and spending time with young children at home. While 52% of all mothers with children under 11 work outside the home, only 43% of those employed work full-time and full-year. The majority, 57%, work either part-year or part-time in the labour force.⁴²

Summary

There is no doubt that a significant proportion of women workers want part-time work. Forty-three per cent of women part-time workers state that they do not want full-time work.⁴³ Of unemployed women, 20 % say they are seeking part-time jobs.⁴⁴ More than one study has found that a proportion of full-time women workers are interested in part-time work.⁴⁵

In this section an attempt has been made to outline the circumstances under which many women become part-time workers. It represents not so much the free choice of an ideal solution as a necessary compromise between conflicting pressures and a response to working conditions. Part-time work brings in extra income while avoiding some of the hardships of combining home and labour force responsibilities, and at the same time enables mothers to spend time with their young children. It is a realistic response by many women with young children to their current social, economic and ideological circumstances, circumstances that will change only very gradually. Women need part-time work and will need it for the foreseeable future. It is on this basis that the issue must be approached and the problems dealt with.

Part-Time Work Means Exploitation

There is no doubt that part-time workers are accorded a secondary status in the labour force, with jobs, pay and conditions to match. While some of the evidence to support this statement is scattered and derived from small studies, all of it points to the same sad conclusion.

Only Certain Jobs Are Part-Time Jobs — Ghettoization

Part-time work is confined to a limited number of industries and jobs, within which part-time workers occupy the lowest level positions and have few, if any, chances for training or promotion.

Three-quarters (74 %) of all part-time workers are employed in just two industries, retail trade and community, business and personal services. Within the services they are disproportionately employed in personal services, hospitals and education. By comparison just 43 % of full-time workers are employed in the retail trade and services industries.⁴⁶ The jobs that part-time workers do are equally confined to just a few occupations. Two-thirds (66 %) of all part-time workers are service, clerical or sales workers, compared to 37 % of full-time workers.⁴⁷ Not only is the range of work available to part-time workers

very limited, but it is concentrated into areas which have traditionally been regarded as "women's work." That such jobs offer low pay and little status has been fully documented elsewhere.⁴⁸

Moreover, within these occupations part-time workers are confined to the lowest level jobs with little chance of training or promotion. In the one study that has looked at the issue, training was offered less often to part-time than full-time workers. In this Hamilton study of 39 companies, while 82% of the companies provided training to full-time workers, only 60% did so for part-time workers.⁴⁹ Thirty per cent provided on-the-job training of one week or less to part-time workers, while 22% provided on-the-job training of more than one week. Only 10% of the companies provided any classroom training to part-time workers.⁵⁰

In the same study, the lack of training was reflected in the fact that promotion opportunities were not available to part-time workers in 17 out of the 39 companies surveyed, and that 29 out of the 39 did not have any part-time workers in supervisory or management positions. Two-thirds of the companies stated that there was no possibility for part-time workers to obtain such positions.⁵¹ These findings are supported by other studies in which employers have clearly indicated that they do not consider part-time workers appropriate for any skilled, professional or management positions.⁵² One company representative stated that part-time workers were useful in that they could be hired for the most tedious and monotonous jobs, jobs which would not be considered tolerable for full-time workers.⁵³ In fact, occupational data for Canada for 1981 shows that 1.8% of part-time workers occupied managerial or administrative jobs, compared to 9% of full-time workers.⁵⁴

Part-Time Pay Is Low Pay

Part-time workers earn less than full-time workers on an hourly basis. Table 2 gives the results of the Survey of 1981 work history by Statistics Canada, which provides the only national data available on the wages of full- and part-time workers. In every occupational category part-time workers receive lower hourly wages than do full-time workers. In the first three occupations listed in table 2, that is, services, clerical and sales jobs, are employed two-thirds of all part-time workers. In all three occupations, most part-time workers earn less than \$5 an hour, while the majority of full-time workers earn more than this. For example, in services 70% of part-time workers are paid less than \$5 an hour compared to only 46% of full-time workers. Looking at all occupations combined, almost half (49%) of all part-time jobs paid less than \$5 an hour in 1981, compared to 21% of full-time jobs.

On the basis of a 40-hour week for 52 weeks per year, \$5 an hour amounts to an annual income of \$10,400. According to the Statistics Canada low-income lines for 1981, many two-person families and all three-person families would be living in poverty on such an income.⁵⁵ Almost 9% of part-time jobs paid less than \$3 an hour (\$6,240 per year), which would not maintain most single people above the poverty line. Part-time workers are both low paid and lower paid than full-time workers.

Table 2

Percentage of Jobs Held by Paid Workers by Full-Time/Part-Time, by Hourly Earnings and by Occupation, 1981

Occupation	Hourly earnings							
	Under \$3		\$3-4.99		\$5-9.99		\$10 and above	
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time
Services	9.2	12.3	36.5	57.8	42.8	24.7	11.4	5.1
Clerical	2.7	7.4	20.4	37.6	65.6	44.1	11.4	10.8
Sales	4.6	7.2	27.3	57.2	49.2	29.4	18.9	8.1
Managerial, admin., technical	2.4	4.0	6.7	13.4	39.4	43.3	51.5	39.2
Materials handling	2.0	9.7	19.2	38.4	52.8	40.3	26.0	11.6
Primary	11.1	24.7	22.8	37.1	43.0	25.7	23.2	12.5
Processing	2.0	6.8	15.5	35.2	53.8	42.3	28.6	15.7
Transportation	3.1	4.7	12.7	25.0	55.4	46.8	28.7	23.6
Construction	2.4	3.6	8.5	17.2	44.7	47.7	44.4	31.6
All occupations	3.7	8.7	17.7	40.1	49.9	35.9	28.7	15.3

Source: Statistics Canada, Labour Force Activity Section, unpublished data from the special survey on work history, 1981.

The work history data is too general, and the occupational categories too large, to indicate why part-time workers are paid less than full-time. Many factors may be involved. Differences in age, qualifications and tenure of part-time and full-time workers, and differences in the type of part-time and full-time jobs available may all be important. A study in Ontario in 1975 surveyed in more detail the pay of full- and part-time workers within specific services industries, such as hotels

and motels, restaurants and taverns, laundries and cleaners, and barber and beauty shops.⁵⁶ Looking at non-supervisory staff employed in the same industry, the study found that the 57,124 part-time workers earned \$2.73 per hour on average, compared to \$3.32 for full-time workers. Thus part-time workers were paid 82% of the full-time wage, earning 18% less than the full-time workers. Such findings are supported by studies from other countries, where part-time workers have been found to be much lower paid than full-time workers.⁵⁷

Part-time workers receive lower pay partly because most are ghettoized into the lowest paid occupations, in hotels, restaurants, stores and offices. Within these low-paid sectors they are confined to the lowest level jobs, since training is rarely provided to part-time workers and higher level or management positions are not made available to them. The ghettoization of part-time workers into low-paid jobs is then compounded by the fact that often they are paid less per hour than full-time workers. In the Hamilton study mentioned above only 14% of the part-time workers received prorated pay, that is the same pay as full-time workers according to the hours worked.⁵⁸ Even where part-time workers are hired on at the same starting pay as full-time workers, that is often where they stay. Many are not eligible for the regular increments that are obtained by full-time workers.

Few and Far Between — Benefits for Part-Time Workers

The various benefits now found in many work places are important and substantial additions to the actual pay rate. A Statistics Canada survey in 1978 found that employee benefits averaged \$33.97 for every \$100 paid in basic wage rates.⁵⁹ Vacations, statutory holidays, pensions, health and life insurance, sick leave, maternity leave and various other benefits have become an expected part of the total pay package for many workers.

How do part-time workers fare in regard to such benefits? Two studies have been conducted in Canada that compare the benefits provided to full-time and part-time workers. In 1974, 304 work places in Saskatchewan were surveyed, covering 1,314 workers of which 375 were part-time.⁶⁰ On all the eight benefits reviewed, fewer part-time than full-time workers were covered. The results on the four most important benefits surveyed are reproduced in table 3.

The study concludes, "The survey results clearly indicate that benefits are not being extended to part-time employees on the same basis as they are to full-time employees."⁶¹

Table 3
Comparative Benefits for Full- and Part-Time Workers,
Saskatchewan, 1974

Benefits	Percentage of workers covered	
	Full-time	Part-time
Sick leave	53.0	21.7
Accident and sickness policy	28.8	0.8
Life insurance plan	26.0	9.8
Comprehensive pension plan	36.4	13.0

Source: Saskatchewan Department of Labour, Research and Planning Division, "A Comparative Study of the Provision of Selected Non-Wage Benefits to Part-Time and Full-Time Employees in Rural Saskatchewan, April-June 1974," October 1975.

The Hamilton study also compared fringe benefits for full-time and part-time workers. In this case, the coverage in general was higher, but again there was a considerable disparity between the coverage for full- and part-time workers. Of interest in this study is that intermittent, or casual, part-time work was considered separately and these workers generally received less coverage than regular part-time workers. The results on several of the major benefits surveyed are given in table 4.

Table 4
Comparative Benefits for Full- and Part-Time Workers,
Hamilton, Ontario, 1978

Benefits	Percentage of companies with workers covered (%)		
	Full-time *N:39	Regular part-time N:36	Casual part-time N:19
Sick leave	87.2	44.4	21.1
Medical/hospital insurance	82.1	41.7	21.1
Disability insurance	59.0	13.9	0
Life insurance	76.9	25.0	15.8
Superannuation	48.7	16.7	10.5
Vacation pay	97.4	91.7	68.4
Statutory holidays	92.3	77.8	42.1
Maternity leave	87.2	52.8	36.8

*N = the number of companies in the sample.

Source: Wendy Weeks, "The Extent and Nature of Part-Time Work in Hamilton, Survey Results of Selected Hamilton Businesses - 1978," Hamilton, September 1980, table 29.

It is clear that part-time workers, and especially casual part-time workers, are seriously disadvantaged by the lack of benefits regarded as basic by many full-time workers.

Inconvenienced, Overworked and Insecure — Conditions for Part-Time Workers

Many part-time workers work unsocial hours: early mornings and evenings cleaning offices, evenings and Saturdays in shops and restaurants, weekends and holidays in hospitals and nursing homes. While women may work such hours to accommodate the care of their children, family and social life are disrupted and the women are not recompensed for such disruption. Part-time workers are hired precisely to fill in the unsocial hours in many work places and, as we have seen, they are generally paid less than full-time workers.

Further disruption is caused because a part-time worker's hours of employment may fluctuate from week to week or day to day. While employers have applauded the flexibility of part-time work,⁶² for many workers it means not knowing when there will be work or how long it will last. A bank worker described the problem for part-time workers: "Some people had their hours cut arbitrarily and without warning while others were forced to resign because their hours increased. Days off were changed without consultation or notice."⁶³ For women with children, making child-care arrangements under such circumstances is often a time-consuming and frustrating feat of scheduling and rescheduling.

More than one study has suggested that because of their shorter hours, part-time workers are more productive than full-time workers. This argument has been used to propose that employers would benefit from hiring more part-time workers.⁶⁴ While the increased productivity is advantageous to employers, what does it mean for the part-time workers? It means that they work faster. Part-time workers are often hired to deal with business peaks, including lunch times at restaurants and busy downtown stores, Saturdays in department and food stores, and so on. As a consequence, many are expected to work at a fast pace of work throughout their working hours, without the ups and downs of activity of a full-time job. This problem is aggravated by the lack of meal and coffee breaks. Full-time workers on an eight-hour day must obviously be allowed breaks, but part-time workers may

be employed for their three- or four-hour shift without a rest. One article in an employer's magazine noted that part-time workers are "the answer to coffee breaks."⁶⁵

Many part-time workers have very little security in their jobs. Indeed one major reason that they are employed, according to employers, is because of this flexibility. Part-time workers can be called in for work and then let go without notice or termination pay. The advantages of part-time flexibility are summarized in Weeks' study of business views:

*Lay-offs are cheaper and less likely to damage the morale of other workers. In direct employment of part-timers, the company can cease to call in a particular employee without any required notice of termination or pay in lieu. If employers are using a temporary help service, a Business Week journalist comments, "You can send back a person who doesn't work out, and you don't have to give notice."*⁶⁶

Such flexibility is hardly as advantageous to the part-time workers as it is to the company. Moreover, many part-time workers are casual or temporary workers and have no job security whatsoever.

Work Today, None Tomorrow — Casual Part-Time Work

Some part-time workers are employed on a permanent or regular basis with the expectation of work over an extended period of time. The clerical worker employed from 9:00 to 12:00 for five days every week and the cashier who works every Thursday, Friday and Saturday are regular part-time workers. However, there is evidence that many part-time workers are not regularly employed, but work on a casual or temporary basis. They may be listed on a call-in list, and called to work on occasional days to cover for the sickness of regular workers or to meet brief business peaks. Others work part-time on a temporary basis, employed for part of the week but for just a few weeks or months. For example, extra sales clerks work evenings and weekends in stores for the month before Christmas.

In 1972, the Department of Labour conducted a study of 22,491 work places employing more than 3 million workers throughout Canada.⁶⁷ The study defined regular part-time work as employment on a year-round basis, of fewer hours than normal, but more than 15 hours per

week. On this basis it was found that only 4.5% of the labour force were regular part-time workers. However, according to the data collected by Statistics Canada for that year a total of 14.6% of all workers were employed part-time.⁶⁸ This discrepancy suggests that as much as two-thirds of the part-time work was casual rather than regular employment.



Even this estimate may underestimate the proportion of casual part-time work, however. Statistics Canada figures are based on the monthly labour force surveys and include only those casual part-time workers actually employed during the month. Excluded are a large proportion who would move in and out of the labour force, like those on call-in lists. The Hamilton study surveyed 4,996 part-time workers employed by 39 companies. Of these only 1,801 or 36% were employed on a regular basis. A further 2,446 workers were employed temporarily for a short period, while another 749 were intermittent workers employed only occasionally.⁶⁹ Thus, two-thirds of the part-time workers employed at the time of the survey were casual workers. However, there were a further 1,004 workers who were not employed, but who were listed on call-in lists at 25 companies.⁷⁰ If these are included in the total number of part-time workers, the proportion of those employed regularly falls to just over one-quarter (26.6%).

Information on the job tenure of part-time workers also indicates a large proportion of casual work. In 1981, fully 31% of part-time

workers had been employed in their current jobs for less than six months, while 19% had been working for less than three months. By comparison, only 15% of full-time workers had been in their jobs for under six months and 9% for less than three months.⁷¹ While part of this difference may be due to higher turnover (resignations) among part-time workers, it also suggests that more part-time than full-time jobs are temporary. Again, these figures include only workers employed at the time of the survey and exclude casual workers without work.

Is all this casual work serving the needs of part-time workers? Do part-time workers want temporary jobs? From the limited evidence available it would seem that while a proportion of part-time workers do seek temporary jobs, a far greater proportion are actually employed on a casual basis. Each month in its labour force survey, Statistics Canada asks unemployed workers whether they are seeking full-time, part-time, permanent or temporary work. Temporary work is work undertaken for less than six months duration. In 1981, of unemployed workers seeking part-time work, 22% stated that they were looking for temporary jobs.⁷² It would seem from the limited evidence available that while 22% of part-time workers may seek temporary jobs, from two to three times this proportion of part-time jobs are actually casual rather than permanent. In other words, many part-time workers who are now employed on a casual basis would prefer permanent part-time jobs.

Moreover, the lack of permanent part-time work may be particularly detrimental for married women with children. While overall 22% of unemployed part-time workers are seeking temporary jobs, important differences appear in the breakdowns by age, sex and marital status. Of single men under 25 who are unemployed and wanting part-time work, 27% say that they want temporary work. For single women under 25, the proportion is similar at 25%. However, for married women aged 25 and above only 13% say they are seeking temporary part-time jobs.⁷³ Thus, while young and single people are more interested in temporary part-time work, 87% of married women over 25 seeking part-time work want permanent positions.

But I Want to Work Full-Time — Involuntary Part-Time Work

It has been argued that because part-time work is cheap labour it is used by employers to replace full-time jobs, forcing workers into part-time jobs and underemployment. By this process, the increase in part-time work has been connected to the economic crisis and high unemployment rates. These arguments will be considered in chapter 2

on the economy, but it is important to mention here that a significant proportion of part-time workers would prefer to have full-time jobs.

In 1981, 17% of all women part-time workers and 20% of all men part-time workers said that they were working part-time because they were unable to find full-time jobs. Because there are far more women than men who work part-time, this meant that 184,000 women were underemployed compared to 83,000 men.⁷⁴ It is not surprising that so many more women than men are affected by the lack of full-time jobs. Part-time work is highly concentrated in occupations that have been traditionally dominated by women. Consequently, it is largely women who are forced unwillingly into part-time jobs. Of the 267,000 workers who in 1981 were working part-time because they could not get full-time jobs, 70% were women. Involuntary part-time work may be particularly disastrous for women, who even in their full-time jobs are low paid compared to men.

Summary

Part-time workers are largely confined to the lowest levels of low-paid job ghettos where they are paid less and provided with fewer benefits than their full-time counterparts. They may find themselves working at a constantly rapid pace during unsocial hours for which they receive no financial recompense. When they have served their purpose, they may be laid off, or simply not recalled, without notice, pay in lieu or severance pay. Part-time workers have little job security, particularly those who work on a casual basis. Almost one out of every five part-time workers would prefer full-time work and 70% of these underemployed workers are women.

Under such circumstances it seems hardly likely that part-time work will "allow individuals to work at jobs they find interesting and rewarding" or that it will enable women "to keep up their job skills," as one study has suggested.⁷⁵ It is even less likely that part-time work will "help women to achieve equality of opportunity in employment," as the Royal Commission on the Status of Women suggested.⁷⁶ Part-time workers are not even provided with the pay, benefits and conditions of work of full-time *women* workers, quite apart from the discrepancy between women and men on these issues.

Conclusion

It has been argued that part-time work may undermine progress towards equality for women in general.⁷⁷ The cause of this is not only the exploitation of part-time workers in the labour force. It has also been

related to the domestic role of women. Two concerns have been raised:

- Part-time work may be regarded as an alternative to day care and used to undermine pressure for improved services.
- Part-time work may reaffirm women's responsibility for domestic work by enabling women to perform all the housework and child-care tasks in the home.

On the first issue, the fact that opponents of day care may suggest that part-time work is the solution to child care is no reason to oppose part-time work. Many other arguments have also been used to avoid increasing day-care facilities and this one must be countered like any other. In fact, the provision of day care is so appallingly deficient that the unmet demand could hardly be satisfied through part-time work. Too many mothers work full-time and will continue to do so. Moreover, it is obvious that the children of many part-time women workers need supervised day care no less than those with mothers working full-time.

It has been argued that part-time work will reaffirm women's domestic role by enabling women to carry their double burden rather than being relieved of it. A preferred alternative to part-time work has been proposed: shorter working hours for all workers so that men and women could share in household responsibilities. There are real problems with such an argument. First, changes in the labour market have no necessary relationship to the socially-determined role of women. While it is true, of course, that women who work part-time have more time for household tasks, we also know that when women work full-time it does not alleviate their domestic labour. Women work in the home whatever their hours in the labour force. Likewise, whatever their hours in the labour force, men do not work in the home. There is no reason to suppose that shortening the working hours of men, from 40 to say 30 per week, will cause them to use the additional time for domestic work. In fact, there is evidence that they will not. During this century men's hours of paid work have been reduced substantially, but we have yet to see the results in more nearly equal sharing in the home. While shorter working hours for all workers would have many desirable consequences, it is not clear that greater equality between men and women would be one of them.

Even if regular full-time hours were dramatically decreased, to 30 hours per week, for example, part-time workers are employed for fewer hours than this. The 13.5% of workers in the labour force considered to be part-time by Statistics Canada are all employed for less than 30 hours per week, and the average employment for part-time workers is 15 hours per week.⁷⁸ Moreover, as part-time work has been increasing over the last 30 years, the usual full-time hours of work have been declining simultaneously. It is not apparent that even much shorter

full-time hours would meet the needs of those who presently work part-time.

There seems little reason why shorter full-time hours and part-time work should be perceived as alternatives rather than as complementary. If a goal for the future includes shorter full-time hours with men and women sharing housework, it might also encompass part-time work undertaken as often by fathers as by mothers of young children.

Since some advocates of women's rights have argued that because part-time work reaffirms women's domestic role it should be restricted or eliminated, one further point needs to be made. The problem is that part-time work, dominated as it is by women, is a symptom of women's domestic inequality rather than a cause of it. Eliminating part-time work would take away one means women have of alleviating their unequal situation, while leaving intact all those inequalities and problems which make women want to work part-time. It is small comfort to a woman with pre-school children, no day care and insufficient income to tell her that she does not need her part-time job but better day care. To say that mothers and fathers should share childrearing is an abstraction for the woman who wants to spend some time with her child and whose husband has never changed a diaper.

Remarkable powers have been attributed to part-time work, so let us be clear about what it cannot do either by its presence or its absence. Part-time work cannot resolve the lack of day care, responsibility for housework, the stressful nature of low-paid, low-status work, or the need for fathers as well as mothers to take part in childrearing. Such problems require housework and child care to be equally shared between men and women and supported by community services, an end to the ghettoization of women's work in the labour force and shorter working hours for all workers. The struggle to obtain real equality for women involves all of these factors and more, and part-time work is no substitute for gains in these areas.

However, the general restriction or elimination of part-time work proposed by some will not produce more day-care centres, more nearly equal sharing of child care, the equality of women in the labour force, or a shorter work week. What it might do, given the current pressures upon women, is force some mothers out of the labour force and entirely into the domestic role, while others, under extreme financial pressure, would work long and stressful hours.

Is part-time work good or bad? It is neither entirely. While many women who work part-time are exploited, women continue to want part-time work because of the social and economic pressures in their lives. Until these social and economic inequalities are removed, any

policy of generally eliminating part-time work may only cause further hardship to women with young children. However, if part-time work as it now exists is further expanded, it will only serve to worsen women's position in the labour force, increasing ghettoization, low pay and lack of benefits.

What should be done? There are two routes by which action may be taken — trade union bargaining and legislative change. The present impact and future potential of both unions and the law will be considered in detail in later chapters. Before discussing these issues, however, it is necessary to look first at just what part-time work is, who does it and in what jobs, and to consider the role of part-time work in the overall economy.

2

PART-TIME WORK IN THE ECONOMY

What Is Part-Time Work?

Definitions

While the notion of part-time work is a common one, there is considerable confusion about just what constitutes part-time work. Regular or permanent part-time workers seem to form the basis of what we understand to be part-time work and are consequently included in all studies on the subject. There are also casual part-time workers employed on a temporary or intermittent basis, who are not always included in definitions and studies of part-time work. There is also a third group of workers, who have been more often associated recently with other part-time workers, those who work full-time weekly hours but for only part of the year. These part-year workers would include typists hired from temporary agencies who work a full-time week but only some weeks of the year, students working over summer vacations, and mothers working all but the school vacations.

The definition of part-time work influences the content, scope and perspective of any discussion on the subject. The International Labour Organization defines part-time work very narrowly as "work on a regular and voluntary basis for a daily or weekly period of substantially shorter duration than current normal hours of work."¹ This definition excludes not only part-year workers and temporary or casual part-time workers, but also all involuntary part-time workers, those who would prefer full-time work but cannot find it. At the other end of the spectrum, a recent study by the Canada Employment and Immigration Advisory Council used a broad, all-inclusive definition of part-time work: "Work schedule other than regular full-time, year-round employment offered by an employer and accepted by an employee."² Such a broad definition includes not only regular and casual part-time

workers, but also part-year workers who work at full-time weekly hours but for only part of the year.

For the purposes of this study, two types of part-time workers will be included:

- *regular part-time workers*, who work less than the usual full-time weekly hours on a continuing basis, and
- *casual part-time workers*, who work less than the usual full-time weekly hours but on an intermittent or short-term basis.

In this way all workers employed on a part-week basis are included, whether they work permanently or only for a few days or weeks, and whether they want part-time work or not. In this study "part-time work" will refer to part-week work, while those employed for only part of the year, but for full weeks, are excluded. Since many of the workers employed on a part-week basis are casual, not regular, workers, it is appropriate to include them in the study. The reason for excluding part-year workers requires more explanation.

While information on part-year workers is sketchy and limited, the evidence suggests that they differ in certain significant respects from part-time workers. Part-time work is dominated by women, who constitute 72% of all part-time workers,³ but this is not the case with part-year work. A Statistics Canada survey found that while 46% of all women who worked in 1978 worked for only part of the year, 34% of men were also part-year workers.⁴ Although these figures include not only workers in temporary, part-year jobs, but also workers in regular full-time work who were laid off or left during the year, they indicate that part-year work is not predominantly women's work. Certainly some part-year work is traditionally dominated by men, including seasonal work such as fishing, logging and snowclearing, and project work as in the construction industry.

The study in Hamilton referred to earlier surveyed part-year as well as part-time workers. In this study, while 82% of the part-time workers were women, just 40% of the part-year workers were women.⁵ There was also a difference in which industries employed these two types of workers. While the part-time workers were employed in public administration, trade and services, part-year work was most common in the transportation and manufacturing industries.⁶ It is not surprising that the part-year workers, predominantly men, should be found in largely male-oriented industries. However, even the women part-year workers were concentrated into these same male-dominated industries, in a pattern quite distinct from where women part-time workers were employed.

There is one further difference between part-time and part-year work. Married women over 25 years of age predominate in part-time

employment,⁷ but this is not the case with part-year employment. In 1978, 58% of men and 56% of women aged 15 to 24 who were in the labour force worked part-year.⁸ This reflects the large number of students who work in school vacations. In the Hamilton study, 74% of the 1,750 students surveyed were part-year workers.⁹

While there are important differences between part-time and part-year work, some of the workers may have characteristics in common. For example, a student may work part-time during the school year and full-time during vacations, thereby becoming a part-year worker also. Women with children may work part-time or part-year for the same reasons, that is, to avoid exhaustion, to fit in with children's schedules and to be able to spend time with children while adding to the family's income. Certainly the role of part-year work in the work patterns of women and the interrelationship between part-time and part-year work needs to be explored further. However, this work is beyond the scope of the present study.

Defining part-time work as part-week work does not resolve all the issues, for what does "part-week" mean? The Statistics Canada definition includes those who work for less than 30 hours per week and who do not consider themselves to be full-time. Since Statistics Canada produces most of the material available on part-time work, this definition is of necessity used in the general statistical data. It has some weaknesses.

Prior to 1975, the definition of part-time work was working hours of less than 35 hours per week, which remains the definition in the U.S. In Canada in 1975, the definition was changed to less than 30 hours per week. The usual hours worked by full-time workers are on average 43 hours for men and 39 hours for women,¹⁰ so it seems likely that some who work 30 hours per week are in fact part-time. In 1981, 1,909,000 workers were employed less than 30 hours per week, while a further 1,321,000 workers were employed between 30 and 34 hours per week.¹¹ However, not even all those who worked less than 30 hours are included as part-time workers, because anyone considering herself to be full-time is excluded. Consequently, the final figure for part-time workers is reduced to 1,477,000 workers. Using this figure, part-time work constitutes 13.5% of the labour force. However, if all those who work less than 30 hours were included, part-time workers would form over 17% of the work force. As the definition now stands, workers employed for less than 30 hours but who consider themselves to be full-time are counted as full-time workers, but everyone working more than 30 hours is counted as full-time whether they consider themselves to be full-time or not. A more accurate figure would be produced if workers employed for more than 30 hours per week, but who considered themselves to be part-time, were also included in the part-time statistics.

The figures mentioned thus far are based upon monthly labour force surveys conducted by Statistics Canada. Each month a sample of 55,000 households are interviewed concerning their labour force involvement, and the monthly results are averaged to obtain the annual data. While this information provides an average of 12 snapshots of the labour force situation, it does not provide an overall yearly picture of movement in and out of the labour force. In January 1982 a special survey of 1981 work history was conducted by Statistics Canada, and those interviewed were questioned about all the jobs they had held in 1981.¹² Such a method includes many temporary or short-term jobs which would be submerged in the monthly labour force figures. For example, two separate jobs held from January to March and then April to December are counted as two jobs in the work history survey, but in the monthly labour force data they would appear as one job added into each monthly total.

Thus, from the monthly labour force survey the average number of jobs held was 10.9 million in 1981,¹³ but from the work history survey the overall total was 13.6 million.¹⁴ Of interest to this study is the fact that when all jobs are counted, the number of part-time jobs increases. While the labour force survey finds that 13.5% of the labour force was part-time in 1981, according to the survey of work history the figure was 20%.¹⁵ Thus, of all jobs held in 1981 one in five were part-time.

In this study, the statistical data is drawn from the labour force survey because in some respects it is more detailed than the survey of 1981 work history, and because it allows for historical comparison with labour force survey data collected over the years. However, the underestimate of part-time work in this data should be kept in mind throughout the discussion. Information from the survey of work history is used on issues where other data is unavailable, and these instances are specified.

Who Does Part-Time Work?

Twenty-four per cent of all women in the labour force work part-time.¹⁶ In general, the same women who do full-time work also do part-time work. Sixty per cent of women full-time workers are married, as are 63% of women who work part-time. Single women constitute 29% of full-time workers and 31% of part-time workers. The ages of women who work full- and part-time vary somewhat more, but still the trends are similar. Younger women aged 15 to 24 years form a rather larger component of part-time than full-time work, 33% compared to 27%. In the so-called "prime" age for work in the labour force, 25 to 54 years,

64% of women working full-time are found, compared to 56% of women working part-time. Just 2% of women part-time workers are over 65, as are 1% of full-time workers. Part-time work, then, has a slightly higher proportion of young and single women than does full-time work, but still the patterns are very similar.

For men, however, the patterns of full- and part-time work are entirely different. Almost three-quarters of men who work full-time are married, while three-quarters of men who work part-time are single. The age of men part-time workers compared to full-time workers shows an equally divergent pattern. Seventy-two per cent of men working part-time are 15 to 24 years old, while just 19% of full-time men workers are in this young age group. In the age group 25 to 54 years are 68% of all men full-time workers but only 14% of men who work part-time. Then in the older age group, over 65, 9% of part-time men workers are of this age but only 2% of full-time workers.

For women, then, part-time work is an integrated component of labour force participation, its patterns varying little from full-time work. Meanwhile, men's involvement in part-time work is largely confined to young, single men who move on to full-time work when they are older and married. This picture is confirmed by information on the duration of full- and part-time jobs for men and women. The latest figures broken down by sex are for 1976. They show that women hold part-time jobs longer than men, while men hold their full-time jobs longer than women. While 22% of women part-time workers had held their jobs for more than five years, only 14% of men with part-time jobs had held them for this long. Amongst full-time workers, 34% of women had held their jobs over five years compared to 49% of men.¹⁷ Again, for women the patterns of full- and part-time work are similar, while for men the indication is that part-time work is more often a temporary phase in working life.

Apart from comparing full- and part-time work, it is also important to consider the composition of the part-time work force. According to Statistics Canada there were 1,477,000 part-time workers in 1981, of which 72% were women. On marital status, part-time workers are divided as follows:¹⁸

Married women	45 %
Single women	22 %
Single men	21 %
Married men	6 %
Widowed, divorced, separated women	5 %
Widowed, divorced, separated men	1 %

A similar ranking on the basis of age produces the following pattern:¹⁹

Women 25 to 54 years	41 %
Women 15 to 24 years	24 %
Men 15 to 24 years	20 %
Women 55 to 64 years	6 %
Men 25 to 54 years	4 %
Men 65 and over	2 %
Women 65 and over	2 %

It is clear that part-time workers are largely either married women over 25, or young and single workers, both men and women.

On the question of who does part-time work, another element to consider is education. As documented previously, part-time work is largely confined to low-paid, low-status work and excluded from administrative positions. Consequently, it might be anticipated that part-time workers would have a lower educational attainment than full-time workers. The most recent information available on this question is from the Statistics Canada special work history survey. In 1981 34 % of part-time workers and 37 % of full-time workers had some post-secondary education. While slightly more full-time than part-time workers had a post-secondary degree (11 % compared to 8 %), it was also the case that fewer part-time workers had eight years or less of education (12 % compared to 15 %).²⁰ The differences are small and suggest that level of education is not a factor likely to explain the pay differentials between full- and part-time workers.

Summary

- Women full-time and part-time workers are generally of the same age and marital status.
- 60 % of full-time women workers are married, as are 63 % of women who work part-time.
- In the age range 25 to 54 years are 64 % of part-time women workers and 56 % of full-time women workers.
- By contrast, men part-time workers are primarily aged 15 to 24 years (72 %) and are single (79 %), while men full-time workers are older (68 %) and married (75 %).
- Part-time workers are primarily married women aged 25 to 54 years, then young people under 25, both women and men.
- Part-time workers are as well educated as full-time workers.

Part-Time Jobs

In order to consider the industries and occupations in which part-time work predominates, a three-way comparison will be made between

men's full-time work, women's full-time work and women's part-time work. Part-time work is an integrated component of women's participation in the labour force, with 24% of all employed women working part-time. Consequently, it is important to compare the industrial and occupational distribution of women's part-time work with women's full-time work, and to consider the differences and similarities. For reasons of simplicity and relative lack of significance, men's part-time work is not included in this comparison. Not only do just 6% of men in the labour force work part-time, but it is largely a transitory phase for young, single men. The industrial and occupational pattern for men's part-time work is considered briefly at the end of this section, and the raw data for full-and part-time work for both men and women is provided in Appendix 1, for readers interested in exploring the material further.



Comparisons between men's work and all women's work has revealed a remarkable degree of ghettoization of women in the labour force into certain industries and occupations.²¹ One major disadvantage to women in this situation is that they are confined to a narrow range of industries and occupations, while men are distributed much more widely across various types of jobs. In comparing men's full-time work to both women's full-time work and women's part-time work, an additional understanding is gained. What clearly emerges is that women's part-time work forms a sub-section within women's work in general. This sub-section is yet more highly ghettoized than women's full-time work.

The industrial segregation of women is made clear in table 5, in which the industries are listed according to the proportion of women part-time workers employed in them. Fully 80% of women who work part-time are employed in just two industries, services and trade. By comparison, to account for 79% of men full-time workers it is necessary to include five industries — manufacturing, services, trade, transportation and construction. Women full-time workers fall in between — certainly ghettoized, but not so highly as the part-time women workers. To illustrate, the services industry employs 18% of full-time men workers, 42% of full-time women workers and 53% of part-time women workers.

Table 5

**Women Part-Time Workers/Women and Men Full-Time Workers
by Industry, 1981**

Industry	Women Part-Time %	Women Full-Time %	Men Full-Time %
Community, business and personal service	52.5	42.1	18.3
Trade	27.3	15.4	15.4
Agriculture	4.8	2.4	5.2
Finance, insurance and real estate	4.1	9.4	3.6
Manufacturing	3.9	15.8	24.9
Public administration	2.6	7.4	7.7
Transportation, communication and other utilities	2.5	5.2	11.2
Construction	1.9	1.3	9.2
Primary	—	0.9	4.5
* All industries	99.6	99.9	100

* Columns may not total 100% because of rounding.

Source: Statistics Canada, *The Labour Force*, Cat. No. 71-001, December 1981, p.112, table 87.

It is useful to look more closely at the two industries where most part-time workers are employed, trade and services. Information on

the trade industry is divided into wholesale and retail, and the majority of all workers here are employed in the retail trade. However, of men full-time workers in trade, 63% are in the retail trade, compared to 78% of full-time women workers and 94% of women part-time workers.²²

Within the services industry women are disproportionately concentrated into the lower paid sectors, while men are more commonly employed in the higher paid sectors, as shown in table 6. In the relatively well-paid education sector, 26% of full-time men service workers are employed, 22% of full-time women, but only 15% of part-time women workers. A similar pattern emerges for the well-paid business services, which employs 22% of full-time men workers, 11% of full-time women workers, and 6% of part-time women service workers. However, in the two low-paid, low-status sectors, that is, personal services and work in private households, the order is reversed and more part-time women workers are employed. Personal services includes restaurants, hotels, laundries and hairdressers, and here 26% of women part-time workers are employed, 21% of full-time women workers and 19% of men full-time workers. Twelve per cent of part-time women workers are domestics in private homes, compared to 4% of full-time women workers and no men. Hospital work is an exception, being an industry which includes the relatively well-paid nursing jobs traditionally dominated by women. Hospitals employ 29% of full-time women service workers, 24% of part-time women workers and 12% of full-time men workers. Thus the pattern in the services industry shows a ghettoization of women into the lowest paid sectors, a pattern which is more pronounced among women part-time than women full-time workers.

It is also likely that within these service sectors women, and particularly part-time women workers, are concentrated into the lowest paid jobs. For example, in education a higher proportion of women, and part-time women, work in school kitchens and as cleaners rather than as teachers or school principals. In personal services, the men are more likely to work on front desks or as managers in hotels, or as waiters in higher paid licensed bars and restaurants. Women, and especially part-time women workers, are concentrated more into the offices and cleaning staff of hotels and into lunch-time restaurants and laundries.

The concentration of part-time workers into certain industries means that while part-time workers may form 13.5% of the labour force in general, in certain industries they form a much larger component. In the retail trade, 30% of the work force is part-time (both men and women). In the personal services sector of the services industry 28% of the workers are part-time, in hospitals 21% and in education 15%.

Table 6

**Women Part-Time Workers/Women and Men Full-Time Workers
in the Services Industry, 1981**

Services	Women Part-Time %	Women Full-Time %	Men Full-Time %
Personal services	25.6	21.2	19.3
Hospitals	23.8	29.1	12.4
Education	15.2	21.6	26.3
Private households	11.6	4.4	—
Business services	6.4	11.0	21.6
Doctors	5.4	4.9	3.4
Miscellaneous services	5.2	4.0	9.3
Recreation	4.3	2.2	5.3
Religion	2.1	1.6	2.3
* Total	99.6	100	99.9

* Columns may not total 100% because of rounding.

Source: Statistics Canada, unpublished data, 1981. See Appendix I for complete data.

Information on part-time jobs for women basically confirms the industrial data, that is, that part-time women workers are highly concentrated into certain jobs and are in fact even more ghettoized than women full-time workers. Figures on all women workers clearly show that women are concentrated into three occupations — clerical, service and sales. However, when this material is divided into full- and part-time workers, some differences between the two groups of women workers emerge. As table 7 reveals, women full-time workers are more highly concentrated into clerical jobs than are the part-time women, who are in turn more heavily ghettoized into service and sales occupations. In fact, full-time women workers are slightly more likely to find jobs in health than in sales. In four occupations, that is, clerical, service, sales and health, are found 82% of part-time and 68% of full-time women workers. Full-time women workers are more likely than part-time women workers to obtain managerial or administrative positions as well as jobs in manufacturing, such as product fabricating and processing.

Table 7

**Women Part-Time Workers/Women and Men Full-Time Workers
by Occupation, 1981**

	Women Part-Time %	Women Full-Time %	Men Full-Time %
Clerical	29.0	36.0	6.3
Service	27.9	15.2	9.0
Sales	15.5	8.3	10.0
Medicine and health	9.2	8.5	1.8
Teaching	5.0	6.1	3.0
Agriculture	4.3	2.2	5.6
Management, administration	1.8	6.7	10.4
Product fabricating	1.2	6.6	12.3
Social sciences	1.1	1.9	1.2
Transport	0.8	0.5	6.0
Materials handling	0.7	1.4	3.2
Processing	0.6	2.1	5.1
Natural sciences	0.4	0.6	5.5
Other crafts	0.4	0.6	1.7
Machining	—	0.4	4.2
Construction trades	—	0.2	10.3
Fishing, hunting, forestry, mining	—	—	2.6

Columns may not total 100% because of rounding.

Source: Statistics Canada, unpublished data, 1981. See Appendix I for complete data.

The remarkable degree of occupational concentration among women is in stark contrast to the range of jobs in which full-time men workers are employed. It is immediately clear from table 7 that men full-time workers are much more evenly distributed across occupations and in no case are more than 12% of men full-time workers concentrated in any one job.

In sum, the industrial and occupational distribution of full- and part-time workers reveals that women part-time workers are even more highly concentrated into low-paid, traditionally women's work than are women full-time workers and are thereby deprived of work in a wide range of industries and occupations.

Part-time work for men follows women's part-time work patterns, in that they are highly concentrated into services (27%) and sales (17%) jobs. However, only 8% of men part-time workers are employed in clerical jobs compared to 29% of part-time and 36% of full-time women workers. Men part-time workers are more common in agriculture (10%) than other workers, and are also found more commonly than women part-time workers in construction (4%), transport (4%) and materials handling jobs (8%). Despite these differences, men part-time workers are certainly restricted in their occupational opportunities compared to full-time men workers. However, given that relatively few men work part-time and for a limited time period, the ghettoization of part-time workers clearly has its greatest impact upon women in the labour force.

Summary

- By industry, 80% of part-time women workers are employed in the services and trade industries, as are 58% of full-time women workers.
- By occupation, 82% of women part-time workers hold clerical, service, sales and health jobs, compared to 68% of women full-time workers. Men full-time workers are employed in a wide range of industries and occupations, compared to either part-time or full-time women workers.
- Part-time women workers are even more highly ghettoized into traditionally women's work than are full-time women workers.

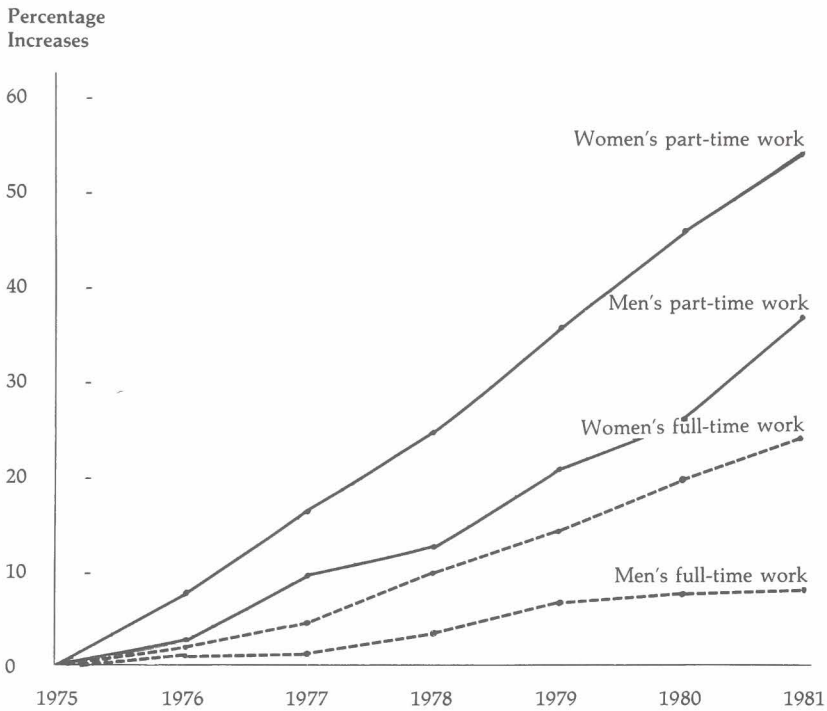
The Expansion of Part-Time Work

While part-time workers may be treated as marginal and secondary, the expansion of part-time work is an important trend in the Canadian labour force. The reasons for this expansion are complex, while the information is limited and very general. Consequently, this section is

speculative rather than conclusive, and is included for discussion purposes since it cannot provide any definitive answers.

Information on the number of part-time workers was first collected in 1953, when the definition for part-time work was employment of less than 35 hours per week. When the definition was changed in 1975 to less than 30 hours per week, an artificial drop in the number of part-time workers was created and it is difficult to compare the years before and after 1975. Consequently, following the development of part-time work entails the separate consideration of two periods, 1953 to 1975 and 1975 to 1981 (data for 1975 is available on the basis of both the old and the new definitions).

Fig. 1. Percentage Increases in Full- and Part-Time Work by Sex, 1975-1981



Source: Statistics Canada, *Historical Labour Force Statistics*, Cat. No. 71-201, 1980, pp. 56, 61; Statistics Canada, *The Labour Force*, Cat. No. 71-001, December 1981, p. 112, table 87.

There has been a steady increase in part-time work since the 1950s. Between 1953 and 1975 workers employed for less than 35 hours per

week increased from 3.7% to 12.9% of the labour force.²³ Under the new 1975 definition, the proportion of workers employed for less than 30 hours continued to increase from 10.6% to 13.5% in 1981.²⁴ Figure 1 compares the percentage increases of full- and part-time work since 1975. It is clear that part-time work, for both women and men, is increasing at a faster rate than full-time work. It has been calculated that if part-time work continued to expand at the same pace, by the year 2,000 50% of all jobs in the labour force would be part-time.²⁵ While such a scenario may not occur, the forecast clearly indicates the speed and importance of the expansion of part-time work.

No one factor is responsible for the increase in part-time work, and several interrelated developments must be considered. There follows a discussion of the growth in the services and trade industries, peak-period work, part-time work as cheap labour, the impact of economic recession and unemployment, the entry of women into the labour force, new technology and improved conditions for full-time workers.

The Growth in Services and Trade

Statistics Canada first collected information on the number of part-time workers by industry in 1966, so the two periods 1966 to 1975 and 1975 to 1981 must be used in industrial analysis. Table 8 shows that over three-quarters of the expansion in part-time work has occurred in just two industries, services and trade (78% between 1966 and 1975, and 77% between 1975 and 1981). Part of this expansion is due to the greater overall industrial growth of these two industries.

In 1966 part-time workers constituted 15.6% of all workers in the services and trade industries combined, while only 4.8% of the workers in all other industries were part-time.²⁶ Since 1966 the services and trade industries have expanded far more rapidly than have other industries. Between 1966 and 1981 there was an 83% increase in the total number of workers employed in services and trade, compared to only a 34% increase in all the other industries combined.²⁷ As a result of this relatively large industrial growth, part-time work has expanded accordingly. Thus, as shown in table 8, 38% of all new part-time jobs created between 1966 and 1975 were the result of the growth in services and trade. In other words, if the proportion of part-time work within services and trade had remained the same, at 15.6% from 1966 to 1975, still 38% of the new part-time jobs would have been created due to the overall industrial growth. Similarly, from 1975 to 1981 34% of all the new jobs created were the result of the greater expansion of these two industries, relative to industries with a lower proportion of part-time workers.

Table 8

**Percentage Expansion in Part-Time Work
by Industry, 1966-1975 and 1975-1981**

Industry	Expansion in Part-Time Work 1966 - 1975			Expansion in Part-Time Work 1975 - 1981		
	Total per cent expansion	Per cent due to industrial growth	Per cent due to expansion within industry	Total per cent expansion	Per cent due to industrial growth	Per cent due to expansion within industry
Agriculture	2	0	2	4	0	4
Manufacturing	3	1	2	5	2	3
Construction	3	1	2	3	0	3
Transport	4	3	1	3	1	2
Trade	30	12	18	20	9	11
Finance	5	2	3	5	2	3
Services	48	26	21	57	25	32
Public administration	6	3	3	3	1	2
* All industries	101	48	52	100	40	60

* Columns may not total 100% because of rounding.

Source: Statistics Canada, unpublished data, 1966, 1975, and 1981. See Appendices I, II and III for the data. The percentage of part-time work in each industry in 1966 was applied to the total labour force in each industry for 1975. This figure was then deducted from the total increase in part-time work over the period to obtain the number of additional part-time jobs due to industrial growth. The remaining expansion in part-time work is due to the actual growth of part-time vis-à-vis full-time work within each industry. The same procedure was repeated for the 1975 to 1981 period.

Thus, the general growth of services and trade account for over one-third of the expansion of part-time work since 1966. However, this does not explain why the services and trade industries have such a high proportion of part-time work in the first place. Nor does it account for more than one-half of the increase in part-time work, which is the result of the expansion of part-time in relation to full-time jobs within industries.

Peak-Period Work

Certain work places are characterized by periods of increased activity

on a daily, weekly or yearly basis. For example, in the personal service sector, hotels are 24-hour, 7-day week operations, with morning, lunch-time and evening peak periods of work. Likewise, restaurants may have busy periods at lunch-times, evenings or week-ends, but there are clear ebbs and flows in business. Also in the services industry, hospitals, like hotels, are continuous service organizations which peak during the day but also operate at nights and weekends. It is apparent that part-time workers are extremely advantageous to businesses with such fluctuation in activity. The peaks of business can be accommodated without the cost of hiring full-time workers who would have periods of reduced work.

To some extent this fluctuating work cycle explains why certain industries have always had a higher proportion of part-time workers than others, as is the case in services and trade. Then as the health care industry and hospitals developed in the 1960s, as tourism with its hotels and restaurants grew with the new post-war prosperity and as trade increased to accommodate the larger consumer capacity, so also has part-time work expanded.

However, there has also been a shift within the services and trade industries to more part-time and less full-time work. From 1966 to 1975 the proportion of part-time workers in these two industries rose from 16% to 21%, and between 1975 and 1981 the increase was from 18% to 22%.²⁸ While the general expansion of services and trade accounts for over one-third of the new part-time jobs, a further 39% to 43% of all the new part-time jobs are the result of this increase of part-time work within the services and trade industries (see table 8). Part of the explanation is the increase of peak-period work in some sectors. The most obvious example of this development is the retail trade.

The last 30 years have seen a continual expansion in the opening hours of stores in the retail trade, starting in the 1950s when supermarkets first moved from a five- to a six-day week. Indeed, one result of the entry of women into the labour force has been the growing popularity of shopping on evenings and weekends. The retail trade has become characterized by daily, weekly and yearly ebbs and flows in business activity. It is now commonplace for stores to be open up to five evenings a week, and many retailers are open between 60 and 72 hours per week. Food stores typically do 70% of their business on Thursdays, Fridays and Saturdays, while department stores in the suburbs may do 40% of their business just between 6:00 p.m. and 9:30 p.m. on Wednesdays, Thursdays and Fridays.²⁹ There are yearly "rushes" for the September back-to-school promotion, the Christmas buying spree, and January and summer sales.

In the services industry, some sectors have been subject to the same

shift in the organization of work. In the personal service sector, hairdressers, beauty salons, dry cleaners and laundries are under the same pressures as the stores in the retail trade to provide service outside the regular 9:00 to 5:00 day for customers who are employed during those hours. In education, also in the services industry, the development of half-day kindergartens, bussing children to and from school, and lunch-time supervision have all facilitated the employment of more part-time workers.

Without detailed analysis of the situation in specific industries, it is not possible to assess the extent to which the shift to more peak-period work is responsible for the part-time work expansion.

Cheap Labour

Part-time workers are cheaper for employers to hire for three distinct reasons. The first is that they are far cheaper to hire to cover peak periods of activity, where hiring full-time workers would mean those workers would have periods of low productivity. Secondly, part-time workers are cheaper because of their flexibility. They may be used to fill in for sickness or vacations among regular workers, hired to fill temporary peak periods, or employed when labour requirements are unclear in the long term. The third reason part-time workers are cheaper is because they may be paid less and given fewer benefits than full-time workers and their productivity may be higher. Only the third reason suggests that it might be useful to employers to directly replace full-time workers with part-time workers, as opposed to hiring part-time workers for peak-period work. While we know that employers certainly hire part-time workers because they are cheaper — employers themselves say so — the extent to which they are hired to cover peak periods as opposed to directly replacing full-time workers is unclear.

Not all employers express enthusiasm about the advantages of part-time work. As Weeks concluded in her study of the business view of part-time work, "Employers expressed reluctance and fears about alternative work schedules, except in those industries where a residual labour force has clear advantages."³⁰ Where employers contemplate the direct replacement of full-time with part-time workers, they consider that part-time work may be more costly because of extra administrative, supervisory and training costs. Concern is expressed about extra record-keeping and bookkeeping, additional shift changes, scheduling problems, discontinuity and overall efficiency.³¹ Certainly the replacement of full-time with part-time workers involves some calculation of the cost savings versus the additional costs, while the use of part-time workers for peak-period work is more clearly advantageous.

The different employer opinions on the cost savings to be made from part-time work are consistent with the industrial variation in its use. As cheap labour in comparison to full-time workers, part-time workers would be cost-saving to all employers whatever the industry, but part-time work is highly concentrated into a few industries and industrial subsectors. It seems that part-time work has been introduced and expanded in those industries where its advantages were most apparent, where their peak-period employment and flexibility has been most useful to employers in reducing costs.

However, it may be that where part-time workers are initially introduced to cover peaks in the work-load, they may later be moved into full-time jobs. Once the administration to handle part-time work is established and its advantages in terms of lower wages, fewer benefits and increased productivity are apparent, then the cost disadvantages disappear.

Economic Recession and Unemployment

During periods of economic contraction, employers are under pressure to reduce costs in order to retain their profit margins. Therefore, one would expect that cheaper forms of labour such as part-time work would be more attractive during such periods. It is not likely, even in a recession, that employers with trained, full-time workers, working at full productive capacity, would see any advantage in firing these workers in order to introduce double the number of part-time workers. However, many situations are less clear-cut than this. As the president of one multinational temporary help agency has said, "In industry after industry, inflationary pressure on profit margins is forcing companies to re-examine their total manpower needs. Many are replacing under-utilized full-timers with part-time 'temps' and paying only for the actual time worked."³²

Between 1976 and 1981, a period of economic recession when unemployment averaged 7.7%, the number of part-time jobs increased by 41%. In the years directly preceding this period, 1970 to 1975, the unemployment rate averaged 6% and part-time jobs increased by only 21%. While it may be likely that the poor economic climate in recent years is partly responsible for this more rapid expansion of part-time work, the longer-term data indicates that economic recession can only be a partial explanation for the general expansion of part-time work.

Table 9 shows the varying rate of unemployment over four six-year periods, with the percentage increase in part-time work for the same periods. No firm relationship emerges between unemployment, as an

indicator of economic recession, and part-time work. In the latter half of the 1960s the economy was expanding, unemployment was relatively low at 4.2%, and during this period part-time work increased by 51%. But in the earlier period of recession from 1958 to 1963, when unemployment averaged 6.4%, the increase in part-time work was almost the same at 53%, and in the later period of even higher unemployment, 7.7% from 1976 to 1981, the increase in part-time work was actually lower at 41%.

Table 9
Percentage Increase in Part-Time Work,
and Average Unemployment Rate for Six-Year Periods,
1958-1981

Six-Year Periods	Percentage increase in part-time work	Average Unemployment Rate (%)
1958-63	53	6.4
1964-69	51	4.2
1970-75	21	6.0
1976-81	41	7.7

Source: Statistics Canada, *Historical Labour Force Statistics*, Cat. No. 71-201, 1973-1974, pp. 104-105, 233; Statistics Canada, *Historical Labour Force Statistics*, Cat. No. 71-201, 1980, pp. 52, 124; Statistics Canada, unpublished data, 1975, see Appendix III.

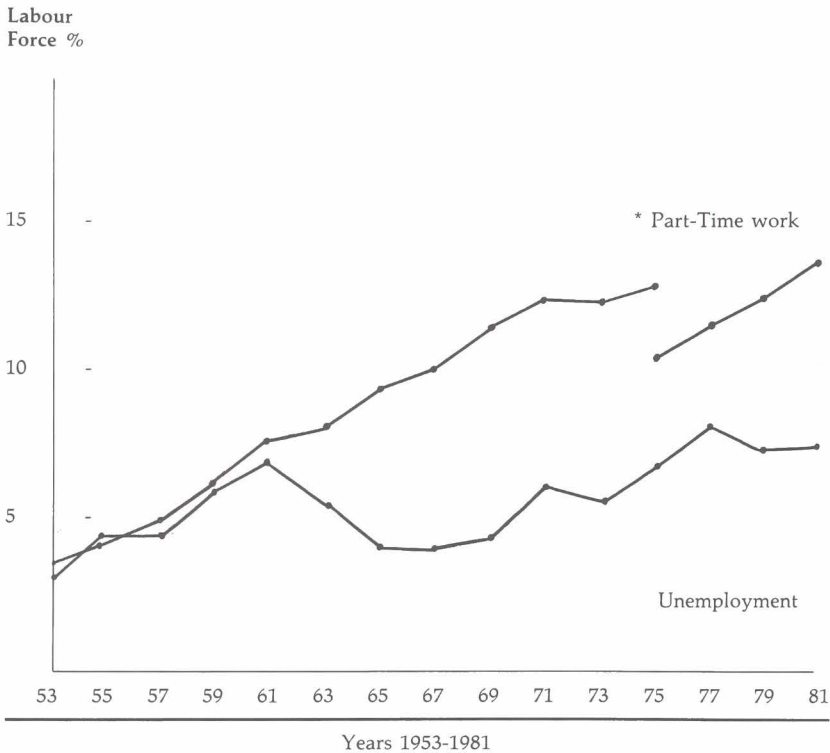
Figure 2 traces graphically the percentage of part-time workers in the labour force from 1953 to 1981 and the yearly rate of unemployment over the same period. The unemployment rate rose above 6% from 1958 to 1961, 1971 to 1972 and again from 1975 to 1981, falling back to lower levels between these years. Meanwhile part-time work has steadily increased as a proportion of the labour force without great deviation or fluctuation.

Thus, the historical data indicates that economic recession and its attendant pressures to cut costs can only be a partial explanation for the overall expansion of part-time work. It may be that the ongoing development of part-time work as a source of cheap labour is more important than its expanded use for that purpose during periods of economic recession.

While economic recession may have only a partial impact upon the expansion of part-time work, there is evidence that the attendant high rate of unemployment affects who does part-time work. Since 1975 there has been a definite increase in the number of part-time workers who said they were working part-time because it was all they could find, meaning that they were unable to find full-time jobs. Between 1975 and 1981 the proportion of involuntary part-time workers climbed

from 11% to 18% of all part-time workers.³³ There were 267,000 involuntary part-time workers in 1981 and 70% of them were women. One-third of all the new part-time jobs created between 1975 and 1981 were taken by workers who wanted full-time jobs.³⁴

Fig. 2. Unemployment and Part-Time Work in the Labour Force, 1953-1981



* In 1975 part-time work was redefined by Statistics Canada, from less than 35 hours to less than 30 hours. The percentage of part-time work under both definitions is shown on the graph for 1975.

Source: Calculated from Statistics Canada, *Historical Labour Force Statistics*, Cat. No. 71-201, 1973-1974, pp. 52, 101, 104, 172; Statistics Canada, *Historical Labour Force Statistics*, Cat. No. 71-201, 1980, pp. 24, 51, 100; Statistics Canada, *The Labour Force*, Cat. No. 71-001, December 1981, pp. 93, 110, 117.

A 1969 study in Canada found that involuntary part-time work increases as unemployment rises, and falls again as economic conditions improve.³⁵ In a period of high unemployment, competition for work is intensified and the unemployed seeking full-time work also apply

for part-time jobs on the basis that half a loaf is better than none. Thus, one effect of the lack of sufficient work is the increase in involuntary part-time work.

The Entry of Women into the Labour Force

In 1951 women constituted 22% of the labour force, but by 1981 this figure had climbed to 40%. Married women have been the largest component of this entry into paid work. While in 1951 only 11% of married women worked outside their homes, this figure had increased to 51% by 1981.³⁶ The expansion of work traditionally performed by women, changing social attitudes and the need for more than one income to support a family have drawn more women, and particularly married women, into the labour force. As women have children and their domestic responsibilities increase, a source of part-time labour is created. In fact, the proportion of part-time workers who were women rose from 63% in 1953 to 69% in 1975, and by 1981 72% of all part-time workers were women.³⁷

Part-time work is concentrated in industries and occupations with a high proportion of women workers. In services, 61% of the work force are women and in trade the proportion of women is 43%, both above the general average of 40%.³⁸ However, the presence of women as a source of part-time labour has not been sufficient by itself for the development of part-time work. Of the four industries with a large percentage of women workers — services, finance, trade and public administration — only two have developed a high rate of part-time work. In both the services and finance industries 61% of the work force are women, but in services 22% of the workers are part-time compared to only 10% in finance. A similar disparity emerges between trade and public administration, the other two industries with a high proportion of women workers. While 43% of the workers in trade are women and 22% of the workers are part-time, in public administration 37% of the workers are women, but only 6% are part-time.³⁹

Thus, while the entry of women into the labour force has been one factor in the expansion of part-time work, other developments are also important in explaining the industrial and occupational variation in rates of part-time work.

The Introduction of New Technology

For many years machines have been introduced into the work place to perform tasks previously done by workers. Recently, concern about

work-place technology has taken on a new dimension with the expanding use of computers. The development of the silicon chip has produced computers of a manageable size with the capacity for very complex programming. As a result, computer technology can now be used for a very broad range of tasks and the loss of a large number of jobs has been predicted. The new machines are suited to the performance of many office and clerical tasks now done by women, and it has been anticipated that severe unemployment among women may result from office automation.⁴⁰

For several reasons the introduction of new technology may increase the use of part-time work. Automated machines deskill many jobs. For example, a cashier in a store used to remember the price on many items or check a list, ring up the price, and have responsibility for providing the correct change. With the latest cash registers, all that is necessary is to run the special label on each item past the machine, which rings up the price, totals the cost and calculates the right change for the customer. One effect of this deskilling process is that workers need hardly any training for the routine work and the employer has no investment of several weeks' training in each person hired. Consequently, hiring a larger number of part-time workers, having more people work fewer hours, and perhaps dealing with a higher turnover, is far less expensive and time consuming than if workers are required to have certain skills.

When automation is first introduced, the need for labour may fluctuate and the final requirements be unclear. For example, if the computer needs to be fed large amounts of information for retrieval purposes, the work-load may increase initially. Once this process is complete, the amount of work will drop back. Retraining staff to use machines such as word processors may take time at the start, but once the operators are proficient the work declines. During this transition period the flexibility of part-time work may be of great advantage to the employer. Because part-time workers may have no job security, they may be hired or fired, called-in or not, to cover additional work periods, without the need to hire permanent staff who may not be required later.

Once the transition period is complete more part-time jobs may remain as a result of rationalization. For example, if two typists were needed before automation, afterwards only one and a half word processor operators may be required. As well, because the machinery is extremely expensive there is pressure to use it for more hours rather than buy or rent another machine. Thus, if there is too much work for one word processor operator working full-time, efforts may be made to hire a part-time worker for the early morning or evening to use the same machine, rather than pay for another costly piece of equipment.

One study of the current transition to computer technology states: "For many economic and social reasons, part-time work has become increasingly important in this industrial transition period. It can be a means of rationalizing job functions whose labour content has declined, and also is a way to share diminishing employment."⁴¹ The trend toward increased automation is well established and is another part of the explanation for the expansion of part-time work.

Improved Conditions for Full-Time Workers

In chapter 4 the results of interviews with representatives of 18 unions are described and analysed. During those interviews a further possible reason for the expansion of part-time work was raised. As full-time workers have bargained for and obtained improved conditions, more part-time work has been created. With longer vacation time, statutory holidays, sick leave, compassionate leave and maternity leave, "gaps" are created in the labour force, which employers often fill with part-time, and especially casual part-time, workers. In continuous-operation organizations like hospitals, shorter weekly hours for full-time workers may have a similar effect. As hours have been reduced from 40 to 38, or even 35, per week, and as full-time workers have been guaranteed certain time off on weekends and evenings, so more openings have been created which have facilitated the use of part-time workers.

Conclusion

In the debate on part-time work, it has been increasingly linked to the economic recession and high unemployment of recent years. As with other aspects of part-time work, there is no agreement upon the role of part-time work in this period of economic decline. From one perspective it has been argued that as the economy contracts and employers seek ways to cut costs, part-time work is expanded as a source of cheap labour, less full-time work is available and more workers are forced into part-time work involuntarily.⁴² Consequently, any expansion of part-time work in such an economic climate is likely to be detrimental for workers, resulting only in underemployment.

From a different perspective it has been suggested that part-time work could be part of the solution to unemployment. It is argued that because part-time work spreads the available work to more people it should be encouraged during this period of recession.⁴³

From the evidence presented in this chapter, it seems that the recession does play a role in the increased use of part-time work, although this factor is insufficient to explain the development of part-time work

since the 1950s or the industrial variation in the use of part-time work. However, it seems that the increasing number of involuntary part-time workers is related to the recession and the more intense competition for work during a period of high unemployment. In such a context, to introduce or expand part-time work may indeed result in yet more involuntary part-time work. However, a general policy to reduce or eliminate part-time work would do little to resolve the unemployment problem. While some workers wanting full-time work would be accommodated, what of the 82% of part-time workers who had not sought full-time work, or the 20% of unemployed women seeking part-time jobs?⁴⁴ Eliminating part-time work would not resolve their unemployment problem.

Expanding part-time work is no solution for unemployment either. Dividing work among more people does not provide more jobs, but only creates more involuntary part-time workers, more underemployment. The situation is that 80% of unemployed women want full-time work and 20% of women now working part-time would prefer full-time jobs.⁴⁵ In such a context, dividing full-time into part-time jobs can hardly satisfy the need for work.

Part-time work is a means of organizing *how* work is to be done, while unemployment is the result of the *amount* of work available. Altering the balance of work between full- and part-time in favour of either one or the other does not create more work, and cannot resolve the problem for both unemployed full-time and unemployed part-time workers. Only a full employment policy to create more work for all those who need it, whether full- or part-time, can lower the high unemployment rates.

For the purpose of future research, it would be most useful to examine the development of part-time work in specific industries in order to further analyse the reasons for the increase in part-time work. On the basis of the material currently available, it is not possible to assess which factors have been primarily responsible for the expansion of part-time work and more detailed information is necessary.

3

PART-TIME WORK AND TRADE UNIONS

The purpose of this chapter is to examine in some detail the policies and practices of trade unions regarding part-time work. While only a small minority of part-time workers are unionized, the importance of trade unions to the welfare of part-time workers is greater than the number organized might suggest.

Since trade unions are the only organizations which enable working people to deal directly with their employers concerning conditions in the work place, the minority of part-time workers who are unionized have a definite advantage over those who are not. In certain industries where a large proportion of part-time workers are employed and the degree of unionization is also high, the policies and practices of the unions have an important impact upon the working conditions of part-time workers. Thus, for example, in hospitals and in the large food chain-stores of the retail industry, unionization has a significant impact upon the working lives of part-time workers.

However, the influence of trade unions is not solely confined to unionized workers. In the past, unions have established standards in their negotiated contracts which have ultimately been extended to all workers through legislation. This process has sometimes been accompanied by extensive agitation by trade unions, who use their influence to obtain government policies and legislation considered to be of benefit to working people. Since no one represents unorganized workers, the trade union movement as "the voice of organized labour" is widely regarded as representing the interests of working people in general, and this has indeed been their role in discussions and consultations on part-time work in recent years. Thus, what trade unions say and do on the subject of part-time work not only affects unionized part-time workers but also has a broader influence.

The only information available on the unionization of part-time workers is from the Statistics Canada special survey of 1981 work history. According to this data, in all jobs held in 1981, 35% of full-time workers were unionized, but only 15% of part-time workers belonged to unions.¹ The rate of unionization was clearly affected by the duration of the job, indicating the difficulty of organizing casual workers. For part-time workers employed in the same job for just 3 months, the rate of unionization was only 9%, increasing to 21% in jobs held for 12 months in 1981.²

However, among workers employed for the same length of time, part-time workers were consistently unionized less often than were full-time workers. Thus, for all workers employed in the same job for 12 months, 43% of full-time workers were unionized compared to only 21% of part-time workers.³

Table 10 shows the rate of unionization of part-time and full-time workers in all jobs in 1981 by industry. Unionization of part-time workers is highest in public administration, transportation and services, lowest in the trade and primary industries. Within each industry it is clear that full-time workers are more highly unionized than are part-time workers, with a rate two to three times higher. Only in trade are the rates of unionization for full- and part-time work similar, and both are very low.

Table 10

Percentage of Full- and Part-Time Jobs Unionized by Industry, 1981

Industry	% Full-Time unionized	% Part-Time unionized
Services	34.7	18.1
Trade	11.2	9.1
Manufacturing	41.7	13.8
Transportation	56.9	21.6
Public administration	61.3	22.3
Primary	28.5	8.8
Finance	6.1	*
Construction	40.3	16.7
Total	35.2	15.1

* Figure less than 8,000, so percentage not calculated.

Source: Statistics Canada, Labour Force Activity Section, unpublished data from the Survey of 1981 work history.

It is not within the scope of this study to consider the reasons for the low rate of unionization among part-time workers. In a previous report, I examined some of the reasons for the low rate of unionization among women, including historical factors, labour market changes, employer opposition and job fragmentation.⁴ Since women in the labour force overlap to such a degree with part-time workers, some of the same arguments will apply, but the specific situation for part-time workers requires further consideration.

In two previous studies, researchers have concluded that unions are remiss in their treatment of part-time workers. Marianne Bossen suggested that trade unions place unnecessary restrictions on part-time workers, and stated that unions are more concerned with the protection of full-time jobs than the welfare of part-time workers.⁵ More recently, J.K. Eaton studied all union agreements that cover more than 500 workers. While he found that most part-time workers did have prorated wages, only a minority were covered by fringe benefits, and he concluded, "In general, part-time workers are being short-changed in the agreements."⁶ It is the intention of this study to examine the policies and practices of unions on part-time work in more detail than has been done previously. Bossen's conclusions were based upon very few union contracts and interviews, while Eaton's material is extremely general in nature and limited to few issues.

The major part of the information that follows was obtained from interviews with representatives of 18 trade unions, as well as through an examination of major contracts negotiated by 17 of these unions. The 18 unions are listed below with information on the total number of members, the number of women members and the percentage of women in the union. The unions were selected by first including the 10 unions with the largest number of women members, according to information collected by Statistics Canada.⁷ Because of a technicality, most teachers' unions are not included in the Statistics Canada data; since they have a large number of women members, two of the largest, for British Columbia and Alberta, were added. Six other unions were selected because they have a large number of women members, and because they organize either in industries where part-time work is common or in industries which otherwise would not be represented in the study, including hospitals, communications, the retail trade, restaurants and hotels, and the Post Office. Together these 18 unions include 63% of all unionized women in Canada.⁸

Letters were sent to the president, or Canadian vice-president, of each trade union, explaining the study and requesting an interview. It was left with the unions to select the most appropriate representatives on the subject of part-time work, so I interviewed presidents, vice-presidents, executive directors, local representatives, co-ordinators of women's affairs and researchers.

The 18 Unions Interviewed

<u>Trade Union</u>	<u>Number of members</u>	<u>Number of women members</u>	<u>Per cent of women members</u>
Canadian Union of Public Employees	271,652	118,869	44
Public Service Alliance of Canada	154,546	61,204	40
United Food and Commercial Workers International Union	141,378	55,449	39
Quebec Teachers' Corporation	86,615	54,164	63
Federation of Social Affairs, Inc.	73,135	50,273	69
Service Employees' International Union	59,574	40,100	67
Ontario Public Service Employees' Union	73,377	36,919	50
Ontario Nurses' Association	29,316	29,137	99
Alberta Union of Provincial Employees	43,392	24,410	56
Amalgamated Clothing and Textile Union	30,973	20,390	66
Hotel and Restaurant Employees' and Bartenders' International Union	33,115	18,842	57
Canadian Telephone Employees' Association	19,286	18,684	97
Hospital Employees' Union	23,238	18,591	80
*British Columbia Teachers' Federation	29,080	15,174	52
British Columbia Nurses' Union	14,680	14,431	98
*Alberta Teachers' Association	24,481	13,506	55
Canadian Union of Postal Workers	24,391	10,628	44
Retail, Wholesale and Department Store Union	28,713	10,146	35

* These two unions are not included in Statistics Canada information. The figures here were obtained directly from the unions and are for 1981. All other figures are for 1980.

Source: Statistics Canada, *Corporations and Labour Unions Returns Act, Part II - Labour Unions, Supplement, Cat. No. 71-2025, 1980.*

In many cases, more than one person was interviewed, where others had additional expertise on particular issues or where it was necessary to cover different regions of the country. No interviews were refused and all were conducted within a three-month period from the end of November 1981 to mid-February 1982. Consequently, all information in this section refers to conditions at that time, unless otherwise specified.

Copies of major contracts were obtained for each of the unions interviewed. Many of the interview questions related to the details of negotiated agreements and the contracts were later referred to in order to ensure the accuracy of the interview notes. All the information on contract clauses in the following discussion relates to contracts that were in effect at the time of the interviews.

The following discussion deals first with the general perspective of trade unions on part-time work, the reasons for the positions taken by unions and the problems posed by part-time work for trade unions. There follows a consideration of negotiated clauses affecting part-time workers, including controls on part-time workers, seniority, pay, vacations, holidays and several fringe benefits.

General Union Perspectives on Part-Time Work

The union representatives were asked their opinions on the expansion of part-time work. Eleven of the 18 were definitely opposed to the trend, while 6 considered part-time work acceptable as long as equal pay and conditions were provided. One union representative said that there were different views within the union and research had been initiated in order to reach a position on the issue. Thus, although opposition to the increase in part-time work predominated, the unions were by no means united in this position.

The reason for the dominance of negative opinions on part-time work was the perceived abuse of part-time work by employers. Whatever their perspective on the expansion of part-time work, every union in the study had experienced problems with employers over the issue. These problems had made most of the unions suspicious of any moves by employers to expand the part-time work force. In order to understand the negative position of most unions on part-time work, it is important to review the difficulties they had experienced.

Employers' Use of Part-Time Work

Asked why employers have been expanding the part-time labour force, the immediate and most common response from unionists was, "It's

cheaper." All the unions expressed in different ways the problem of part-time work as cheap labour.

Later in this chapter pay and benefits for part-time workers, as negotiated in union contracts, are considered in some detail. It is clear that the resistance of employers to equal remuneration for part-time workers has slowed and inhibited improvements, and that employers resorted to many strategies in order to avoid additional labour costs. To give just one example, when the Hotel and Restaurant Employees first negotiated their benefit package in British Columbia, the employer was required to contribute a set amount for every worker employed more than 20 hours per week. Immediately the number of workers hired for less than 20 hours expanded as the employers sought to avoid payments. As a result of negotiations, the employer must now contribute the same amount for every worker, whether full-time, regular part-time or casual, and regardless of the hours worked per week. The later sections of this book on pay and benefits provide many more examples of the remarkably varied efforts of employers to contain the cost of labour through the use of part-time workers, and the equally diverse responses from unions attempting to control the situation.

There are cost savings to the employer in the flexibility of part-time work, and unions have found that this flexibility is misused. In health services, for example, three unions described cost-cutting methods using part-time workers. Instead of replacing one full-time worker with two part-time workers, each for half-time, the replacement part-time workers are hired for less than half-time. The result is an overall reduction in the work force, reduced service and increased work-load for all the workers. The same problem is experienced when casual workers are called in for only part of the hours needed to fully replace absent workers. Again, the cost of labour is reduced, while work-load increases and service declines.

Representatives of 10 of the unions in the study stated that they were opposed to part-time work if it meant a reduction in full-time jobs, some saying they would prefer to see everyone working full-time and others commenting that they would like to see the proportion of part-time workers reduced or held at the absolute minimum. Several of the unions had experienced situations where part-time work was initially used for peak periods, but then expanded more generally so that positions that were previously full-time were split up. The result was workers not being able to find full-time work, people forced to work part-time before being able to apply for full-time work, or workers unable to move at all from part-time to full-time positions. Some unionists commented that employers claimed to be creating more jobs, when in fact they were simply splitting existing full-time positions. The relative cheapness of part-time workers was perceived as an encouragement to employers to replace full-time with part-time work.

Apart from such cost-cutting measures, unions have found that part-time work has been used by employers to prevent unionization. Three unions in this study are prohibited by law from organizing certain part-time workers. The Public Service Alliance of Canada and the Canadian Union of Postal Workers cannot unionize workers employed for less than one-third the usual number of full-time hours, nor workers employed for less than six months. The Ontario Public Service Employees' Union faces similar legislated restrictions, but is also faced with the problem that all part-time workers employed by the Ontario government are hired on contract. Consequently they have no security, and they are difficult both to identify and to unionize. In work places not subject to such legislation all workers have the right to unionize, although in practice employer opposition may prevent it and in some cases part-time workers are used to inhibit unionization.

In order to unionize, a majority of the workers in a work place must join the union. By producing an extremely long list of casual workers, the employer increases the number of workers required to form a majority. The Ontario Nurses' Association cited an example where a hospital being organized produced a list of casual workers with many names that none of the nurses recognized, as well as some that were identified as having moved or died years before. It emerged that the employer had combined the lists of casuals from three hospitals in the area in an attempt to prevent unionization. These tactics were temporarily successful in that the union obtained certification only for the full-time workers. However, once in the hospital and able to determine exactly the number of regular and casual part-time workers, the union successfully applied to unionize the part-time workers. The Alberta Union of Provincial Employees was less fortunate in a similar situation. An initially agreed list of 90 full-time and 60 part-time workers meant that the union had its majority. Then a new list was produced by the employer including anyone who had worked for just one hour or more during the previous year. This list was accepted by the Labour Relations Board and effectively destroyed any possibility of obtaining a majority.

In the retail trade, one reason given for the difficulty in organizing department stores was the employers' use of part-time work. In the newer, cut-price stores, the hours of work for many part-time workers are kept to a maximum of 10 or 12 hours per week. Consequently, a very large number of workers are employed and the turnover is high because of the low hours and resulting low pay. For this reason, it is very hard to unionize these stores. The same problem was mentioned by the Hotel and Restaurant Employees' concerning fast food outlets.

By paying less to part-time workers, excluding them from benefits and using them to undermine unionization, divisions may be created between full- and part-time workers. Five unions mentioned experiences

with employers that encouraged such divisions. For example, the Ontario Public Service Employees' Union reported that the employer had argued that if part-time workers obtained improved benefits full-time workers would receive a lower pay increase. In the Post Office the employer's extensive use of casual workers, who cannot be unionized, has created sometimes bitter conflict between the regular workers and the casuals.

One union mentioned that the employer had argued against shorter working hours for full-time workers because part-time work was available if workers wanted reduced hours. Most unions had not experienced this problem, however. As one unionist commented, during the years while part-time work has been expanding, full-time hours of work have been significantly reduced. Another unionist, representing hospital workers, noted that as the regular work week is reduced, more part-time workers are necessary to fill in the remaining hours of work.

Thus, the cheapness of part-time work and the loss of full-time jobs were clearly perceived as the major problems. Difficulties in unionization and the creation of conflict between full-time and part-time workers have been experienced by some unions, while the issue of part-time work inhibiting the introduction of a shorter working week was not generally perceived to be a problem.

Are Part-Time Workers Interested in Unions?

Apart from employers' use of part-time work, a further potential source of difficulty might be the part-time workers themselves. It has been suggested that part-time workers may be harder to unionize than full-time workers and less active in unions when they do belong. Such disinterest has been attributed to the notion that part-time workers do not primarily identify themselves as workers as much as mothers or students, and that their commitment to the work place is thereby reduced. If this is so it would afford further explanation for the opposition of unions to the expansion of part-time work. The union representatives were asked whether part-time workers were harder to unionize than full-time workers, and, once organized, whether they were less active in the union.

These questions on unionization and union activity did not apply to 4 unions where all the relevant work places had been unionized and workers automatically become members. Of the remaining 14 only 4 said that part-time workers were harder to unionize. Of these 4, 1 gave the reason that all the part-time workers were on contract and

therefore both hard to identify and highly vulnerable, while another explained that part-time workers were harder to contact because of their work schedules. Ten of the 14 unions had not experienced any particular difficulties in organizing regular part-time workers, though 4 mentioned that sometimes casuals were harder to organize if their hours were irregular and they were hard to contact. Thus, in most cases organizing part-time workers did not raise special problems and any difficulties were related to the technicalities of contacting casual workers rather than to lack of interest by the part-time workers themselves. Two unions have locals where the part-time workers are unionized and the full-time workers have not joined the union. Perhaps, as one unionist commented, a worker is either for or against the union and this has nothing to do with the number of hours worked.

On the question of activity within the union, only 5 of the 18 union representatives perceived part-time workers as less active than full-time workers and 2 of these mentioned individual exceptions of very active part-time workers. Of the others who said part-time workers were less active, one said it was again because they were all on contract and therefore highly vulnerable, while another noted that as the union was becoming more concerned with part-time workers, so part-time workers were becoming more active within the union. Eleven of the unions saw no difference in the level of activity and interest between full- and part-time workers and 2 of these cited examples where part-time workers had been more active and militant than full-time workers. Another mentioned that two workers had just moved from full- to part-time hours in order to spend more time on women's issues within the union. Again, several unions pointed out that if the unions showed interest in part-time workers and their concerns, these workers became involved.

It seems that most unions do not find part-time workers either harder to unionize or less active within the union than full-time workers. The opposition to part-time work does not appear to be based on problems with part-time workers and in fact no union mentioned this as a reason for its opposition to part-time work.

Is Union Opposition to Part-Time Work Valid?

It is clear that the expansion of part-time work has created real problems for trade unions. Because union representatives have seen part-time workers used by employers as cheap labour, in some cases replacing full-time jobs, they have concluded that part-time work should be opposed, and its expansion prevented or at least restricted. While such a conclusion is understandable, it is not necessarily justified. Although the unions in the study pointed out real difficulties posed

by part-time work, their general opposition not only seems inappropriate, it actually obscures discussion of these important problems. This section considers the major difficulties posed by part-time work and possible union responses.

Full-Time Versus Part-Time Work

One major concern of the union representatives interviewed was the need to protect full-time jobs. If all workers wanted full-time jobs this position would be entirely appropriate, but the unions themselves are aware that this is not the case. The union representatives were asked if a section of the labour force wants part-time work. Only two responded that workers do not want part-time jobs, while four others suggested that only a very small number want to work part-time. Twelve of the union representatives clearly stated that certainly some workers want and need part-time work. The need for part-time jobs was described as "unfortunate" by one unionist, and indeed it is in that it immeasurably complicates the issue.

In the current situation, part-time work continues to expand, most workers want full-time jobs and some workers want part-time jobs. The real question is just what is the right mix of full- and part-time work in any particular work place or industry; the answer will vary from one situation to another. Quotas on the number of part-time workers or restrictions on their hours might be appropriate in some instances, particularly where workers are forced unwilling into part-time jobs, or part-time workers are subject to arbitrary hours and schedules. In other instances it is possible that part-time work would be appreciated by workers who currently have no access to part-time hours. Of the unions in this study, two raised the possibility that some full-time workers might want part-time jobs, at least for a period, and one had encountered complete employer opposition to any such arrangement. One union had been instrumental in introducing a part-time work schedule for all the workers in one nursing home, at the request of the women who worked there. Another union was undertaking a survey of its members to determine whether the increase in part-time positions was voluntary or not, and awaiting the outcome of this research before taking a firm position on the issue.

Where unions are committed to the position that part-time work must not replace full-time jobs, they confront the contradiction that a section of the labour force wants and needs part-time work. If full-time jobs are automatically to be protected regardless of the situation, it is impossible to deal with the real issue which is the appropriate mix of full- and part-time jobs.

The Exploitation of Part-Time Work

Another problem created for trade unions by the expansion of part-time work is its exploitation as cheap labour. Later sections of this study consider in detail the struggle for equal pay and benefits for full- and part-time workers. It is apparent that this is no simple matter. Employer opposition to such improvements has been consistent, and the benefit arrangements necessary to cover part-time workers are often technically complicated as well as difficult to negotiate.

As an explanation for union opposition to part-time work, however, the argument that part-time workers are exploited is not convincing. Obviously, part-time workers are not the only workers who are underpaid and used as a source of cheap labour. Immigrant workers and women are two other sectors of the labour force which have been subject to inferior working conditions and remuneration. In fact, it is interesting to note that, in the past, trade unions have supported policies to exclude both immigrants and women from the labour force, opposed to them on the basis of their use as cheap labour and consequent threat to other workers.⁹ While immigrants and women are still exploited as cheap labour, it is no longer acceptable to oppose their participation in the labour force. Unions now support the position that they must be protected and provided with equal pay, benefits and opportunities like other workers. The same policy, however difficult to obtain in reality, would seem to be an equally appropriate principle for the problem of exploitation of part-time workers.

In fact, the unions in this study did promote policies of equal pay and conditions for full- and part-time workers, but the majority maintained at the same time a position of general opposition to part-time work. A more consistent and cogent position would be to oppose the exploitation of part-time workers, rather than to oppose the existence of part-time work itself. Indeed, six unions in this study had adopted this position.

Opposing the exploitation of part-time workers, rather than part-time work itself, does not require approval of the uncontrolled expansion of part-time work. In fact, a position that opposed exploitation, and was concerned about the balance of full- and part-time work, would insist upon equal conditions prior to any further introduction of part-time work, and then approve only if the part-time work was desired and would not displace people needing full-time jobs.

Preventing Unionization

The use of part-time workers by some employers to prevent unionization presented a serious problem to some of the unions in this study.

However, this should not in itself provide a reason to oppose the expansion of part-time work. Part-time work is not the only tactic used to inhibit the organization of unions. Employers may fire, transfer, demote and otherwise intimidate workers, may withhold benefits or suddenly provide good pay increases, to mention just a few of the methods which have been used to prevent unionization.¹⁰ Unions do not generally oppose the labour force participation of workers who are difficult to organize because of employers' anti-union practices.

The Ghettoization of Part-Time Work

Although it was not raised by the unionists interviewed, a fourth problem is the ghettoization of part-time workers. As with women workers in general, part-time workers are concentrated in a limited number of industries and occupations, largely those that are the lowest paid. And, as with women, as long as this situation exists for part-time workers, they will continue to form a secondary labour force, unequal and vulnerable to exploitation.

Such an argument raises the notion that part-time workers should not be confined to the most tedious, uninteresting jobs, or denied training courses, or excluded from certain occupations, or indeed confined to the worst shifts or the most unsocial hours. In other words, they should not be relegated to a secondary position in the labour force. Such a perspective would be unacceptable to unions opposed to part-time work, both because it requires acceptance of the fact that part-time work is now a permanent feature of the labour force and because it suggests that part-time work should be introduced into areas where it does not now exist. This can hardly be accommodated by a union position which opposes the replacement of any full-time positions with part-time work.

If this issue of the ghettoization of part-time work is ignored, however, unions will be permitting employers to confine and restrict part-time work to certain jobs, which has meant in fact only those jobs where employers find it most advantageous to use part-time workers, where it is cheapest to them. Employers are opposed to introducing part-time work into any jobs where it would cost more to do so, whether in more training expenses or increased administrative costs.¹¹ If it is accepted, as it seems to be, that some workers want part-time jobs, then unions must participate in ensuring that those workers are not confined to secondary positions to the employer's advantage, but like other workers have access to all jobs.

Along with equal pay and conditions, and a reasonable balance of full- and part-time workers, part-time work should be available to all workers, in all jobs and at all levels.

Control Over the Organization of Work

Perhaps the most crucial problem which part-time work brings sharply into focus is control over the organization of work. In general, employers exercise control over hiring practices and thereby decide the composition of the labour force, whether male or female, full-time or part-time, and so on. Employers also control the organization of work through schedules, hours of work, vacation and overtime. Such issues are generally considered to be "management rights" and it can be extremely difficult for unions to gain any influence over such decisions. However, if part-time work is not to be exploited by being introduced, expanded, restricted or whatever, entirely to the employer's advantage and without regard to the needs of the workers, then unions must exercise some control over these decisions. Unions have indeed struggled, sometimes successfully, for such control in various ways and on numerous issues — reduced working hours, overtime pay, reasonable notice of changed work schedules and so on. Preventing the exploitation of part-time workers, ensuring an appropriate mix of full- and part-time jobs and dealing with the question of ghettoization all necessitate some control over the organization of work.

Contract Clauses on Part-Time Work

A large part of each union interview was used to discuss the actual contract clauses negotiated by the unions and how they affected part-time workers. It is the negotiated agreements that determine the conditions of part-time workers, not the opinions of union representatives, and the two are not necessarily consistent. For trade unions, statements of opinion or even policy are regulated, diluted or compromised by a myriad of factors, including the motivation of elected and paid staff, the wishes of union members and conflicts between them, the strength of the employer and the type of industry and work place, to name but a few.

It might be expected that, given the predominantly negative union view of part-time work, the issue of controls on the number or hours of part-time workers would be a major concern in contract negotiations. In fact, this was not the case. For all the unions interviewed, the primary consideration was to prevent the use of part-time workers as cheap labour by negotiating equal pay and benefits, not by bargaining their reduction or elimination from the work force. In most cases restrictions on part-time work neither existed nor were planned, while the issue of equality for part-time workers had become increasingly important. Some of the unions most vehemently opposed to part-time work had never considered the use of restrictions as a means to prevent the expansion of part-time work. Again, there is no doubt that

part-time work is a complex and controversial issue; consistent positions had not always been reached and contradictions emerged.

In the following discussion, the issue of controls on part-time work will be considered first, followed by seniority, pay and then a number of different fringe benefits. Because of a lack of information on the contracts of the Amalgamated Clothing and Textile Union, a union with very few part-time workers, only the other 17 unions are included in the discussion of pay and benefits. It should also be noted here that, for 3 of the unions interviewed, only part of their membership is included in the discussions of contract provisions. The Canadian Union of Public Employees (CUPE) is the largest union in Canada and its members are covered by over 2,000 contracts. Given the time limitations of this study it was impossible to consider all the various industries in which CUPE members work. Consequently the information provided for this study related only to the health care workers, and not to either education or municipal workers, the two other major groups covered by CUPE. The Ontario Public Service Employees' Union includes college workers and a miscellaneous category of many small contracts, but for this study only the major group covered by this union, Ontario government workers, are included. For the Retail, Wholesale and Department Store Union the director of the major Ontario local was interviewed, and consequently only members in that local, comprising half the union's members, are included in this study. For the other unions, in some cases just one contract covers all the members and where this was not so it was possible to interview either someone knowledgeable about the provisions for all the members or to interview more than one union representative.

One further point of clarification is necessary. Unions representing public service workers in Quebec negotiate together as the Common Front to obtain a basic contract for all their workers. Of the unions in this study, those participating in the Common Front are the Federation of Social Affairs, the Quebec Teachers' Corporation, and the Quebec public service workers of the Service Employees' International Union and the Canadian Union of Public Employees. The last two unions also represent workers in other provinces, who are usually covered by very different contract arrangements from those in Quebec.

A word of warning is appropriate before readers launch into the following discussion of pay and benefits. This study is based upon interviews with trade unions and therefore refers constantly to what unions have negotiated. Consequently the inference may be made that the negotiated contracts represent what unions decided to bargain into them. Of course, this is only partially the case since all union contracts are negotiated not only by unions but also by employers. Thus, the contract arrangements discussed in the remainder of this chapter

do not represent union policy so much as the compromises reached between the unions and the employers, affected by many factors, not least the militancy of the workers and the strength and resistance of the employers.

Control of Part-Time Work

In two previous studies of union contracts, any controls placed on the number of part-time workers or their hours of work have been interpreted as a negative approach by unions opposed to part-time work and seeking to protect full-time jobs.¹² Certainly such controls may be used to automatically protect full-time over part-time work, but as the following discussion will show, this is rarely the case. What has not been understood is that such contract clauses may in fact be restrictions upon the employer's use, and misuse, of part-time work and therefore may be of advantage to part-time workers. Where employers reduce or extend the hours of work for part-time workers with little advance notice or regard for the needs of the workers, controls on the scheduled hours of work may be much appreciated. Moreover, there may indeed be situations where full-time jobs are in need of protection and restrictions on the number of part-time workers are a means to a reasonable balance of full- and part-time work. In order to assess the real impact of controls it is essential to consider the context in which they have been negotiated. The following discussion will first consider controls upon the number and hours of regular part-time work and then go on to look at the situation for casual part-time work.

Of the 17 unions included in this study just 4 had negotiated contract clauses which controlled the *number* of regular part-time workers who could be employed. Why had these 4 unions introduced such controls? In order to consider this question it is worth looking at each of the unions, since the specific situations vary a great deal. They are the United Food and Commercial Workers Union (UFCW), the Retail, Wholesale and Department Store Union (RWDSU), the Canadian Union of Postal Workers (CUPW), and the Hospital Employees' Union (HEU).

Both the UFCW and the RWDSU had contract clauses which stated that part-time workers could not be hired if full-time jobs would be displaced. These unions also had contracts that placed ratios upon the number of part-time to full-time workers employed in retail stores, the ratios varying to permit more part-time workers on peak business days or hours. In the retail trade, which both the UFCW and the RWDSU cover, a very high proportion of the labour force is part-time, and fully 60% of the unions' members in the retail trade are part-time. Such a percentage is obviously far above the national average of 13.5% and is also much higher than almost every other union in the study.¹³

Both unions felt that without some controls, the proportion of part-time workers would be even higher. Here is raised the question of the appropriate mix of full- and part-time workers in the work force, and the fact that the majority of workers want and need full-time jobs. Answering this question in any particular work place is no easy matter, but with 60% of the workers part-time, some controls do not seem unreasonable. Also, given such a high proportion of part-time workers, it is apparent that the controls were hardly designed to drastically restrict the number of part-time jobs. To give an example, the RWDSU had negotiated a ratio of one full-time to one part-time worker at certain times, rising to one full-time to four part-time workers at peak periods.



At the time of the interview, the CUPW had always negotiated under the Public Service Staff Relations Act, which prohibits the unionization of workers employed for less than six months, so that casual workers, whether full- or part-time, could not belong to the union. While two other public service unions in the study are also restricted by such legislation, only the CUPW represents workers in a 24-hour-a-day operation, with ebbs and flows of work, and consequent use of casual workers. Bitter conflicts have resulted from the extensive use of casuals in the Post Office, a source of cheap labour which cannot be protected by unionization. When regular part-time workers were first introduced into the Post Office in the 1960s, their position was not dissimilar to that of the casuals. They were called in as needed

with little or no notice, paid less than the full-time workers and ineligible for benefits — “cheap labour pure and simple.”¹⁴ Influenced by the vehement opposition which had developed over the casual workers, the union at first refused to accept part-time workers as members, “the ostrich approach” as Joe Davidson calls it in his frank description of the period.¹⁵ However, by 1968, the CUPW had organized part-time workers, although it was not until 1975 that they gained an equal footing with full-time workers within the union.¹⁶ While the CUPW has negotiated equal pay and access to benefits for part-time workers, the union has also had a contract clause since 1958 stating that part-time work may not displace full-time jobs. Since that time, the proportion of part-time workers has been reduced from one-third to one-quarter of the membership (a figure still above the national average of 13.5%).

The CUPW finally obtained fairly effective controls on the use of casual workers. Now all available work must first be offered to the regular full- and part-time workers before casuals may be hired. The union then found that management started to use the part-time workers like casuals, reducing their hours to very few or extending them to almost full-time. As well, in some places part-time workers were used on day shifts, which blocked the customary movement by seniority of full-time workers from night to day shifts and therefore created conflict between full- and part-time workers. Consequently, in 1980 the use of part-time workers was restricted to one peak period per day, which is usually in the evening, and their hours controlled to between 20 and 25 hours per week. In order to ensure contact between full- and part-time workers, these hours must be spread over five days and weekend work must be shared by both full- and part-time workers, not done by a separate part-time shift.

In the case of the CUPW, restrictive legislation and the employer's use of both casual and regular part-time work have obviously had an important impact upon the union's policy and negotiations on part-time work. Controls on the use of casual workers were essential to the union, or its members and strength would have been eroded by the expansion of these workers who could not belong to the union. The controls on regular part-time work may be more debatable. For example, it is now the case that nearly all part-time workers are on the evening shift and may not move to the night shift in order to accumulate seniority and then move to days. However, 1,500 part-time workers whose hours were less than 20 hours a week are now guaranteed at least that much work, as well as a stable number of working hours which cannot be reduced or increased arbitrarily. The union representative interviewed commented that the union's policy on part-time work might have been less determined if the employer's use of casual and part-time workers had been different.

It will be interesting to see what happens with the CUPW in the future, for it is no longer subject to the same restrictive legislation. At the time of the interview, the union was working under its last contract to be negotiated under the Public Service Staff Relations Act. After years of lobbying by the union, the Post Office has become a Crown corporation and is therefore under the jurisdiction of the Canada Labour Code. This has many implications for the CUPW, one of which is that it is now free to unionize and bargain for casual workers. However, the legacy of bitterness may make it difficult for members to overcome their opposition and accept casuals into the union, at least for some time.

The Hospital Employees Union (HEU) in British Columbia has negotiated into its major contract the following clause: "The employer shall eliminate, as far as possible, all part-time employees." An estimated 5 to 10% of the HEU's members are part-time workers, a figure well below that of other unions that represent hospital workers, which estimated from 20 to 50% of their hospital members as part-time workers.¹⁷ From this it would appear that the HEU has contained the growth of part-time work in B.C. hospitals. There was no marked distinction in the situation or experience of the HEU that would explain the existence of such controls in this union while they had not been negotiated in others. It seemed that the union's policy to prevent the loss of full-time jobs had, in this case, been implemented through the contract negotiations. It is clear from the wording of the contract clause that the intention is to reduce part-time work to a minimum, rather than to strike some acceptable balance between full- and part-time work. This opposition to part-time work does not permit accommodation to that section of the work force that wants and needs part-time work. However, a further point should be noted. Eighty per cent of the HEU's membership are women, so it is largely the full-time jobs of women that are protected and it is the women members who have accepted, or wanted, such a clause in their contract.

The issue of controls on part-time hours of work is a separate one from controls on the number of part-time workers. A common complaint from many trade unions was the employers' reduction and extension of the hours of work of part-time workers. From the Canadian Telephone Employees' Association (CTEA) came an example of two part-time workers who were regularly scheduled to work three days per week. However, in the previous year they had worked extra hours, or indeed full-time, for 75% of the year. The workers involved feared that if they refused the additional work their positions might be changed to regular full-time jobs, and they would lose their part-time status entirely.

Of the 17 unions in this study, 5 had controls on the hours worked by regular part-time workers, as distinct from the number of part-time

workers. As stated, the CUPW had negotiated both minimum and maximum hours of work, and part-time workers could only be employed between 20 and 25 hours per week on a regular basis. The HEU, the Ontario Nurses' Association, the B.C. Nurses' Union and the Hotel and Restaurant Employees had all negotiated a minimum number of hours for regular part-time workers of 15 to 20 hours per week. In addition, the HEU had negotiated a clause stating that part-time workers may refuse to work more than 20 hours per week, thus protecting them from an involuntary extension of hours.

Turning to casual part-time workers, seven unions had specific controls on these workers. The four unions mentioned above that had negotiated a minimum number of 15 to 20 hours per week for regular part-time workers had done so as much to control the number of casual workers as to protect regular part-time workers. Since casual workers usually receive fewer (if any) of the benefits available to regular part-time workers, it was found that employers maintained workers on casual status even if they worked long hours. As a result, the unions introduced a distinction between casual and regular part-time workers defined by hours of work, and negotiated that any worker prepared to work the minimum number of hours automatically becomes a regular part-time worker and thereby eligible for the accompanying benefits.

Three other unions have specific controls on the use of casuats. The CUPW, prohibited from organizing casual workers, has negotiated a contract clause whereby casuats may only be hired after all available work has been offered to the regular full- and part-time workers. The CTEA limits the use of casual workers to no more than 25 days per year for each worker and no more than three weeks continuous work (even if the work is just one day per week). The Federation of Social Affairs in Quebec has a clause which states that casuats are to be hired only to temporarily replace the usual workers and not on a regular basis. This union has also negotiated that, where possible, hospitals will establish mobile units of permanent workers prepared to move from one department to another as required. Several hospitals have established such units, thus reducing the need for casual workers. In all these cases the intention is to limit the use of casual workers in favour of regular part-time and full-time work. Restrictions on the number of casual part-time workers, as opposed to regular part-time workers, are desirable if one accepts that most part-time workers would prefer regular to casual work and that casual work now predominates.

To summarize thus far, controls on the number and hours of part-time workers, and particularly regular part-time workers, had been negotiated by only a minority of unions in this study. Such controls were more often negotiated in response to a very high proportion of part-time workers and their exploitation than as a direct result of union

opposition to part-time work. In many instances the controls were intended to protect the interests of regular part-time workers rather than to restrict their numbers, and as such one might argue that too few unions had negotiated such controls, particularly on casual part-time work.

However, specific controls on the number and hours of part-time workers are not the only means whereby unions exercise control over the organization of work, whether for full- or part-time workers. Contract clauses on seniority and pay and benefits may also have a definite impact on the employment of part-time workers. On seniority, for example, in the UFCW all work was allocated by seniority and all workers accumulated seniority. There really were no casual workers in the sense of workers hired for only brief periods, since once employed they immediately began to accumulate seniority towards obtaining more work.

The pay and benefits of part-time workers may act as incentives or disincentives for their employment. For example, the HEU had bargained very good benefits for regular part-time workers, to the extent that their employment was more costly than hiring either full-time or casual workers. The union was aware that at the time of the interview there were disincentives for the employer to hire regular part-time workers, but incentives to hire casual part-time workers. At the following round of negotiations the HEU was planning to bargain for removal of the term "casual employee" from the contract so that all part-time workers would be covered by the same benefits. If these efforts were successful, the result would be that full-time workers would be cheaper to hire than part-time workers. Thus the negotiation of pay and benefits may indirectly act as incentives or disincentives for the employment of part-time workers.

For some unions, controls upon the use of part time work, and particularly casual work, were necessary in a situation where part-time workers were clearly less costly to the employer. However, controls may continue to be relevant even when equal pay and benefits are negotiated. If part-time workers are more productive in some work places, or their flexibility is highly valued, it may be important for unions to exert control over the mix of full- and part-time workers, and to ensure some stable hours of work for part-time workers. In situations where part-time work is remunerated equally with full-time work, however, perhaps a different kind of control might be envisioned. Employers might be required to provide part-time work to workers who need it, and in all categories of work, not just certain types of jobs.

In fact, one union has negotiated such an arrangement. The Quebec Teachers' Corporation exercises a different kind of control over part-time work. Any teacher may request a part-time position for a year,

which may be extended to any number of years. Thus far, no one has been denied such a request, though the union is intending to try to negotiate it as a right in the future. During the part-time period, the worker is paid on a pro rata basis and retains all benefits and seniority rights, calculated on a half-time basis. All such part-time workers are guaranteed a return to full-time positions upon their request at the start of the following school year. These part-time positions cannot be used as cheap labour and they enable the worker to move back into full-time work. While the school-year basis of teachers' employment makes such an arrangement technically easier here, it would be possible and desirable in other negotiated contracts.

Seniority — Job Postings and Lay-Offs

Seniority is the ranking of workers according to the length of time they have worked with the same employer, so that a worker employed for two years would have more seniority than a worker employed for only one year. The greater a worker's seniority, the more access she may have to a number of rights and benefits. Increased seniority may mean higher pay, longer vacations, more sick leave and better choice of shifts, to name but a few.

However, the issue of seniority is also more fundamental than increased pay and benefits. It is perceived by most unions as a means to obtain some control over the organization of the work place by replacing decisions made entirely by management with rights according to seniority. For example, instead of the employer deciding which workers should receive a pay increase and when, under most union contracts pay increments are automatically received according to seniority. Similarly, the important issues of allocation of work, promotions and other job vacancies, transfers and lay-offs may be ordered according to seniority. While not all unions have obtained contracts that apply seniority to all these items, most would consider them desirable and important. The issue of seniority, therefore — by whom and how it is accumulated — is often very important in union contracts and may affect many of the negotiated rights and benefits that will be discussed in the following sections.

For part-time workers, there are three major concerns regarding seniority:

- whether part-time workers, regular and casual, are eligible to accumulate seniority;
- whether seniority lists are integrated or segregated;
- whether seniority is accumulated by hours of work or calendar years.

These three issues will be related to the negotiated contracts of the unions in this study on seniority for job postings and layoffs. The effects of seniority negotiations upon pay and certain fringe benefits will be discussed later in the sections dealing specifically with those items.

Job postings refer to the vacant positions, including promotions, within a work place or industry for which workers already employed there may wish to apply. The successful applicant may be chosen entirely by the employer (usually termed a merit system) or may be determined according to seniority, with internal candidates having priority over applicants from outside the work place. Lay-offs occur when workers lose their jobs because of lack of work. The question of who is to be laid off may again be decided by the employer, or ordered by reverse seniority, so that workers with more years of employment retain their jobs the longest. Thus, the issues of job postings and lay-offs determine both the position of workers in the work force and their security in those positions.

Of the 17 unions in this study, 9 had negotiated contracts in which seniority determined either job postings or lay-offs, or both. Half of the remaining 8 unions were prohibited by law from negotiating hiring, firing, promotions and lay-offs, and therefore were prevented from negotiating seniority on these issues. These legislated restrictions upon trade unions, and their impact upon part-time workers, are considered in some detail in the chapter on legislation.

In all of the nine unions that had negotiated seniority for job postings or lay-offs, regular part-time workers were able to accumulate seniority, while five had negotiated the accumulation of seniority for casual workers. As important as the eligibility to accumulate seniority, however, is whether the lists are integrated or segregated. An integrated list means that a part-time worker may have greater seniority than a full-time worker because all of the workers are ranked on the same list, whereas on a segregated list all part-time workers are ranked on a separate list and have priority only after all full-time workers. Thus it would be impossible for a part-time worker, no matter how long her period of employment, to have greater seniority than the most recent full-time worker. On the segregated lists, part-time workers will be the last to be considered for job postings and the first to be laid off, regardless of how long they have worked for the employer. Of the nine unions considered here, four had segregated lists, and two had negotiated both arrangements in different contracts.

During the interviews two arguments against integrated lists were voiced. The first was that if part-time and full-time workers are equally eligible to obtain jobs, workers wanting full-time jobs might be obliged to work part-time for a period in order to obtain some seniority. In other words, hiring "off the street" would be blocked by part-time

workers applying for full-time jobs and would therefore enforce a period of involuntary part-time work for anyone wanting to work in that work place or industry. This argument tends to assume that a large number of part-time workers would apply for full-time positions, and that few workers intending to remain part-time rather than move on to full-time work would apply for part-time jobs. In fact, the unions in this study with integrated lists had not found this to be a problem, for although some part-time workers did want full-time work, the majority remained as part-time workers, and full-time positions were still available to workers from outside with no seniority.

The second argument against integrated seniority lists is that they do not recognize the additional time worked by full-time workers. However, this depends upon how the seniority is accumulated, whether by calendar years or hours of work. When seniority is applied to full-time workers, it is usually calculated from the date that employment commenced on a year-by-year basis. So, for example, a worker who started work in September 1980 would have accumulated two years of seniority by September 1982. For part-time workers the question arises as to whether they accumulate seniority on the same basis, by calendar year, and regardless of how many hours they work. Alternatively part-time workers may accumulate seniority by the hours they work, so that a half-time worker would accumulate one year of seniority only after two years of employment.

Where job postings and lay-offs are concerned, it seems only fair that part-time workers accumulate seniority according to the hours they work, so that integrated lists recognize the additional work performed by full-time workers. The unions in this study that had negotiated integrated seniority lists all had arrangements for seniority accumulation by hours of work. In unions where seniority was calculated for part-time workers on a calendar-year basis, either seniority did not apply to job postings and lay-offs or the seniority lists were segregated. Two unions in this study and parts of two others included all part-time workers, regular and casual, in their integrated seniority lists, so that all workers accumulated seniority by hours of work and on that basis were equally eligible for job postings and equally protected against lay-offs. These unions were the Hospital Employees' Union, the Federation of Social Affairs and the Quebec public service sectors of the Service Employees' International Union and the Canadian Union of Public Employees.

The accumulation of seniority by hours of work is crucial if integrated seniority lists are to be implemented for all workers on issues such as job postings and lay-offs. However, this arrangement is not desirable on other items and may have led to some uncertainty as to how to bargain seniority for part-time workers. On issues concerning pay and

benefits, the accumulation of seniority by calendar year is the most advantageous arrangement. Why is this so?

As an example, consider the matter of pay increments, that is, regular pay increases according to seniority. It is advantageous to part-time workers if the basis for increments is calendar years, for then they obtain increases at the same time as full-time workers. On hours of work, however, it will take a part-time worker employed at half-time just twice as long to receive the increments. It may be argued that if increments are paid for increased work experience (and therefore increased knowledge, efficiency, speed or whatever), it makes sense to pay the increments on the basis of hours of work. A part-time worker obviously has not gained as much work experience as a full-time worker after a calendar year of employment. Many unions oppose this position, however, arguing that many of the jobs are learnt thoroughly within the first week or month or half-year, and that notions of increased experience year after year are illusory.

Another and very important consideration is the cost to the employer. If part-time work is not to be vulnerable to use as cheap labour, then a strong argument may be made that part-time workers should cost the same to the employer on a pro rata basis as full-time workers. But where hours of work are the basis for pay increments, the cost of part-time workers will become cheaper as time passes. On the basis of hours of work, two workers on half-time will each receive an increment after two years, while a full-time worker covering the same hours as the two part-time workers will receive a pay raise after just one year. There is an exception to this argument and that is casual part-time workers. It does not make much sense for a person working odd hours or days to obtain increments by calendar years of employment. For these workers, hours of work are a more appropriate basis for receiving increments.

In most union contracts seniority is accumulated according to just one method and then applied to all the contract items, including pay, benefits, lay-offs and so on. To accommodate the situation of part-time workers it may be necessary to conceive of two types of seniority applied to different contract clauses, as follows:

1) *Seniority by hours of work.*

On issues that have to do with the relationship between full-time and part-time workers, seniority should be accumulated in a manner that recognizes the additional work-load of full-time workers, that is, by hours of work. The issues thus affected would include job postings, lay-offs, recall after lay-offs, allocation of work, choice of shifts and vacation, and any other items where certain workers must benefit over others.

2) *Seniority by calendar years.*

On items that concern the cost of labour to the employer, it is important to attempt to negotiate seniority according to calendar years worked, at least for all but the most casual of workers. Such items would include pay increments, length of vacation, amount of sick leave, eligibility for health and welfare plans and any other benefits affected by seniority.

Pay

In this section the negotiated arrangements for starting pay, increments and overtime will each be considered in turn, first for regular part-time workers and then for casual part-time workers.

Starting pay is the pay rate received when a worker first begins a job at the lowest level. All but two of the unions in this study had negotiated equal starting pay for regular part-time workers with full-time workers, the two exceptions being the United Food and Commercial Workers Union (UFCW) and the Retail, Wholesale and Department Store Union, both in the retail trade. The UFCW had been largely successful in eliminating lower pay rates for students and was progressing in its negotiations to equalize the rates of full- and part-time workers. In fact equal wages had been bargained in British Columbia, and in Quebec the rates will be equalized by 1983, but in other provinces differential rates apply. Such a gradual improvement in the conditions of part-time workers, with gains at each new round of negotiations, was a common experience for many of the unions.

Concerning casual part-time workers, three unions in the study were prohibited from organizing casual workers, and consequently their pay and all other working conditions were not subject to union negotiations. For the other unions, casual and regular part-time workers were paid the same starting rates, with the exception of the three teachers' unions. In British Columbia, Alberta and Quebec substitute teachers were paid at a lower daily rate than regular teachers, at least for an initial period of up to 20 days.

Thus, while 15 of the 17 unions had obtained equal pay for regular part-time workers, for various reasons only 9 had been able to negotiate equal pay for casual workers with full-time workers.

Increments are pay increases automatically received by workers upon completion of a certain number of hours, months or years of work with the same employer. If part-time workers are ineligible for increments, as time passes their pay rates will fall behind those of full-time workers. Increments may be regarded as a kind of reward for

remaining with one employer, as incentives to stay, or as proper reimbursement for increased experience in the work. One union, the Hotel and Restaurant Employees, has rejected these arguments, having found that because of high turnover and lay-offs workers never in fact reached the higher pay levels. Consequently this union no longer has any increments negotiated into its contracts, and the following discussion applies to the remaining 16 unions.

All 16 unions had negotiated the right to pay increments for regular part-time workers, but for casual part-time workers the situation varied. Again, 3 unions were unable to negotiate any arrangements for casual part-time workers due to legislative restrictions. Of the remaining 13, 5 had negotiated the right for casuels to be paid increments, 4 had contracts which excluded casual part-time workers from access to increments, and 4 had other arrangements. Of this last 4, in the B.C. Nurses' Union casuels were not eligible for the usual increments but were paid at the level for nurses with two years' experience, whatever their level of experience might be. In the Quebec Teachers' Corporation, after a 20-day delay period, substitute teachers move onto the same pay scale as regular workers, according to education and experience. The same delay system applies to a minority of teachers in Alberta and British Columbia, but in these provinces most of the substitute teachers are paid a flat rate without any increments. Thus, while regular part-time workers were eligible for pay increments along with full-time workers, casual part-time workers were more often excluded than not.

How the increments are paid, whether by hours of work or by calendar years of employment, is also important for part-time workers. As discussed in the previous section on seniority, accumulation of seniority for increments on the basis of calendar years is advantageous to part-time workers and it equalizes labour costs for the employer. For regular part-time workers, 4 of the unions in this study had obtained calendar years of employment as the basis for payment of increments, while the 12 others with negotiated increments used hours of work. Casual workers were particularly affected by the method used for calculating seniority. Only 1 union, the Hospital Employees' Union, had negotiated both systems, so that regular part-time workers gained seniority for increments by calendar year and casual workers by hours of work. However, in the 3 other unions with calendar years as the basis for increments for regular part-time workers, casuels were excluded from obtaining increments. Of the 12 unions with hours of work as the basis for increments for regular part-time workers, casuels were also eligible for increments in 4. Thus, where calendar years were the basis for pay increments, casual workers were unlikely to be eligible for increments.

Overtime is paid to full-time workers after the normal number of daily or weekly hours of work, usually 7 to 8 hours per day and 35 to 40 hours per week, depending upon the industry and type of work. One and a half times or double the usual pay is normally received for overtime, as recompense for the long hours of work. There is some debate as to whether part-time workers should receive overtime pay after the usual full-time hours of work, or alternatively after their own shorter regularly scheduled hours of work. Under the latter arrangement, a part-time worker who, for example, normally works Monday, Tuesday and Wednesday for 6 hours each day would receive overtime pay if asked to work additional hours on those days or on Thursday or Friday. In effect, this would mean that a part-time worker could earn more money for the same, or fewer, hours than a full-time worker, and it has been criticized on that basis as unfair and inequitable. The argument in favour of payment of overtime after regularly scheduled part-time hours is based on the need to prevent employers from arbitrarily extending the hours of work of part-time workers without penalty. As previously mentioned, it was a recognized problem among the unions in this study that such extensions of hours were common.

With two exceptions, the unions in this study had negotiated overtime pay for hours of work over the normal full-time daily or weekly hours. The Ontario Public Service Employees' Union had negotiated overtime payments after the full-time daily hours, but also for work on days that were regularly scheduled as days off. In the school boards in Quebec covered by the Service Employees' International Union, overtime was paid after the regularly scheduled days and hours of work.

The argument that overtime pay should be received only after full-time hours of work is a strong one for several reasons. It appears unfair, and likely to create conflict, for part-time workers to receive a higher wage for the same hours of work as full-time workers. It might be argued that such a situation is unlikely to arise, since under such arrangements employers would be most reluctant to extend the regular hours of part-time workers. This is true, and in fact has the disadvantage of probably denying any additional hours of work to part-time workers, whether they are wanted or not. Moreover, there is another means by which to prevent employers from arbitrarily extending the hours of part-time workers, and that is to give part-time workers the right to refuse such additional work without penalty. This could be expressed as the right to refuse work over a certain number of hours, as negotiated by the Hospital Employees' Union, or simply the right to refuse work beyond the regularly scheduled hours. Infringements of such a right could then be contested through the grievance procedure, like any other deviations from contract provisions.

Annual Vacation

All union contracts provide for an annual vacation with pay of at least two weeks. Usually the length of the vacation increases with years of employment with the same employer. For part-time workers the important issues are:

- whether they receive equivalent vacation according to their hours of work;
- whether they are eligible for increased vacation with increased time worked;
- how the period of employment is calculated, whether by hours worked or calendar years of employment.

As with pay increments, if the period of employment is calculated by calendar years part-time workers receive the increases more quickly and the cost to the employer is equivalent to that for full-time workers.

Sixteen of the 17 unions in this study had negotiated the same initial vacation for part-time workers as for full-time workers, the only exception being the Ontario Public Service Employees' Union (OPSEU). Fifteen of the unions had obtained equivalent increases in vacation, while only in OPSEU and the Retail, Wholesale and Department Store Union were regular part-time workers not eligible for vacation increases.

It is interesting to note that of the 15 unions that had bargained vacation increases for regular part-time workers, 6 had negotiated increased vacation according to calendar years of employment, 4 more than had obtained this arrangement for pay increments. The remaining 9 unions had negotiated increased vacation according to hours of work. Included in this 9 are the 3 teachers' unions. Although teachers get the normal school holidays and so their actual vacation time remains the same, for regular part-time teachers the pay increases according to their seniority by hours of work, and thus they are compensated for the vacation periods. Also included in the 9 unions that had negotiated increased vacation according to hours worked are the Federation of Social Affairs (FSA), and the Quebec public service sectors of both the Service Employees' International Union (SEIU) and the Canadian Union of Public Employees (CUPE). Since in these unions and sections of unions full-time workers were not eligible for any increase in vacation until after 25 years, the increase applied to very few full-time workers, and it was irrelevant to part-time workers who would need to work an impossible 50 years to obtain the increase.

Turning to the position of casual part-time workers, 3 unions were restricted by law from bargaining for casual workers. Of the remaining 14, 12 had negotiated the same initial vacation for casual part-time

workers as full-time workers. CUPE had some equitable contracts and some in which casual workers received less vacation, while in the British Columbia Nurses' Union all casuals received fewer vacation benefits than the full-time workers. Although in most of the unions' contracts casual part-time workers started with the same vacation, it was common for them to be ineligible for increased vacation. Thus while in 2 unions all the casual workers started with less vacation, in a further 7 they would fall behind after 3 to 5 years. While most casual workers would not be employed long enough to benefit from increased vacation, in fact some casuals do continue working for the same employer for many years. In the remaining 5 unions, the arrangements for casuals varied. As already mentioned, in the FSA and Quebec public service sectors of the SEIU and CUPE, no workers were eligible for increased vacation until after 25 years. In other sectors of the SEIU and CUPE, casual workers were excluded from regular vacation increases. In the eastern region of the Hotel and Restaurant Employees casual workers received vacation increases equivalent to the increases for regular workers, but in the West they did not. The United Food and Commercial Workers Union had negotiated equivalent increases in vacation for part-time workers, both regular and casual, with full-time workers, calculated on the basis of calendar years of work.

Like full-time workers, part-time workers may take their vacations in paid time off, prorated according to their hours of work. Alternatively, part-time workers may receive a percentage addition to their regular pay, 2% of the usual wage being equivalent to one week of vacation time. The 3 teachers' unions in this study are bound by school holidays. Of the 14 other unions, 4 had negotiated prorated time off for regular part-time workers, 8 had negotiated a percentage addition to pay and 2 had both types of arrangements, varying by region or bargaining unit. In all cases casual part-time workers received a percentage addition to their pay.

There are benefits and disadvantages to both methods. Where the hours of work are irregular, and may vary week to week or month to month, it may be difficult to prorate time off, including how and when it is to be taken. This is especially true for casual part-time workers, who may be employed for only a few weeks or months. Such problems are resolved by the addition of a percentage of pay, equivalent to the vacation period, to the regular wage. However, in such cases it is important to specify that the appropriate period of unpaid leave be taken, or part-time workers may not actually receive the time off. While the unions were not formally questioned on the issue of whether part-time workers were entitled to unpaid vacation time, it seems clear that there is some variation. For example, the agreements of the Canadian Union of Postal Workers and the United Food and Commercial

Workers provided for such entitlement, while the contracts of the Ontario Public Service Employees Union and the Retail, Wholesale and Department Store Union did not.

One union that was interviewed raised another potential inequity. Where the percentage paid for vacation is based upon the previous year's wage, part-time workers may actually receive less vacation pay than full-time workers, whose paid vacation is based on the current, and therefore, highest wage. One way to rectify this situation would be to calculate the time worked, rather than the wage earned, in the previous year and then apply current rates of pay to that period in order to calculate appropriate vacation pay.

For the majority of part-time workers, who are employed for irregular hours, the most advantageous arrangement provides a percentage of pay added to the regular wage, equivalent to the vacation time of full-time workers and increasing at the same rate by calendar years. It is also important that part-time workers be entitled to the equivalent time off without pay, to ensure that they do indeed obtain a vacation.

Statutory Holidays

Statutory holidays are the days of leave from work scattered through the year for occasions such as Christmas, New Year's, Easter and Labour Day. In most contracts there are now a minimum of 10 such holidays, which therefore comprise the equivalent of two weeks of work. Thus for many workers statutory holidays are no less significant than their two weeks annual vacation.

When the holiday is worked, as is necessary in hospitals and other continuous-operation work places, the workers usually receive additional pay as recompense, and this practice may be easily applied to both full- and part-time workers. Complications arise in the more common situation where workers take time off for statutory holidays. For full-time workers the holidays are taken as days of leave with pay, and often it is agreed that where the holiday falls on a weekend an alternative day of leave or an additional day's pay is provided. Regular part-time workers who work the same hours every day, spread over five days a week, may take the holidays in the same way as full-time workers. However, as soon as this very regular pattern ceases to exist, there are complications. For example, if someone works three full days per week, Thursday to Saturday, and the holiday falls on Monday, how would that holiday be accounted for? Irregular hours or days of work which change from week to week are common for casual part-time workers, and unless some provision is made they do not receive the benefit of statutory holidays. Again an important consideration

here is the cost of labour to employers. If part-time workers can be hired without the provision of the usual benefits for full-time workers, then part-time work becomes a source of cheap labour.

The unions interviewed for this study had negotiated a variety of arrangements for part-time workers. The situation for regular part-time workers will be considered first. In the three teachers' unions, regular part-time workers are compensated for statutory holidays in that they receive the negotiated wage for the 200 days that full-time teachers work, prorated according to their hours of work, so that their pay and holidays are equivalent. Other than the specific situation of teachers, only in the Canadian Union of Postal Workers do part-time workers take time off for statutory holidays, with pay calculated according to their hours of work on the previous five days. This is possible because all part-time workers in the Post Office are employed for very regular hours, 20 to 25 hours per week spread over five days of work, as negotiated by the union.

In most situations the hours and days of work are less regular, and it is common for regular part-time workers to receive additional payment above their usual wage to compensate for statutory holidays. The statutory holidays are calculated as a percentage of the work year. Usually this is assessed at 4% to cover 10 holidays, or the equivalent of two weeks' work, although in Quebec the public service unions now have the holidays calculated at 5.3%. This percentage is then applied to the part-time worker's annual wage and the resulting amount attached to the pay received. In this study eight unions had negotiated this arrangement and the payment for part-time workers was equivalent to the benefits for full-time workers in five, the exceptions being the Ontario Nurses' Association, sections of the Canadian Union of Public Employees and the Service Employees International Union (SEIU). For at least part of their membership, these unions had negotiated a payment-in-lieu package which covered several benefits including statutory holidays, but in no case was the applied percentage sufficient to compensate for the benefits available to full-time workers.

The United Food and Commercial Workers (UFCW) and the Retail, Wholesale and Department Store Union had a different arrangement whereby part-time workers were eligible for holidays after three calendar months of employment, provided they had worked 12 days in the four weeks prior to the holidays as well as their scheduled days of work both before and after the holidays. Some of the UFCW's contracts provided holiday pay on a prorated basis to part-time workers employed more than 16 hours per week.

Thus, in 15 of the 17 unions regular part-time workers received pay for statutory holidays, and in most it was equivalent to the benefit

received by full-time workers. Only in two unions were most or all of the regular part-time workers not covered by provisions for statutory holidays. The Hotel and Restaurant Employees' contracts in the eastern regions of Canada exclude regular part-time workers from this benefit. The Public Service Alliance of Canada has an arrangement whereby part-time workers must be working both the day before and the day after a statutory holiday in order to qualify for pay, an arbitrary condition whereby some would and some would not be eligible.

The negotiated provisions for casual part-time workers were less equitable. Again, only 14 unions are relevant here, since 3 cannot negotiate for casual workers. In 6 of the unions casual part-time workers did not receive any statutory holidays or pay in lieu. Of the 4 unions that provided a percentage of pay for casuels for holidays, 2 had negotiated an equivalent benefit to full-time workers while in two it was less. The SEIU and CUPE were divided in that their Quebec sections had negotiated an equal benefit for casual workers. Elsewhere, if payment was provided it was less than the payment for full-time workers.

Since so few part-time workers are employed regularly and for five days per week, the best arrangement in most situations is a percentage paid in lieu to all casual and part-time workers, based on the total number of statutory holidays and paid according to the hours or days worked.

Sick Leave

Despite minor variations, the 17 unions in this study divided fairly clearly into three types of contract arrangements on sick leave for part-time workers. First, there were 4 which had no sick leave coverage for either regular or casual part-time workers.

Second, 7 unions had negotiated prorated sick leave for regular part-time workers. For example, if a full-time worker accumulated 10 days of sick leave per year, a part-time worker on half-time would accumulate 5 days per year. However, casual part-time workers did not receive any sick leave coverage in any of these 7 unions. The 3 unions prevented by law from negotiating for casual workers had negotiated prorated sick leave for regular part-time workers.

The third type of arrangement was a percentage payment in lieu of sick leave, added to the usual wage. Four unions had negotiated this arrangement, at least for part of their membership, and in all cases the percentage in lieu was paid to all part-time workers, both regular and casual.

Thus, wherever a prorated system was used, casuals were excluded from coverage, while all percentage-in-lieu arrangements included both casual and regular part-time workers. This situation reflects the difficulty of covering casual workers on a pro rata basis because of their irregular hours, while under a percentage-in-lieu arrangement there is no reason not to include all part-time workers. It would be possible to combine the two systems, of course, with regular part-time workers on prorated sick leave and casuals on a percentage-in-lieu basis, but no union in this study had negotiated such an arrangement.

It should be noted that of the four unions that had negotiated a percentage payment in lieu of sick leave, only the Federation of Social Affairs and the Quebec public service sections of the SEIU and CUPE made the payment equivalent to the sick leave of full-time workers. For these unions full-time sick leave was 9.6 days per year, so 4% payment in lieu of sick leave was paid to all part-time workers. In the SEIU outside Quebec, parts of the CUPE and the Ontario Nurses' Association, the premium for sick leave was part of a general premium package to cover several benefits. It was recognized that the premiums in these cases were not sufficient to recompense for the benefits obtained by full-time workers.

To summarize, 13 of the unions had negotiated a sick leave provision for regular part-time workers, in most comparable to the provision for full-time workers. However, 4 unions had negotiated sick-leave coverage for casual workers, and of these only in 1 union and parts of 2 others were the benefits equivalent to those for full-time workers.

Health and Welfare Plans — Benefits or Pay in Lieu

Health and welfare plans negotiated by unions may include health insurance, extended health care, long-term disability, life insurance, plans for prescription drugs, dental and optical care. Under such plans the employer pays part or all of the cost of group insurance for the workers, so that in the event of medical needs, disability or death the worker's costs will be paid by the insurance plan. It should be noted here that unions negotiate such plans in the absence of government programmes to provide more general coverage. For example, since dental care is not available to all because of its cost, unions may attempt to provide dental insurance through negotiated agreements. Such arrangements are necessarily patchwork in nature and cannot substitute for universal government programmes.

The variation among unions on what had been negotiated for health and welfare was great. No union had negotiated all the items mentioned above and there were any number of combinations of items in the different plans. There was variation as well, sometimes item

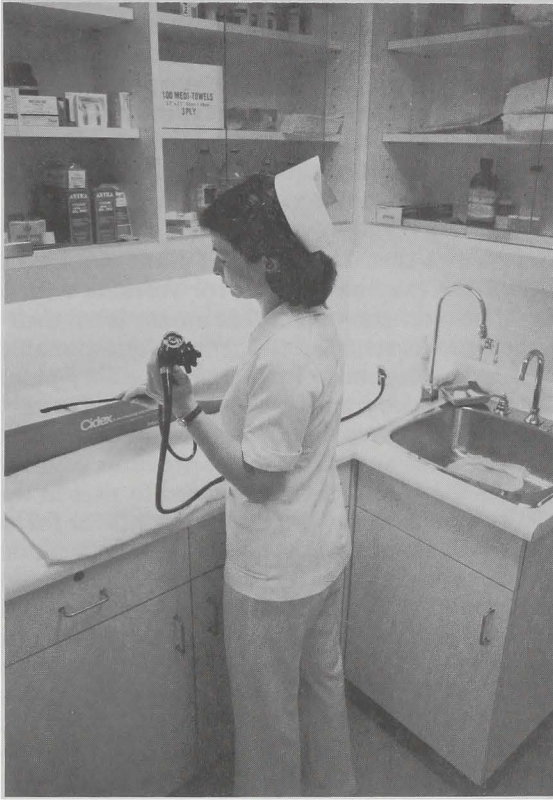
by item, on whether or not regular and casual part-time workers were eligible for the plans and on what basis. Because of this variation, no attempt is made here to indicate how many unions had this or that arrangement, for almost every contract was different from every other. Instead there follows a more general discussion of some of the alternatives and difficulties concerning health and welfare plans for part-time workers which emerged from the interviews, with examples drawn from particular unions.

In all but one union, regular part-time workers were eligible for at least some of the health and welfare provisions made for full-time workers, and often for all of them. However, as the title of this section suggests, there were two quite different methods whereby regular part-time workers were included in the plans, provision of benefits or payments in lieu. In the majority of unions regular part-time workers received the benefits or some portion of the benefits provided. The most extensive coverage was provided by plans paid entirely by the employer, providing equal benefits to full- and part-time workers. For example, a dental plan might be fully employer paid and cover 100% of the costs of dental care for full- and part-time workers. Or a life insurance plan would be employer paid and provide a flat rate, say \$25,000, upon the death of any worker, full- or part-time.

However, it was more common for the benefits to be prorated, with the part-time worker paying into the plan or receiving the benefits according to the proportion of time worked. While the majority of plans were entirely employer paid, workers' contributions were most common on health insurance, life insurance and some long-term disability plans. For example, the employer would pay 100% of the cost of health insurance for full-time workers, 50% for part-time workers. In the same way, some benefits are provided to workers in proportion to their hours of work, so that a dental plan might cover 80% of the cost of dental work for full-time workers and 40% for part-time workers. Life insurance in some instances and long-term disability in all instances were related to the wage received by the worker; obviously the benefits for part-time workers were prorated to their hours of work. Most unions promote the principle that health and welfare plans should be entirely employer paid and provide the same benefits to full- and part-time workers. Partial coverage was often regarded as a step along the negotiating route towards complete coverage.

The other method whereby part-time workers participated in health and welfare plans was by payment in lieu of benefits. Instead of receiving coverage on health and welfare items, part-time workers were paid a percentage addition to their regular wage to compensate for the lack of benefits. Three unions in this study had negotiated such payment-in-lieu arrangements at least for part of their membership, the Ontario Nurses' Association, the Canadian Union of Public Employees

and the Service Employees International Union. It is worth considering some of the problems and advantages of the two methods, looking at the cost to the employer, the cost to the worker, eligibility for the plans, and the relationship between full- and part-time workers.



One argument made in favour of payment in lieu of benefits is that the cost to the employer of full- and part-time workers may be equalized under this system. For example, because part-time workers, especially casual workers, have a higher turnover than full-time workers, they may never obtain the benefits. With some benefits, an employment period of three, six or nine months is necessary for eligibility. The problem of cost to the employer is a real one, but in fact none of the three unions utilizing the payment-in-lieu system had obtained equal payments. While it was estimated that benefits for full-time workers, including vacations and holidays, cost 25 to 30% of the wage, the unions had obtained only 16 to 20% as payment in lieu for part-time workers. As it stands, the payment-in-lieu system results in part-time workers costing less than full-time workers.

What of the benefits to the workers? In theory the payment in lieu should cover the costs of private insurance which workers arrange for themselves, but in practice such arrangements are rarely made. Not only are the members likely to use the additional money for immediate needs, many of the plans simply cannot be obtained on an individual basis. Dental insurance, for example, can only be obtained through a group plan. The result is that the workers are simply not insured for their health and welfare needs and may face real financial problems in the event of illness or disability. The purpose of the benefit plans is to protect workers in the event of unexpected health expenses, not to provide an addition to regular wages. Thus, while payment in lieu may be one way to attempt to equalize the cost to the employer, protection of the workers is not accomplished.

Another problem is that where benefit plans require a contribution from the workers, it may be difficult for workers with low salaries, including part-time workers, to lose that money from their regular pay, especially if the benefits returned to them are questionable. This argument is particularly relevant to long-term disability plans, which are in some cases contributory and at the same time are unlikely to provide benefits to part-time workers. In the event of a worker being disabled, payment is made according to the previous wage of the worker and in most cases the amount is not indexed to rises in the cost of living. This usually means that disability payments for former part-time workers would be lower than the welfare payments made to disabled persons, and would be deducted from welfare. The low-income worker therefore would pay into a contributory long-term disability plan, but receive no benefits. Where the plan is fully employer paid, part-time workers at least do not lose their contributions, but at the same time they do not gain any benefits. Given the current situation with welfare payments, it may be worthwhile for unions to trade participation for part-time workers in long-term disability plans for full coverage in dental, optical, health insurance plans and so on, which are of real benefit. In this way, the cost to employers would also be equalized in that the reduced cost on long-term disability would be balanced by the increased cost of full coverage for part-time workers on the other benefits.

A further problem with payments in lieu for part-time workers is the sense of injustice felt by full-time workers. When payment in lieu of vacation is included, part-time workers may be earning up to 22 % more per hour on some contracts than full-time workers, a very considerable amount. If this should be increased by a percentage addition for pensions, as some unions are considering, the pay differential would be even more pronounced. While the arguments in favour of payment in lieu for vacations and statutory holidays are clear-cut and relate to an immediate and observable benefit, this is not always the case with health and welfare plans.

It was suggested in one of the interviews that part-time workers are sometimes covered for benefits by their spouse's work plans and that they therefore are better served by the payment-in-lieu system than by an unnecessary duplication of benefits. While this may be true, it is no less true of full-time workers whose spouses' benefits may duplicate their own. Such full-time workers may wonder why payment in lieu is not also available to them. The likelihood of extended illness, long-term disability or death may seem remote compared to the immediate benefits of an increased pay package. A worker with perfect vision may wonder about the benefits of an optical plan. For any number of reasons full-time workers may regard the payment-in-lieu system as an unfair advantage for part-time workers.

The purpose of health and welfare plans is not to provide benefits to all workers, of course, but only to those who need them, and group policy payments will indeed be based upon some calculation as to what proportion of the workers will actually use the benefits. The payment-in-lieu system for part-time workers pays out to all those workers, however, and full-time workers may resent this apparent advantage. In fact all three of the unions that had negotiated pay in lieu commented that conflicts between full- and part-time workers had sometimes arisen on this issue.

As a result of conflicts over payment in lieu, one union was considering moving to what is called "cafeteria style" benefits. Under such a system, both full- and part-time workers pick and choose the benefits in which they wish to participate and receive payment in lieu for the others. While this may avoid duplication of benefits or unnecessary coverage, the implications are dangerous. The most important risk is loss of protection since the immediate and rising costs of living may pressure workers to take the money now and gamble on the future. Moreover, workers who are covered by their spouses' work plans today may not be covered tomorrow after death or divorce. Whenever and wherever possible it is preferable that workers, all workers, receive the protection of health and welfare plans rather than payment in lieu.

With the value of benefit coverage for all workers confirmed, it is important to consider the situation of casual part-time workers. With one exception, the unions in this study that had negotiated benefit coverage for part-time workers had not obtained any coverage for casual workers, while in the three cases where payment in lieu had been negotiated casuals were also eligible to receive the additional payment. Where payment in lieu was negotiated, technically it was a simple matter to include casual as well as regular part-time workers, while it is a difficult matter to apply some benefits to casual part-time workers.

One union, the Federation of Social Affairs (FSA) in Quebec, has benefit coverage for regular part-time workers and a percentage in lieu

for casual part-time workers, the most advantageous arrangement. Under such an arrangement it is important that as many workers as possible be included for benefit coverage rather than payment in lieu. In the FSA contract any worker employed for more than 25% of the usual full-time hours receives the benefits, which means that anyone who works more than 6 hours, about one day per week, is covered. In some contracts casual workers are defined as working less than 15 or 20 hours per week, so that a far larger number of workers are excluded from benefits.

Maternity Leave, Parental Leave and Benefits

Of the 17 unions in this study, 8 had not negotiated provisions beyond the provincial and federal legislation concerning maternity leave and benefits, and a further 3 unions had a large proportion of their members covered only by legislation. The details of the legislation will be considered in the next chapter, but, to summarize, under the federal Unemployment Insurance Act if a woman has worked at least 15 hours per week or earned at least \$70 per week for at least 20 weeks in the previous year, and was working at the time of conception, she will be eligible for payments at 60% of her earnings for a maximum of 15 weeks. Depending which province she lives in, she may be eligible for up to 18 weeks of maternity leave with her job protected for her return. It is apparent that casual part-time workers might have difficulty meeting the requirements for the number of weeks worked and might therefore be excluded from benefits, while part-time workers employed for less than 15 hours per week or who earn less than \$70 per week, whether regular or casual, would not be eligible for benefits.

Some of the unions in this study had negotiated improvements in maternity benefits, while some had obtained a longer period of leave. In 1979, public service unions in Quebec, negotiating together as the Common Front, obtained from the provincial government a top-up of the federal maternity benefits from 60% to full pay and a further 5 weeks of full pay bringing the total to 20 weeks of maternity leave at the equivalent of full pay.¹⁸ Since that time the Canadian Union of Postal Workers and the clerical workers in the Public Service Alliance of Canada obtained a top-up from 60% to full pay, and an additional 2 weeks of full pay, from the federal government as employer.

In addition, the Common Front unions in Quebec negotiated that workers not eligible for maternity benefits from the Unemployment Insurance Act would be paid for 10 weeks at full pay by their employer, the Quebec government. Only under the Common Front contract are part-time workers who are employed for less than 15 hours per week, or who work for less than 20 weeks, eligible for any maternity benefits.

The length of maternity leave with job protection is also very important. Sixteen to 18 weeks' leave, as provided by provincial legislation, may be sufficient for the mother's full physical recovery but bears little relationship to the care of a young infant. An extended period of maternity leave had been negotiated for at least part of the membership by nine unions in this study. In most cases maternity leave was extended by up to six months, though in some contracts up to two years had been obtained and in at least one up to five years had been negotiated. Five of the nine unions had negotiated the extension as unpaid parental leave, as distinct from maternity leave, to be taken by either the father or mother or shared by both. Parental leave is provided for the purpose of caring for a young child, as opposed to maternity leave which is provided for the physical recovery of the mother. While such extensions of leave were usually available to regular part-time workers, they were not available to casual part-time workers.

One possibility for the future might be to negotiate the right to take unpaid parental leave on a part-time basis, with appropriate maintenance of seniority, benefits and so on. For example, where the leave entitlement is for one year a parent might wish to care for the child full-time for six months, and return to paid work on a half-time basis for one year before resuming full-time work. The total amount of parental leave would still be one year. Such an arrangement would be advantageous for these reasons:

- It would permit a commitment to child care without requiring a total withdrawal from the labour force.
- Such a part-time arrangement may encourage the participation of men in parental leave since attachment to the labour force is retained, and a return to full-time work guaranteed.
- Parents in need of additional income could retain at least part of their usual wages.
- The arrangement would be voluntary, providing controlled and regulated access to part-time work for new parents, with the guarantee of a return to full-time work.

Pensions

Pension plans arranged for workers where they work are called private pension plans, as distinct from the Canada and Quebec pension plans legislated by the federal and Quebec governments to cover all paid workers. There are many problems with private pension plans — for all workers, for women, and for part-time workers in particular. The following discussion considers the lack of coverage, vesting arrangements, questionable benefits for low-wage workers and lack of indexing in private pension plans. The Canada and Quebec pension plans are considered in chapter 4 on legislation.

Just half of all men in the labour force and fewer than one-third of the women are covered by private pension plans,¹⁹ while for part-time workers inclusion in these plans is rare indeed. In this study all the work places covered by the 17 unions had private pension plans, but in only 6 of the unions and parts of 2 others were members covered by a plan that included part-time workers.

The foremost reason for this lack of coverage was the legislated exclusion of part-time workers in the public service sector. Eight of the 17 unions were both prohibited by law from negotiating pensions for all or large sections of their members, and also subject to pension legislation that specifically or effectively excluded part-time workers from the pension plan. In the private sector, 2 unions had negotiated pension plans including part-time workers, 1 excluded them, and 1 had both arrangements in different parts of the country. In the minority of plans where part-time workers were included, only regular part-time workers employed for a minimum number of hours (usually 15 to 20 hours per week) were included.

While it would be a simple matter to recommend the inclusion of part-time workers in pension plans (if not to actually implement it), questions have been raised as to whether part-time workers actually stand to gain anything from such coverage. The problems with private pension plans raise questions about their benefits for all workers, but many of their faults have particularly detrimental results for part-time workers.

In most private pension plans, including the majority of those in this study, the pension is vested only after a worker has been employed for 10 years, and sometimes also only after the worker has reached the age of 45 years. A vested pension is simply one that is locked in, meaning that neither the worker's nor the employer's contributions can be withdrawn and the worker is guaranteed a pension upon retirement. Since the plans are not usually portable from one employer to another, when the worker leaves the job before completing 10 years, the pension is lost. The worker's contributions are returned with a low rate of interest, while the employer's contributions remain in the pension fund. Thus, the worker loses not only the employer's contributions but most of the interest she could have obtained had the pension contribution been invested. In 1981 just over one-quarter (27%) of all full-time workers and only 10% of part-time workers had held their jobs for more than 10 years.²⁰ It is clear that even for workers covered by private pension plans, the large majority of full-time workers and nearly all part-time workers do not remain in one job long enough to benefit from them.

But even when the pension is vested and a pension guaranteed, what exactly is guaranteed? Payments from a private pension plan to a retired worker are based on the income the worker earned while employed. The formulas vary, but a common one is that a worker will receive 2% of her annual income (based on the 5 years when her income was highest) multiplied by the number of years she worked for that employer. The possible permutations are endless, but it is clear that the lower the income while working, the lower the pension upon retirement. As an example, let us assume that there is a part-time worker who is covered by a private pension plan and who stays in her job for 10 years. What might her pension look like? In 1979 the average yearly earnings of women who worked less than full time and full year was \$4,201, while the figure for male full-time workers was \$18,537.²¹ A part-time woman worker earning \$4,201 per year for 10 years would receive, according to the above formula, \$70 per month upon retirement. A man working full-time for 10 years at the average earnings of \$18,537 would receive \$309 per month upon retirement.

One might be inclined to say that, while \$70 per month is not very much, it is better than nothing. Well it is, but as things work out it is not actually \$70 better than nothing. Let us imagine that this woman part-time worker with her \$70 per month pension retired in December 1980. In January 1981 she would have been eligible for \$202 per month Old Age Security (OAS), which is paid automatically by the government to every person over 65 years of age. She would also have been eligible for a maximum of \$203 per month Guaranteed Income Supplement (GIS). But, and here is the rub, the GIS is reduced by \$1 for every \$2 of income received from other sources. The woman in our example is receiving \$70 per month from other sources. Consequently her pension is not actually worth the full \$70 because her GIS will be reduced as a result. The situation of the full-time male worker is that he would receive the \$202 per month OAS, but his \$309 per month private pension places him well above the point where he would be eligible for GIS. Both of these retired workers would also be eligible for a pension under the Canada or Quebec pension plans, which are considered in chapter 4.

There is one more problem, and a very serious one, with private pension plans. Almost none are indexed to provide protection against inflation. What does that mean? A woman retiring with her \$70 per month pension at 65 has a further life expectancy of 18 years.²² At the current rate of inflation, 10% per year, her pension will be worth \$11.68 per month after 18 years. There are other implications. For example, say the woman works for one employer for 10 years while she is between 37 and 47 years old, has her pension vested and then moves to another job. Although her pension now is worth \$70 per month, when she retires from the labour force in 18 years at 65, her pension

will be worth \$11.68 per month. The lack of protection against inflation is, of course, equally undermining for all workers, except that full-time workers at least begin with a larger figure.

Wage-related pension plans, as Louise Dulude has stated, are really designed for workers who stay in the labour force all their lives, preferably with the same employer, who have at least an average income and who gradually increase their earnings, until they retire with a good pension based on their final or best five years of income. Many men do not qualify, but very few women and even fewer part-time workers qualify for these plans. "Private pensions", Dulude concludes, "are unlikely to become very important for old women."²³ This is all the more so if the women have been part-time rather than full-time workers.

While there is no doubt that government pensions are the only means of ensuring a reasonable income for all old people, trade unions are confronted now with the problem of what to do about part-time workers in relation to private pension plans. Should unions struggle to include part-time workers in these plans or not? Or should they, as some have discussed, bargain a percentage payment in lieu of pensions?

Given the current provisions of private pension plans, as outlined above, there seems little reason to struggle for the inclusion of part-time workers. For the vast majority it would mean only enforced savings at zero or low interest, since they will change jobs before 10 years. Those who leave and get back their own contributions may be the luckier ones, however, since the few part-time workers with vested pension plans will gain so little because of the lack of indexation. The only exceptions here would be the part-time worker who remains in one job for 25 years, or long enough to accumulate a larger pension, or a worker who has periods of part-time work and periods of full-time work with the same employer, also over a long period. Such workers are rare, and it is questionable whether in order to cover them, the majority of part-time workers should be forced into pension plans that do not provide them with benefits.

An immediate improvement for all workers, which would particularly benefit high-turnover groups, would be the requirement that a reasonable rate of interest, attached to some yearly standard, should be returned to a worker leaving a job before a pension plan is vested. Under such an arrangement, at least no actual *loss* of income would be suffered. While unions might attempt to negotiate reasonable interest rates on returned pension contributions, legislated requirements would ensure general compliance, particularly given that many public service unions are prohibited from negotiating pensions. In fact in one

province, Saskatchewan, the legislation regulating private plans does require the payment of a minimum interest rate on returned contributions, tied to the yield on long-term Government of Canada bonds.

An alternative arrangement would be that when a worker leaves a job she receive not only her contribution with appropriate interest, but also the employer's contribution with interest, to be paid into a pension scheme untouchable until retirement. A Registered Retirement Savings Plan with yearly interest withdrawable only at a certain age would serve the purpose. By such a scheme all workers, regardless of length of employment, would be assured of some contribution from their employer towards their retirement.

With respect to vesting arrangements, it might initially seem appropriate to recommend reducing the period of employment necessary before vesting. If, for example, pensions were vested after 5 years instead of 10 years, many more workers would be included in the pension scheme. In 1981 46% of full-time and 22% of part-time workers had held their jobs for 5 years or more, compared to only 27% and 10% for over 10 years.²⁴ The question is, why negotiate improved vesting if it means locking more workers' money into a poor pension plan? If a worker leaves a job after the pension is vested, but before retirement age, the pension will be worth very little by the time of retirement because these pensions are not indexed against inflation. Thus, as long as private pension plans provide no protection against the ravages of inflation, reducing the vesting period is of questionable value.

Where pension plans are non-contributory, that is, where they are entirely employer paid, part-time workers have nothing to lose by being included in the plan since they do not contribute a part of their wages. These plans are usually the most restrictive, however, requiring that a worker be 45 years old and have 10 years of employment before the pension is vested. Often their formulas pay a lower pension since the fund relies on employer contributions only. While part-time workers involved in such plans may have nothing to lose, they may also have little to gain.

Payment in lieu of pensions was raised by two of the unions interviewed as a possible solution for part-time workers. The disadvantages of payment-in-lieu arrangements were outlined in the section on health and welfare plans, and they apply as much to pensions as to other benefits. Not only does payment in lieu not provide a pension, full-time workers are likely to be especially resentful of payment in lieu of pensions. Since private pension plans are of questionable value to most workers, many full-time workers would correctly see payment in lieu as more beneficial than a pension plan. The result of payment

in lieu of pensions to part-time workers would be that most part-time workers would have an advantage over most full-time workers — a novel situation perhaps, but not desirable in the interest of equity between workers, or financial security in old age.

It might be argued that at least payment in lieu of pensions would equalize the cost of part-time labour to the employer, for where part-time workers are excluded from pension plans, the employer does not contribute to the plan for those workers. However, one union in the study had negotiated a pension plan whereby the employer contributed to the plan for every hour of labour performed at the work place, whether by full-time, part-time or casual workers, although only full-time and regular part-time workers were eligible to receive pensions. Even better for the part-time workers would be the arrangement suggested above, where upon leaving the job the worker would have access to the employer's contribution as well as her own.

In deciding whether to try to include a particular group of part-time workers in a private pension plan, it is important to make the following considerations:

- whether the plan is contributory or non-contributory;
- the average income of the part-time workers to be included (certainly the income of some of the part-time workers covered by unions in this study would be much higher than the \$4,201 used in the example here);
- the average length of employment of the part-time workers;
- the provisions of the pension plan, particularly regarding indexation and vesting arrangements, and interest on contributions when withdrawn prior to vesting.

From this discussion it is apparent that unions have little control over the financial welfare of retired workers. Private pension plans cover a minority of workers in the labour force, their provisions exclude most workers from benefits of any value, and many public sector unions are prohibited by law from negotiating improvements. Workers, and especially part-time workers, must look to the government for financial protection in old age. The government's contribution to such protection through the Canada and Quebec Pension Plans is considered in the following chapter.

Conclusion

In the last 30 years, there have been significant changes in the structure of the labour force. Two of the most important have been the entry of large numbers of women and the expansion of part-time work. It does not seem likely that either of these trends will be reversed. In

fact, all the evidence suggests that part-time work is here to stay, a permanent feature of the labour force.

The dramatic increase in women entering the labour force and the expansion of part-time work have thrown up new challenges to the union movement, because both are exploited by employers and because both have raised new concerns and problems about their working situations. While trade unions now generally hold policies of support for women in the work force, this is not true in the case of part-time work. However, general opposition to part-time work is little more realistic or useful than blanket approval of expanding part-time jobs, since both ignore elements of the problem and the specifics of particular situations. While unqualified approval of part-time work ignores the exploitation of these workers, general opposition does not deal with the fact that some workers want and need part-time work.

A cogent position for trade unions would be to oppose the introduction or expansion of part-time work where the pay and conditions are unequal, where the part-time work is enforced rather than desired, and where the part-time work is confined to certain occupations or categories. Conversely, where workers express the need for more part-time work opportunities, there is no reason why unions should not negotiate such rights into their contracts. Of course, real situations are hardly so clear-cut and many specific alternatives will be required. For example, it may be appropriate to oppose the expansion of part-time work if part-time workers are prohibited from unionization or denied certain benefits by law. Ultimately, changes in such legislation would be desirable, but in the meantime opposition to part-time work may be necessary. Where part-time workers' hours are reduced or extended with little regard for the workers' needs, negotiated restrictions on the minimum and maximum hours protect the interests of part-time workers. Where full-time workers want the opportunity to work part-time, at least for a period, negotiating such rights with proper pay and benefits would be appropriate. Many different responses might be advantageous depending on the situation, and the problem with any hard and fast position is that it may prevent such flexibility.

In general, there are four areas in which improved conditions for part-time workers are necessary, and where unions have been or could be active.

1. *Organizing the unorganized.* Since few part-time workers belong to unions, a commitment of time and money to broad unionization campaigns is the first step to ensure any protection for most part-time workers. Many aspects of the current labour relations laws inhibit the unionization of part-time workers (see chapter 4, Unionization), and action to change this legislation is also necessary.

2. *Bargaining for control.* The excessive use of casual part-time work and the large proportion of involuntary part-time workers indicate that control of part-time work is necessary if it is to serve the needs of workers, and particularly women workers. Aspects of such control would include:
 - reducing casual work, in favour of more regular part-time work;
 - guaranteeing certain minimum hours of work for part-time workers, with the right to refuse overtime;
 - ensuring job security for part-time workers as for full-time workers;
 - providing the right to transfer from full-time to part-time, and from part-time to full-time jobs according to seniority, with the right also to refuse such transfers without penalty;
 - obtaining the right to transfer to part-time work for a specified period with a guarantee of returning to a full-time position;
 - taking parental leave on a part-time basis;
 - monitoring the quantity of part-time work in relation to the needs of workers in order to appropriately oppose or support the introduction or expansion of part-time work.
3. *Equal pay and benefits.* In order to inhibit the use of part-time workers as a source of cheap labour and end their unequal treatment, continued efforts are necessary to obtain equal pay and benefits. The principle should be to work towards the reduction or elimination of distinctions between workers, so that all are covered by the same pay and benefits regardless of the hours worked per week or the length of employment. This is especially important for casual part-time workers who are subject to lower pay and benefits more often than are regular part-time workers. For workers employed for very low hours of work (e.g., one day per week or less), all benefits should be applicable on a payment-in-lieu basis with seniority by hours worked. All other workers should receive benefit coverage and seniority for pay increments and vacation by calendar years of employment.
4. *Affirmative action.* Part-time workers, with women and as women, are confined to certain industrial and occupational ghettos. Since little, if any, attempt has been made to break down this ghettoization, employers have been free to hire part-time workers at their convenience and without regard to the needs of workers. Consequently, some full-time workers interested in part-time work have no access to reduced hours, while a proportion of part-time workers in fact need full-time work. Rectifying this imbalance requires, in part, breaking down the ghettoization of part-time workers and enabling

broad access to controlled, equally remunerated and protected part-time work, with some guarantee of priority in returning to full-time work.

In recent years trade unions have demonstrated increasing concern for the issue of part-time work, which has been expressed in research, policy decisions and negotiations with employers. If their concern for workers in the labour force is combined with an understanding of the position of women as domestic workers, then we can hope that union action on part-time work will improve the conditions for both.

4

PART-TIME WORK AND THE LAW

Through legislation, governments in Canada play a broad and extensive role in regulating the work force. Employers and paid workers are subject to four types of legislation. *Employment standards* legislation is intended to establish minimum protections for workers in the labour force. *Labour relations* laws set the conditions for unionization and collective bargaining. *Social welfare* legislation provides for unemployed, disabled or retired workers. And *human rights* laws are meant to prevent discrimination in employment.

As paid workers in the labour force, part-time workers are affected by all the legislation that covers workers in general. Whether part-time workers are included or excluded, whether they are subject to the same or different conditions as full-time workers, they are nonetheless affected by the legislation. The purpose of this chapter is to examine the impact of employment-related legislation upon part-time workers.

In all the four areas mentioned — employment standards, labour relations, social welfare and human rights — the federal, provincial and territorial jurisdictions have different laws. Thus the impact of legislation upon part-time workers is a vast area for consideration. It is beyond the scope of this study to analyse all the legislation involved in depth, and consequently I have focused upon a limited selection of the relevant legislation.

Human rights legislation has been excluded from the detailed analysis which follows, mainly because its impact upon workers has been relatively insubstantial compared to the other types of legislation under

consideration. While discrimination is prohibited, reliance is placed upon workers' complaints to enforce the law rather than upon a system of investigation by the provincial and federal governments. Since the law is often not well known or understood by workers, since its procedures are lengthy and the determination of discrimination complex, workers may have little inclination to risk their employers' displeasure by making complaints. Part-time workers, rarely unionized and with little job security, are particularly vulnerable to victimization. In no jurisdiction is part-time work specifically included in human rights legislation as grounds for taking cases of discrimination against employers. It might be possible in some situations to argue that discrimination against part-time workers was indirect discrimination based on sex if the part-time work force was composed predominantly of women. However, such cases are certainly not common, if indeed there are any at all, and no investigation has been made of the situation for this study.

With respect to employment standards legislation, several of the major provisions in all jurisdictions will be considered. This extensive analysis is possible because factual information on the legislated provisions has already been collected and made available. No such research has been conducted on labour relations or social welfare legislation, however, and in both these areas it has been necessary to be highly selective. For this reason only a very limited number of laws have been included in the analysis. Despite these limitations, it is hoped that the following discussion will provoke a broad consideration of the legislation that affects part-time workers. Certainly it will point to some specific areas where problems exist and change is necessary.

Employment Standards Legislation

There are 13 legal jurisdictions in Canada which have employment standards legislation. Besides the 10 provinces, there are the Northwest Territories, the Yukon Territory and the federal jurisdiction, which covers interprovincial industries such as railways, airlines, telephones, banks and the federal government itself.¹

The purpose of employment standards legislation is to establish minimum standards for the protection of workers in the labour force who would otherwise be entirely vulnerable to employer demands. As the standards are reviewed in this section, it will become apparent that the emphasis of the legislation is certainly upon the minimum.

Low as the standards are, however, it is important to indicate here that certain groups of workers are excluded even from this protection. The three types of workers most commonly excluded are domestic workers, agricultural workers and students on training programmes. Six jurisdictions exclude farm workers from the protection of the legislation, five exclude certain groups of students and three exclude domestics. Moreover, these workers may be further excluded from specific aspects of the legislation. For example, seven jurisdictions entirely exclude domestic workers from the protection of any minimum wage rate, four set a lower rate for domestics than other workers, and the remaining two jurisdictions include only certain defined types of domestics in the general minimum wage provisions.



While part-time workers constitute 13.5% of the national labour force, 52% of domestic workers are employed part-time.² Eighteen per cent of agricultural workers are part-time,³ which is also above the national average. Students form a major component of the part-time labour force. Thirty per cent of part-time workers state that they work part-time because they are "going to school."⁴ Thus, while part-time workers *per se* are not excluded from employment standards legislation, the excluded groups include an above-average proportion of part-time workers.

The following analysis of employment standards legislation considers in turn minimum wage rates, annual vacations, statutory holidays, maternity leave and individual termination of employment.

Minimum Wage Rates

All 13 jurisdictions in Canada have minimum wage legislation to assure workers of some minimum pay rate for their work. Except in Manitoba, it is not specified how the wage rate should be determined, although the practice is to take into account "the cost of living, economic conditions and other relevant factors as determined by the various jurisdictions."⁵ In Manitoba, the decision is to be guided by "the cost to an employee of purchasing the necessities of life and health."⁶ One study has commented, "The minimum wage rate is set mainly for the protection of the unorganized and unskilled worker. It constitutes a floor above which trade unions may negotiate with management for a higher standard."⁷ Since the large majority of part-time workers are not organized into trade unions, for them the minimum wage rates are their only protection — there is no "higher standard."

In order to understand what standard is provided by the minimum wage rates, it is necessary to make a comparison with Statistics Canada's low-income lines. These lines are calculated on the basis that any family below the line would be spending more than 58.5% of its income on the basic necessities of food, clothing and shelter, while the average expenditure on these items is only 38.5% of income. The lines vary for family size and according to rural or urban area, and families with an income below these lines are generally agreed to be living in poverty.⁸

Statistics Canada revised its poverty lines in June 1982. These revised lines will be compared with the minimum wage rates in effect at the end of June 1982. These minimum wage rates for all 13 jurisdictions are listed in Appendix 4. The yearly income for a worker earning minimum wage has been calculated from the hourly rate, on the basis of a 38-hour week (the average usual hours of work for full-time women workers⁹) and a 52-week year.

In 1982 the poverty line for a single person ranged from \$6,633 to \$8,970 depending upon whether the area was rural or urban. For a two-person family the poverty line varied from \$8,669 to \$11,835.¹⁰ It is unnecessary in this context to quote the poverty lines for three- or four-member families, since none of the minimum wage rates come close to meeting them.

In none of the 13 jurisdictions does the minimum wage rate provide for *one person* an income above the poverty line of \$8,970 per year. Sixty four per cent of all single persons live in large urban centres¹¹ and none of them would reach the poverty line while earning the minimum wage rate. None of the minimum wage rates in any jurisdiction would provide an above-poverty income to a two-person family, even taking the lowest rural poverty line of \$8,669. In other words,

most single persons and all families dependent upon an income at the minimum wage rate will be living in poverty.

While these minimum wage rates are remarkably low, they are in fact the rates established for "experienced, adult workers." There are many exceptions where even lower rates apply. The most general exception, and the most serious when part-time work is considered, is that young workers and students are subject to lower rates in all but four jurisdictions: New Brunswick, Newfoundland, Saskatchewan and the Yukon. In Ontario the lower rate applies only to students working part-time, but in the eight other jurisdictions lower rates apply to all workers under 17 or 18 years, whether or not they are in school. If we take the lowest rural poverty line for one person, \$6,633 per year, seven jurisdictions do not provide a wage rate for young workers which reaches even this minimum. None of the nine jurisdictions with separate rates for young workers and students provide a minimum wage rate for them that equals the higher urban poverty line of \$8,970 per year.

It is not possible to know how many part-time workers are affected by the lower wage rates for young workers and students since the data is not precise. However, we do know that 44% of part-time workers are under 25 years of age, compared to 21% of full-time workers.¹² Moreover, 30% of all part-time workers state that they are working part-time because they are students.¹³ There can be no doubt that the lower minimum wage rates for young workers and students negatively affect the wages of part-time workers.

Discrimination may be defined as the application of a separate set of rules to a definable group, without regard to individual differences. Lower wage rates based upon age are a form of age discrimination. In the case of wage rates there is no apparent reason why a 17-year-old is transformed into "an experienced adult worker" upon his or her eighteenth birthday. It seems likely that at least some 17-year-olds perform in their jobs as well as, or better than, 27-, 37-, 47- or 57-year-olds. To pay all 17-year-old workers a lower rate of pay is discrimination, and encourages their use as a source of cheap labour.

Annual Vacations

Full-time workers by law must receive two weeks of paid vacation after 12 months of uninterrupted employment with the same employer. The only exception is Saskatchewan which provides for a more generous three weeks' vacation. Workers hired for less than a year, or whose employment is terminated after less than a year, are eligible for payment in lieu of vacation, which is 4% or in Saskatchewan 3/52 of the wage earned. Quebec is an exception; in that province payment for vacation is prohibited and workers must receive 1 day of paid vacation for every month worked, up to a minimum of 10 days per year.

The problem with payment in lieu is that while it compensates casual or temporary workers for the lack of vacation, those workers do not actually receive a rest from work, for there is no provision for unpaid time off in any of the legislation.

Part-time workers who work a full year would in most provinces be eligible for a prorated vacation, and casual part-time workers are eligible for the payment in lieu (except in Quebec). However, there are notable exceptions to this equality between full- and part-time workers.

In three provinces, New Brunswick, Nova Scotia and Prince Edward Island, part-time workers are not eligible for a vacation. A worker in New Brunswick must be employed for 225 days or shifts per year in order to receive a vacation. In total there are 260 working days in a year. Nova Scotia and New Brunswick require a worker to be employed for 90% of the usual full-time hours of work over the year in order to be eligible for vacation. While these workers would receive a 4% payment in compensation for the lack of vacation time, in these three provinces part-time workers may be employed year after year with no right to any rest period from work.

The majority of part-time workers in New Brunswick and Prince Edward Island are in a worse situation for they are not eligible either for paid vacation or for compensatory pay. In both provinces any worker employed for less than 24 hours per week is entirely excluded from the provisions of the legislation. Since part-time workers are employed on average for 15 hours per week, it is apparent that the large majority are thus excluded from a benefit that has for many years been regarded as a basic right. For no apparent reason, workers in British Columbia who work for less than five days during a year with the same employer are also excluded from the right to compensatory pay for vacation.

In 8 of the 13 jurisdictions under consideration, workers never become eligible for more than two weeks' vacation, regardless of their years of service with the same employer. Three weeks of vacation are provided after 5 years of employment in Manitoba and the Northwest Territories, after 6 years in the federal jurisdiction, and after 10 years in Quebec. Saskatchewan, of course, provides three weeks of vacation immediately and in that province workers obtain an additional week after 10 years of service. These years of employment must be with the same employer, but in Manitoba and the Northwest Territories the 5 years of employment may be accumulated over a 10-year period, thereby allowing for interruptions in employment. Again the provisions are more generous in Saskatchewan. In that province interruptions in employment of up to 182 days are permitted not only for the

accumulation of 10 years of employment toward the increased vacation, but also in the required 12 months to obtain the regular three week vacation allowance. These provisions are important for casual or temporary workers, whether they are full- or part-time, in permitting them to accumulate years of service despite interruptions of work. As well, employers are discouraged from firing and rehiring workers in order to avoid the increased vacation payment.

In the five jurisdictions that make provision for increased vacation time, none refer specifically to part-time workers and how their accumulation of years of employment should be calculated. As discussed in the previous chapter, if the period of employment is calculated for part-time workers in calendar years of work, it is more advantageous for the part-time worker and equalizes labour costs to the employer (see chapter 3, Seniority). However, in union contracts calculation by hours worked was more common, meaning that it would take a part-time worker on half-time hours just twice as many years as a full-time worker to obtain the increased vacation. Given that even among unionized workers the calendar-year method is uncommon, it seems unlikely that this calculation would be applied by employers without a specific requirement. Thus one might reasonably assume that, in order to obtain increased vacation under the legislation, a part-time worker employed at half-time hours would have to be employed by the same employer from 10 to 20 years, depending on the province.

In 1982, 22% of part-time workers had held their jobs for more than 5 years compared to 46% of full-time workers. After 10 years, while 27% of full-time workers were still working for the same employer, only 10% of part-time workers were in this position.¹⁴ If part-time workers are required to work twice as long to obtain the same vacation allowance as full-time workers, the large majority will be excluded from ever obtaining the benefit.

Statutory Holidays

The number of holidays provided to full-time workers by law varies from five to nine days per year, depending on the jurisdiction, although P.E.I. does not provide any statutory holidays. Given the eligibility restrictions in most jurisdictions, it is safe to say that the majority of part-time workers are excluded from the right to statutory holidays.

To consider first the situation of regular part-time workers, in seven jurisdictions there are strict limitations upon eligibility for holidays. In the British Columbia, Newfoundland and federal jurisdictions it is necessary to have worked 15 days out of the 30 *calendar* days immediately preceding the holiday, which will almost always mean working for a minimum of 4 days per week. Because the requirement is

expressed as “working on” a certain number of days, without any requirement for the number of hours worked, strange anomalies arise. A part-time worker employed for 20 hours a week, for 4 hours on 5 days, would receive the holidays. But a part-time worker employed for 24 hours per week on 3 8-hour days would not be eligible.

The Yukon has the same requirement that 15 days must be worked out of the 30 calendar days before the holiday, but a worker must also be employed for at least 24 hours per week for the four weeks prior to the holiday, thereby excluding more part-time workers. In Manitoba and Nova Scotia the worker must have earned wages, rather than actually worked, on 15 days out of the 30 calendar days before the holiday. These two jurisdictions are therefore almost as restrictive, but they do allow paid days of vacation or sick leave to be counted in calculating eligibility. Ontario law requires that the worker must have earned wages on at least 12 days in the four weeks before the holiday. Thus a worker must work 3 days per week to obtain holidays, rather than the 4 days a week required in the other six jurisdictions mentioned above.

Concerning casual part-time workers, eight jurisdictions require a minimum period of employment before a worker is eligible for statutory holidays. Ontario excludes the most casual workers by requiring 3 months of employment for eligibility. For all but one holiday in Quebec a worker must be employed for 60 days to be covered. Thirty days of employment are required in British Columbia, Newfoundland, the Yukon and the federal jurisdictions, while in Alberta and the Northwest Territories a worker must have been employed for any 30 days in the 12 months prior to the holiday.

When interpreting the likely impact of these restrictions it is important to remember the following points:

- on average part-time workers are employed for 15 hours per week,¹⁵ the equivalent of two days a week if worked at 7 hours per day;
- a large proportion of part-time workers are casual workers;¹⁶
- Saskatchewan is the only province that has no restrictions upon eligibility for statutory holidays.

While the specific restrictions on eligibility for holidays clearly have a very negative impact upon part-time workers, there are further problems with the legislation. No jurisdiction has any specific directions for part-time workers who are not scheduled to work on the day of a holiday, the implication being that they are not eligible. Thus, for example, if a part-time worker usually works Thursday, Friday and Saturday, a situation common in the retail trade, that worker would not be eligible for any of the holidays that fall on a Monday. In all

provinces including Saskatchewan, therefore, a considerable proportion of part-time workers are simply omitted from the terms of the legislation, although their exclusion is not explicit.

Maternity Leave

The Northwest Territories and the Yukon do not have legislation which provides workers with maternity leave. In the other 11 jurisdictions eligible workers may take unpaid leave of 17 or 18 weeks with a guarantee of a return to employment. The laws vary in the degree of protection provided, the best guaranteeing a return to the same position, with no loss of seniority or benefits and prohibiting the employer from firing a woman worker because of pregnancy.

No specific mention is made of part-time workers in any of the legislation, either to include or exclude them. However, there are often requirements for a minimum period of employment, which affects the large number of casual part-time workers.

In eight jurisdictions — Alberta, Manitoba, Newfoundland, Nova Scotia, Ontario, Prince Edward Island, Saskatchewan and federal — a worker must be continuously employed for 12 months in order to be eligible for maternity leave. Without a year of employment a woman who takes time off to give birth has no right to get her job back. There is as well a serious disjunction between these requirements and the federal legislation on maternity benefits. In order to receive 17 weeks of maternity benefit at 60% of previous wages, a woman need only have worked for 20 weeks. Thus, in any of the eight jurisdictions mentioned above, a woman who has worked for at least 20 weeks, but less than a year, faces a real dilemma. If she takes advantage of the maternity benefits and leaves work for 17 weeks, she may lose her job, but if she remains at work for fear of unemployment she will sacrifice her right to maternity benefits. In 1981, 45% of part-time workers had held their current jobs for less than a year,¹⁷ so a large proportion of part-time workers would not be eligible for maternity leave in most jurisdictions in Canada.

In Quebec only 20 weeks of employment is required for eligibility for maternity leave. This clearly brings the requirement into line with the federal legislation on benefits, and removes the dilemma discussed above. Under the Quebec legislation the 20 weeks of employment may be accumulated at any time over the previous 12 months, thereby allowing for breaks in employment as is common among casual part-time workers.

British Columbia and New Brunswick do not require any minimum period of employment in order to qualify for maternity leave, the most

advantageous arrangement, since casual workers are therefore also protected under the legislation.

Notice of Individual Termination of Employment and Unfair Dismissal

The only condition placed upon employers with respect to the termination of employment is that they give a period of notice to the worker. In fact, in three jurisdictions, New Brunswick, the Northwest Territories and the Yukon, even this protection is lacking.

In seven jurisdictions a worker must have been employed for a minimum of three months in order to receive notice from the employer that the job is terminated. Then the employer must provide one week's notice or one week of pay, except in the federal jurisdiction which provides for two weeks. In British Columbia a worker must be employed for six months in order to receive notice of termination, which is two weeks. Thus, in all these jurisdictions workers employed on a casual basis, whether full- or part-time, are often excluded from even this protection under the legislation. In Newfoundland the situation for casual workers is better, since only one month of work is required to be eligible for a week's notice. The legislation in Manitoba requires only a two-week employment period for eligibility; then the notice given is the equivalent of the pay period, presumably usually one week.

The required amount of notice or pay in lieu increases with the length of employment of the worker in seven jurisdictions. In Alberta and Newfoundland after 2 years of employment two weeks of notice or pay must be given. In British Columbia, Nova Scotia, Ontario, Quebec and Saskatchewan the requirements rise so that after 10 years of employment, eight weeks of notice or pay must be provided. The legislation does not specify how these increased periods of notice or pay would apply to part-time workers. As with the issue of increased vacation it is not clear whether a worker employed at half-time, for example, would be required to work for twice the number of years in order to obtain the benefit. If this is so, then a large proportion of part-time workers would be excluded from the increased benefit as they hold their jobs for shorter periods than do full-time workers.

However, it should be noted that employment standards legislation establishes only minimum amounts of notice or pay in lieu. These minimums are often exceeded when legal action is initiated and cases taken against employers. Under common law, notice provisions may range up to 24 months depending upon the length of employment, the position held, the worker's age and the job market conditions for the worker to find alternative employment. Also of importance is the fact

that workers always have the right to notice or pay in lieu provisions unless their conduct is considered so gross and reprehensible that continued employment is impossible. The employer cannot avoid the obligation to provide notice for reasons such as financial problems, personality conflict or the unsuitability of the worker for the job.

In only three jurisdictions do workers have the right to appeal against an unjust dismissal, and even then the provision is restricted to certain workers. In the federal jurisdiction a worker must have been employed for 12 months to have recourse to this protection; in Quebec the requirement is 5 years and in Nova Scotia 10 years. Unjust dismissal may occur at any time and a worker is only eligible for protection after a lengthy period of employment. Thus, the vast majority of workers have no protection from unjust dismissal, only the right, in restricted cases, to a short period of notice.

Conclusion

In 1975, Marianne Bossen, in her study of part-time work concluded: "With a few exceptions, labour standards legislation treats full-time and part-time employees in respect of working conditions as one work force."¹⁸ Six years later, the Canada Employment and Immigration Advisory Council conducted a task force on part-time work and reported to the minister, "Generally speaking part-time employees benefit from the same protection as full-time employees."¹⁹ The analysis in this study does not support such optimistic conclusions.

First of all, there are some specific exclusions of part-time workers from protection under the legislation. In British Columbia part-time instructors are entirely excluded from all employment standards legislation; in Ontario students working part-time receive a lower minimum wage; and in New Brunswick and Prince Edward Island all part-time workers employed for less than 24 hours per week are entirely denied an annual vacation or even compensation for a vacation.

More indirectly, but with an impact no less serious, the legislation commonly excludes certain groups of workers. Most of these groups include a disproportionately large percentage of part-time workers, such as domestic workers, farm workers, young workers and students.

There is no doubt that casual workers, whether full- or part-time, are often excluded from the provisions of employment standards legislation. In most jurisdictions they are ineligible for statutory holidays, maternity leave and notice of termination, and in some jurisdictions are even specifically excluded from the minimum wage rates. There is also no doubt that far more part-time than full-time workers are

employed on a casual basis. Many of the provisions in employment standards legislation require a minimum of continuous employment of three months or one year. In 1981, 19% of part-time workers had held their jobs for less than three months, compared to just 9% of full-time workers. Likewise, while 45% of part-time workers had held their jobs for less than one year, only 24% of full-time workers were in this position.²⁰ Thus, part-time workers suffer disproportionately from the requirements for a minimum period of employment.

Further problems are raised by the lack of any specific inclusion of part-time workers in the legislation and the lack of guidelines as to how benefits should be applied to them. This applies particularly to statutory holidays and increases in annual vacation, where the application of these provisions to part-time workers is open to interpretation. In these cases it is highly likely that a substantial proportion of part-time workers do not in fact receive the benefits.

One last point should be mentioned: the generally low level of protection provided by the legislation. Again, while the same standards apply to all workers, part-time workers are predominantly confined to low-wage ghettos and are less often unionized than are full-time workers. Consequently, for more part-time than full-time workers, employment standards legislation is their only means of protection and they suffer particularly from the low standards. Perhaps the minimum wage provisions are the most obvious example, where the standards set rarely provide for even a single person to subsist other than in poverty. Another glaring example is the lack of protection for almost all workers from unfair dismissal.

Recommendations

The following recommendations are not comprehensive, but could make a real difference in the conditions of employment for part-time workers.

- 1) Employment standards legislation is meant to establish basic, minimum protections for workers. As such it should have no exclusions, no exceptions which leave certain workers without any coverage.
- 2) In general the standards need to be improved, particularly in the case of the minimum wage, but also for vacations and protection from unfair dismissal.
- 3) Requirements for a period of employment to establish eligibility for statutory holidays, maternity leave, notice of termination and recourse for unfair dismissal should be abolished.
- 4) Specific guidelines should be provided for part-time workers where their eligibility might be open to question. In particular,

part-time employment should be counted on a calendar-year basis for the purposes of increased vacation, and statutory holidays should be paid on a percentage payment in lieu to any worker not otherwise eligible to receive the benefit. Thus, in a jurisdiction providing five statutory holidays a worker would receive a 2% addition to the regular wage if the statutory holidays were not taken as days of leave with pay.

- 5) In order to clarify the inclusion of part-time workers, employment standards legislation should specifically state that the provisions apply equally to part-time and full-time workers.

Labour Relations Legislation

In Canada, labour relations are subject to legislated requirements to an extent rarely matched by other western industrialized nations. The law lays down who can unionize, how the process of unionization takes place, the bargaining procedure, what happens when negotiations break down, when strikes and lock-outs are legal and illegal, and certain clauses which must be included in negotiated contracts. The impact of such extensive legislation upon trade unions and the rights of workers is profound. Many of the implications of the legislation affect all workers, whether they are full-time or part-time, but here particular consideration will be given to the restrictions imposed by labour relations legislation upon part-time workers.

It is not possible in this discussion to consider the legislation in an inclusive overview because of the extraordinarily large number of laws involved. For example, in Ontario alone there are more than 200 separate pieces of legislation affecting labour relations. Multiply this by 10, then add the territories and the federal jurisdiction, and the enormity of the task becomes apparent.

No attempt has been made for this study to analyse this vast array of legislation. Instead three major areas of labour relations, and the way they are affected by legislation will be considered: who can unionize, what can be negotiated and the right to strike. For each of these issues, examples of legislated restrictions affecting part-time workers will be provided and analysed. These examples will not necessarily be typical, and in fact often they are the most restrictive legislated provisions. The purpose here is not to provide a representative sample of legislation (which in itself necessarily involves knowledge of all the laws), but to indicate that labour relations laws do indeed have an important impact upon the working lives and conditions of employment of part-time workers. Consequently, legislation affecting labour relations must be included and submitted to scrutiny in any consideration of the employment situation of part-time

workers. While this study cannot provide a complete analysis, some of the likely problems and directions for future research are indicated.

Public sector workers are subject to some of the most restrictive legislation. Included in this category are not only those who work directly for federal or provincial governments, but also para-public workers, such as those working for school boards and hospitals. For this reason, laws affecting public sector workers appear frequently as examples in the following discussion. The public sector employs a high percentage of women workers, and certain sectors, most notably hospitals, also employ a high percentage of part-time workers.



Unionization

Part-time workers are concentrated in the retail trade and the personal services sector of the services industry. Forty per cent of all part-time workers are employed in just these two sectors, compared to only 16 %

of full-time workers.²¹ In these industries most of the business operations are small, employing only a few workers in any one work place. The retail trade has an estimated 183,000 separate outlets or work places in Canada employing 1,382,000 workers — an average of 8 workers per store. By comparison, manufacturing employs 2,120,000 workers in just 52,000 outlets — an average of 41 workers in each work place.²² Similarly, the personal services sector covers many small businesses employing only a few workers, including restaurants, taverns, dry cleaners, laundries, hairdressers, beauty salons, lodging houses and hotels. A further 5% of part-time workers are employed in private households, mostly as domestics and as the only worker for the employer. Over half of the 134,000 workers employed in private households are part-time.²³

Small work places are hard to unionize because it is time-consuming to contact workers in many small businesses, the turnover is often high, employer opposition may be extremely effective where only a few workers are employed, and the workers may wield relatively little bargaining power. The situation may be even more difficult where a large employer owns a series of small outlets or branches, and is therefore a powerful force in comparison to the scattered work force. Given these disincentives, the union movement has been less than enthusiastic or committed about organizing the thousands of small non-unionized work places. Labour relations legislation also discourages such attempts, however.

Unions almost always apply for recognition under the law, called certification, because once a union is certified the employer is legally required to bargain. Without certification a union must rely upon the employer to recognize the union and bargain voluntarily, an unlikely situation in most work places. In order to obtain certification the law requires that more than one worker must be employed by an employer. Thus, in small stores which may hire only one worker, and certainly for the many part-time domestic workers, certification is not possible. Under the legislation a union has a defined period within which to convince a majority of the workers to join and apply for certification. This process is often fraught with problems.

During a unionization drive, part-time workers, especially if casually employed, may be hard to contact because of their irregular hours of work, or because they may not be known to the other workers if they appear only occasionally. The union's only source of information on the number of workers employed, who they are and how to contact them, is from the workers themselves. In a large work place, or where call-in lists for casual workers are used, or where turnover is high, the union may have real difficulty obtaining accurate information. This is crucial at the certification hearing where the union needs a majority

for immediate certification and a certain percentage in order to obtain a vote.

Once an application for union certification is filed with the appropriate provincial or federal labour relations board (the body that administers the legislation on unionization), other problems emerge. The certification hearings can be extended, and the decision delayed, by innumerable obstacles. The board has to decide the appropriate bargaining unit for the work place, meaning which workers should be represented by the union, and there may be disagreement on this issue between the union and the employer. The union may allege incidents of employer intimidation and the employer in turn may claim unfair practices on the part of the union, and hearings must be held to settle these cases. The board must decide whether the union has sufficient cards signed by workers to warrant immediate certification. If the union does not have sufficient support, or there are concerns about unfair labour practices, the board may direct that a vote be conducted. Representing the union at such hearings often requires legal expertise and is a long and costly process. Moreover, this process must be adhered to whether 5 or 500 workers in a work place are attempting to unionize. Repeating this process hundreds of times for many small work places is not only expensive, but also extremely time-consuming for a union to undertake.

If the case is complex, the delays, sometimes of many months, may have other negative effects. In work places with a high turnover, union members may leave and then more workers must be signed up to ensure a majority. The delays in hearing cases of employer intimidation often make that intimidation very effective. If a worker is fired for union activity and finally reinstated six or nine months later after a remote and technical legal hearing, the other workers may already be effectively intimidated and the drive to unionize lost. Turnover is high in the retail trade and in personal services, where most part-time workers are employed, and the legal process of unionization only serves to prevent such workers from belonging to unions.

Accounts of the attempts to unionize Eaton's retail store in the 1950s and to organize bank workers in British Columbia in the late 1970s have been published. Both failed, and despite the time lapse between the organizing campaigns, the problems described are remarkably similar. Throughout the recounted histories of the struggles, the complexity of the legal processes are apparent and the months and months of delay notable. In her account of the Eaton struggle, Sufrin entitles one chapter "Eaton's Weapon: Delay," and in fact it took 14 months from the time of the application for certification in October 1950 until a vote on unionization was finally held in December 1951.²⁴ The same problem emerges again in the bank workers' campaign — a total

of 11 months of waiting for a decision of the appropriate bargaining unit, for voting on unionization at the bank branches and for decisions on the employers' unfair labour practices. While the waiting goes on, the employers have time to discourage the workers from joining, turnover among those already unionized takes its toll, and the non-unionized tend to take a "wait and see" attitude once the application is filed. In describing the loss of three certification votes by a close margin, the Bank Book Collective concluded, "They (other unionists) explained why we had lost all those votes. It made sense — the wait, the intimidation, the turnover."²⁵

There is no doubt that the laws on unionization particularly militate against the unionization of small work places where turnover is high and intimidation can be subtle and effective. Labour relations legislation prohibits individual membership, does not adequately protect workers from intimidation, and has established procedures which are long and costly. In these ways the laws also militate against the unionization of part-time workers.

Applications for certification of a new union local are made to labour relations boards. These boards have exclusive and final authority to decide all issues relating to unionization, including the appropriate bargaining unit, unfair labour practices, and whether to grant certification immediately or call a vote. Thus, in interpreting the law the boards have considerable power over the process of unionization. This power is not always exercised in order to favour the unionization of part-time workers.

The Ontario Labour Relations Board has developed a practice (for it is not a legal requirement) of certifying part-time workers into separate bargaining units from the full-time workers in the same work place.²⁶ This separation is automatically arranged if either the union or the employer request it, on the basis that the two groups do not share a "community of interest." For the purposes of this division, any worker employed for less than 24 hours per week is considered to be part-time, a definition based on the obsolete notion that this is half of a full-time worker's hours. In fact, in 1981 the usual hours of full-time workers averaged 41 hours per week in their main job.²⁷ Where there is only one part-time worker that worker will be included in the same bargaining unit as the full-time workers. However, if there are even two part-time workers they may find themselves bargaining separately from their full-time co-workers, despite the obvious lack of bargaining power that such a duo would wield before the employer. Part-time workers and summer students are considered together, so that where students are excluded from the full-time workers' bargaining unit, so are part-time workers. The implication here is that both types of worker are casual, marginal and not committed to the work force. But regular

part-time workers obviously may have more in common with regular full-time workers than with summer students.

In her analysis of cases brought before the Ontario Labour Relations Board, Weeks found that it was invariably the employers who requested the separate units in order "to reduce the present or potential power base of the union."²⁸ For example, in one case the employer requested that part-time physiotherapists be excluded from the bargaining unit of the other full-time physiotherapists on the grounds that there were other part-time workers in the hospital with whom they should be classified, rather than with the other members of their own profession. In all cases where there was more than one part-time worker, the request for separate units was granted and only the full-time workers were certified.

The union may, and increasingly often does, later return to the board with an application to amend the certification to include part-time workers, or to separately certify the part-time workers. In either case the union must show that a majority of the part-time workers wish to unionize and adhere to all the other legal requirements of a certification hearing. The extra delay, cost and time are a hindrance to the unionization of part-time workers. Moreover, if the part-time workers are certified into a separate bargaining unit the employer is not legally required to negotiate for the full- and part-time workers together. If the employer opposes joint negotiations, two separate bargaining procedures must be undertaken, the part-time workers in their separate unit have limited bargaining power and the overall strength of the union's bargaining position is undermined.

In many jurisdictions it is common practice for labour relations boards to exclude casual workers from the bargaining unit, whether they are full-time or part-time workers, and a special case must be made to have them included. It may be judged that casual workers do not have a "community of interest" with the regular workers, or they may be excluded because they were not actually working, and therefore not part of the bargaining unit, at the time of the application for union certification. Since many part-time workers are employed on a casual basis, they are frequently excluded from unionization.

One more point should be made on the issue of labour relations legislation as it affects the unionization of part-time workers. In several jurisdictions the laws covering workers employed directly by governments exclude certain categories of workers from the right to unionization. These exclusions are minimal in some jurisdictions and subject to negotiation, while elsewhere broad groups of workers are excluded by the legislation with no participation in the decision by the unions. In some jurisdictions part-time workers and casual workers are specifically excluded from membership in a trade union.

New Brunswick, Ontario and the federal jurisdiction deny unionization to any government worker employed for less than one-third the usual number of full-time hours. These three jurisdictions as well as Manitoba and Nova Scotia prohibit the unionization of temporary workers employed for less than six months. Thus no casual workers, whether full- or part-time, can belong to a union in these five jurisdictions.

In Ontario there are further exclusions, including all the workers in the Go-Temp Unit. This unit is part of the Ontario public service and its workers are employed on a regular and continuing basis, although they are mobile within the government and move from one department to another as required. The unit was established to provide temporary secretarial and clerical workers from within the government, rather than employing such workers on a casual basis from private temporary-help agencies. However, while the workers of the Go-Temp Unit are now employed by the provincial government instead of by private agencies, only the employer has changed. The workers remain as vulnerable as ever since they are denied unionization and cannot negotiate their terms or conditions of employment.

Negotiations

In general in the private sector there are no restrictions on what can be negotiated. Everything and anything of concern to the workers may be bargained with the employer and if agreement is reached, incorporated into the collective agreement. This is not the case in the public sector, however, where legislation in many jurisdictions restricts what may be negotiated.

Pensions for public sector workers are legislated in all jurisdictions and in all but Quebec are largely non-negotiable. Some provinces, such as B.C. and Saskatchewan, have procedures for consultation with trade unions but this is not the equivalent of negotiation and the government retains all decision-making power. Workers employed directly by government as well as public sector workers in hospitals, education and social services are prohibited from negotiating their pension plans. This restriction affects part-time workers because in most jurisdictions they are excluded from participation in the pension plans. Of the unions interviewed for this study, six covered members in jurisdictions where part-time workers were excluded from the pension plan and where the unions could not by law negotiate on the issue.

On issues other than pensions, there is far more variation among the jurisdictions on what can be negotiated. Newfoundland, Quebec and Saskatchewan have no stated legislated restrictions on what can be negotiated by government workers, while the Alberta, Nova Scotia,

Ontario, P.E.I. and federal governments have a great many legal limitations. Hiring, firing, lay-offs, recall, transfers, training and promotion are all commonly excluded from negotiations in those jurisdictions with many legislated restrictions. Consequently, unions are unable to negotiate the application of seniority to any of these concerns and all decisions are decided on the basis of merit by the employer. For part-time workers, often regarded as a secondary and flexible work force, the lack of any job security is particularly serious. Since part-time workers are less often provided with training or promotion opportunities than full-time workers, the inability of the unions to ensure equality on this issue is certainly disadvantageous. In jurisdictions with such limitations upon negotiations, public sector workers are unable to exercise any control over their job security or their positions at work.

Technological change, sometimes referred to as work methods and procedures, is also non-negotiable in several jurisdictions. The introduction of microtechnology has encouraged the expansion of part-time work in certain industries, and may therefore have a particular impact upon part-time workers. Again, however, under some legislation workers cannot exercise any control over such changes in the nature of their work.

The Right to Strike

When workers negotiate with employers, their leverage in the bargaining situation rests to a considerable degree upon their right to strike. The vast majority of negotiations (95%) are settled without resort to strikes, but whether or not the withdrawal of labour actually occurs, the potential for such action is an important component of a union's bargaining strength. When the right to strike is restricted or denied, the union bargaining position is seriously undermined.

Restrictions upon the right to strike affect all workers whether full- or part-time, and the issue does not have particular implications for part-time workers. Nonetheless it is important to mention that some unions bargain without the strength of the right to strike and that this may affect their ability to negotiate improvements in the terms and conditions of employment, whether for full- or part-time workers.

In Ontario and Prince Edward Island hospital workers are denied the right to strike by law. In three provinces, Alberta, Nova Scotia and Ontario, all workers for the provincial government are legally prohibited from striking. The Alberta Union of Provincial Employees, which represents government workers in Alberta, referred this matter to the International Labour Organization (ILO), for its consideration.²⁹ The ILO has established international conventions to protect the rights

of workers. These conventions are agreed to, or ratified, by national governments as standards for labour relations. In 1972 the Canadian government ratified Convention 87, which is meant to guarantee freedom of association and protection of the right to organize for workers. In 1979 the ILO decided that the legislation in Alberta was an infringement of this internationally accepted convention. Thus, while the Canadian government has agreed that workers must have the right to organize, in practice certain unions are denied fundamental bargaining rights.

Other jurisdictions place restrictions upon certain groups of workers who may be designated as essential to the proper functioning of the government or the service provided and therefore may not strike. Some legislation strictly lays down which workers may not strike, while in more liberal jurisdictions the union participates in negotiating which workers are or are not "designated." As an example of the possible impact of such legislation, the designation provisions in New Brunswick have resulted in 50 to 60% of all hospital workers being denied the right to strike. While a strike could be undertaken, in reality so many workers could not participate that the chances of success are remote.

Further restrictions appear in most legislation on *when* a strike is considered legal. For example, in all jurisdictions, public and private, workers may not strike during the life of a contract and any grievances during that time must be settled through third-party intervention in arbitration. Once the contract is ended there are usually delays before a union reaches a legal strike position. In certain jurisdictions a series of mediators or conciliators must be involved and make reports before a strike can be legalized.

Ultimately there is back-to-work legislation whereby the government in any jurisdiction may legislate a specific group of striking workers to return to work, even if they have previously adhered to all the requirements for a legal strike.

Conclusion

It is apparent that labour relations legislation in Canada does nothing to promote, and much to discourage, the protection of part-time workers through unionization. The following measures would rectify some of the current problems with the legislation.

- 1) Individual trade union membership should be permitted for all workers, including workers who are employed singly.
- 2) Multi-employer bargaining units should be encouraged within geographic areas, so that workers in several small businesses could unionize and bargain together.

- 3) Upon the request of a union, employers should be required to provide a complete list of all workers, so that the union knows the size of the work force and contact with workers is facilitated.
- 4) Hiring, firing, lay-offs, transfers, promotions, demotions and any other changes in the work force should be illegal during the process of unionization unless the consent of the union is given (currently, only wages and benefits are frozen in this manner).
- 5) Hearings for unfair labour practices should be held within one week of the complaint being filed, and severe penalties imposed where violations are proven.
- 6) Labour relations boards should be directed to treat all workers equally for the purposes of certification, without distinctions based upon hours of work or period of employment.
- 7) All terms and conditions of employment should be subject to negotiation for all workers.
- 8) Groups of workers should not be denied the right to strike through legal prohibition. The designation of any essential workers should be negotiated like other conditions of employment and subject to arbitration where the union and employer cannot agree.

Social Welfare Legislation

There are many federal and provincial laws affecting the social welfare of Canadians, including social security legislation, pensions, unemployment insurance, workers' compensation, and day-care provision, to name but a few. Again, it is not possible to review all this legislation and the way it affects part-time workers. Instead, two major pieces of legislation which affect a great many workers across the country have been selected — the Unemployment Insurance Act and the Canada and Quebec pension plans. All workers who participate in the paid labour force are affected by the pension provisions and in 1981 nearly 3 million workers received unemployment insurance benefits out of a total labour force of almost 12 million.³⁰

The Unemployment Insurance Act

How It Works

When a worker is fired, laid off or quits a job, the employer sends a Record of Employment (ROE) to the Unemployment Insurance Commission. On the basis of this record, it is determined whether or not the unemployed worker is eligible for unemployment insurance

payments. For most workers there are two basic requirements for eligibility for benefits:

- A worker must have 10 to 14 weeks of insurable earnings, varying according to the unemployment rate in the region.
- A week of insurable earnings must be a minimum of 15 hours per week or the earnings must be above a certain minimum (\$70 per week in 1982).

There are additional requirements for workers making a repeat claim and for workers entering or re-entering the labour force, who need more insurable weeks of employment to qualify for benefits. Other, more complex exclusions and exceptions will not be detailed here.³¹

If the necessary requirements are met, the unemployed worker will be eligible to receive 60% of her previous insurable earnings, up to a specified maximum. There is a limit placed upon how much income can be insured, called the maximum insurable earnings. The maximum is adjusted each year and in 1982 was \$350 per week. Anything above this weekly income is not insured, the purpose being to protect some basic standard, not to protect very high incomes. Thus in 1982 the maximum gross weekly benefit was \$210, 60% of \$350.

The length of time for which benefits are paid is determined by the worker's previous employment history. One week of benefit is paid for every 1 week of insurable earnings up to 25 weeks of benefits. Then a further 1 week of benefits is paid for every 2 weeks of insurable earnings up to an additional 13 weeks of benefits. Under this system, then, the calculation of insurable weeks of employment is crucial not only in qualifying for benefits, but also in the length of time that benefits are paid.

Further complex arrangements for additional weeks of benefits are based upon regional unemployment rates. The maximum number of weeks of benefits possible is 50 weeks.

The benefits paid out under the program are financed primarily by workers and employers, with the federal government providing about one-fifth of the cost.³² In 1982 workers contributed 1.65% of all their insurable earnings in unemployment insurance premiums, or \$1.65 for every \$100 earned. Since the maximum insurable earnings were \$350, the highest contribution possible was \$5.78 per week in 1982. Employers pay 1.4 times the workers' contributions. Each year the percentage payable is adjusted according to the previous year's surplus or deficit.

The Impact on Part-Time Workers

Any worker employed for less than 15 hours per week who also earns less than the set minimum (\$70 in 1982) is outside the terms of the

Unemployment Insurance Act. Neither these workers nor their employers pay the premiums and the workers have no income protection in the case of unemployment. When their jobs end, for whatever reason, they are not eligible for benefits. According to the Statistics Canada special survey of work history, in 1981 one million jobs were for less than 15 hours per week. Of all part-time jobs, fully 37% did not meet the unemployment insurance eligibility requirement of 15 hours per week.³³

Some of the workers employed less than 15 hours per week would nonetheless qualify for unemployment insurance if they earned more than the set minimum. This minimum is calculated at 20% of maximum insurable earnings and was \$70 in 1982. For example, a worker employed for 13 hours per week would have needed to earn \$5.38 an hour to qualify in 1982, and a worker employed for 10 hours would have had to earn \$7.00 an hour to reach the required amount. Because of this requirement, based on dollars earned, the present system favours higher paid part-time workers over the lower paid, when one might presume that the lowest paid would be most in need of income protection.

Because the system is based upon a *weekly* calculation of hours and earnings, workers employed for irregular hours will be excluded, or their benefits reduced. For example, a worker employed for 10 hours one week and 20 hours the next is actually working 15 hours per week overall. However, under the current requirements only the weeks worked at 20 hours would be insurable and would count towards both the qualification to receive benefits and the length of time benefits would be paid.

According to information from the Statistics Canada special survey of 1981 work history, 250,000 jobs were for 60 hours or more per month, but did not involve work in each week of the month.³⁴ Thus, in these jobs although the *average* time worked was 15 hours per week, some weeks were not insurable because they fell below the requirement.

Workers employed by two employers, working for each for less than 15 hours per week, would be excluded from unemployment insurance. A waitress might work in two restaurants, or an office cleaner in two offices for just a few hours in each. For neither employer would the hours or earnings be sufficient to amount to insurable weeks of work.

Yet another excluded group are the casual part-time workers who move from one job to another. For example, a worker might be employed for 6 weeks with one employer and then move to another job for 5 weeks. Because it is required that the minimum 10 weeks

of work be with one employer, such a worker would not fulfil the 10-week requirement.

The problem in all these cases is the current definition of attachment to the labour force. The requirements for 15 hours worked per week or \$70 earned per week are not geared to cover all workers who may have a regular attachment to the labour force. A worker could be employed for 10 hours per week for many years, but would never be eligible for unemployment insurance. Work for more than 15 hours a week, but for several employers at the same time, is also insufficient.

As a result of the various requirements, as well as other more detailed specifications, it is not always easy for employers to determine just how many insurable weeks a worker has worked. Consequently many of the Record of Employment forms sent by employers to the Unemployment Insurance Commission are incorrect. Surveys of these forms in 1976 and 1977 found that almost half contained errors and of these "about three-quarters incorrectly reported insurable earnings" and "over one-third erred in insurable weeks reported."³⁵ Such mistakes create additional programme costs in checking and correcting the forms. As well, over- and under-payments of benefits result, causing inequities in determining benefits and hardship to unemployed workers.

For those part-time workers who do meet the requirements, the contributions paid to unemployment insurance place a heavier burden upon low-paid workers, and therefore upon part-time workers, than on the higher paid. In 1982, for example, the highest contribution payable was \$5.78 on the maximum insurable income of \$350. As income rises above this level, the contributions become an increasingly smaller percentage of total income. Thus, while workers with an income below \$350 paid contributions of 1.65% of earnings, those with incomes above \$350 paid less. Those who can least afford it therefore pay the most in order to insure their incomes against unemployment.

A Better System for Part-Time Workers

The Task Force on Unemployment Insurance established by Employment and Immigration Canada proposed in 1981 that while evidence of some minimum attachment to the labour force should still be required, all dollars earned and hours worked should be insurable.³⁶ Such an approach is highly desirable to avoid arbitrary exclusions, although the question of how to determine a minimum attachment to the labour force remains.

The task force has proposed that there should not be any weekly requirement, but instead all workers who earn a minimum amount with one employer would be covered. The formula suggested to calculate the minimum amount is to take 20% of maximum insurable earnings (\$70 in 1982) and multiply it by 10 weeks. Under this system, workers who earned more than \$700 with one employer in 1982 would have been insured and protected by unemployment benefits.

With such a system it does not matter how the \$700 is earned, whether on full-time, part-time, casual or irregular hours or weeks, so long as the minimum amount is reached with one employer. The task force has also argued convincingly that the employer's task of completing Records of Employment would be much simplified, for each week would not have to be considered as to whether or not it was insurable.

While the basic concept of this proposal is commendable, it retains inequities which could be eliminated by further improvements. A minimum attachment to the work force expressed in dollar terms undoubtedly favours higher-paid over lower-paid workers. Under the task force's proposal a minimum attachment to the labour force would have been calculated in 1982 as earnings of \$700 or more. A worker employed for 10 hours per week at an hourly rate of \$7.00 would be covered by unemployment insurance after 10 weeks. Another worker also employed for 10 hours per week, but paid \$3.50 an hour, would have to work for 20 weeks before being covered. In each case the attachment to the labour force is the same, only the rate of pay differs. With such a system, low-paid workers would be required to have a longer attachment to the labour force than higher-paid workers. As a result more low-paid workers, the group that may be most in need of them, would be excluded from benefits.

There is a straightforward solution to this dilemma. Instead of calculating the minimum requirement in dollars earned, it should be expressed as hours worked. Then a specific degree of labour force attachment would be required, without arbitrary variation by rate of pay. For example, by adjusting the present requirement of 15 hours per week, all earnings (up to the maximum) could be insurable when 150 hours are worked within a 10-week period. Every worker, regardless of pay, would have to complete the same 150 hours of work in order to be insured. How these hours were worked, whether full-time, part-time or casual, would be irrelevant. When the required hours of work are expressed over a longer period than 1 week (in this case 10 weeks), workers employed irregularly are included as long as they work the overall number of hours. However, as we have seen, over one-third of all part-time jobs are for less than 15 hours per week. To include more part-time workers, the hours required should be reduced to 100 hours of work within a 10-week period.

Any definition of work attachment should apply to situations where more than one employer is involved, that is, where two or more jobs are held either concurrently or consecutively. In the case of the definition of 100 hours of work, these hours could then be accumulated with more than one employer. At the point of application for unemployment insurance, the Records of Employment for all jobs previously held would be combined to determine eligibility.

While ensuring the inclusion of more part-time workers in the unemployment insurance programme, it is important to consider their contributions under the Act. The current system is regressive in that the lowest paid workers are required to contribute a higher proportion of their incomes than those who earn above the maximum insurable income. A different structure is necessary whereby lower contributions would be required from the lowest paid with a rising scale of contributions for those with higher incomes. Thus, while the maximum insurable earnings would be maintained (\$350 per week in 1982), contributions on income above this limit would be required. However, these contributions above the maximum insurable earnings would not trigger increased benefits, and the maximum benefit payable would be retained. With such a structure, low-paid part-time workers would not be overburdened with their unemployment insurance contributions.

Maternity Benefits

Maternity benefits are provided under the Unemployment Insurance Act, although they are subject to several different requirements from unemployment insurance benefits. For part-time workers the major drawback is the same as for unemployment insurance, namely, that insurable weeks of work must be over 15 hours per week or meet the minimum amount of weekly earnings. Thus for maternity benefits as for unemployment benefits, many part-time workers are excluded. For maternity benefits the situation is worse because 20 weeks of insurable earnings are required, compared to the 10 to 14 weeks for unemployment benefits.

The proposal made above, that all earnings should be insurable upon completion of 100 hours of employment within 10 weeks, should apply also to maternity benefits, so that the qualification for maternity benefits would be the same as for unemployment insurance. This measure would successfully provide many more part-time women workers with maternity benefits. It should be noted that these are by no means the only criticisms which might be made to maternity benefit provisions under the Act, although they are the most detrimental to part-time workers.

The Canada and Quebec Pension Plans

How It Works

The Canada and Quebec Pension Plans (C/QPP) were established in 1966, the Canada Plan being introduced and operated by the federal government, while Quebec exercised its constitutional right to establish a separate plan for that province. However, the two plans are fundamentally the same, with only a few variations.

Any worker in paid employment is obligated to pay contributions to the C/QPP once earnings are above a certain minimum. In 1982 workers paid 1.8% of their income above \$1,600 and up to \$16,500. The maximum contribution was therefore \$268.20 per year for those earning \$16,500 or above, with reduced contributions on lower incomes. Employers pay the same amount into the C/QPP as the workers. Each year the amount of contributions and the minimum and maximum insurable earnings are adjusted.

Unlike private pension plans, with the C/QPP participation does not end when a job finishes. These government pension plans remain with a worker throughout life with the contributions added no matter how long the worker is employed nor with how many employers. The pension benefits of the C/QPP are also protected against inflation, a crucial improvement over private pension plans.

Upon retirement, workers receive a benefit based upon their average yearly lifetime earnings up to a maximum. This means that all the years of *possible* employment, whether worked or not, are included when the average lifetime earnings are calculated and the final pension is established. An allowance is made to drop from the calculation 15% of the times of lowest earnings to account for periods of sickness or unemployment or periods out of the labour force. Then 25% of the average lifetime yearly earnings are paid as pension up to a maximum amount. In 1982 this maximum was \$307.65 per month.

The Impact on Part-Time Workers

There are three aspects of the C/QPP that have a detrimental impact on part-time workers: the general inadequacy of the pensions paid, the earnings-related nature of the plans, and the lack of recognition of work in the home.

The maximum pension available in 1982 was \$307.65 a month, or \$3,691 per year. In addition a retired person would receive the Old Age Security (OAS) pension of \$239.73 per month, which is \$2,876

a year. Thus a retired person with no other income would receive a *maximum* of \$6,567 per year from OAS and C/QPP combined. In 1982 Statistics Canada's revised poverty line for a single person was \$6,633 to \$8,970, varying from rural to urban areas.³⁷ Thus, even those eligible for the *maximum* pension under the C/QPP do not receive sufficient income from the plans to lift them out of poverty.

However, many retired workers are not eligible for even the maximum pension since they did not earn the maximum while working. In 1982 under the Canada Pension Plan, excluding Quebec, the average pension being paid to retired men was \$189.89 per month, and to retired women \$130 per month,³⁸ both well below the current maximum pension. If 25% of a worker's average lifetime yearly earnings does not amount to the maximum pension, then a lower pension is paid. As a result, low-income workers are paid lower pensions than higher-paid workers. Since part-time workers are largely confined to low-wage jobs, and since they are often paid less than full-time workers for the same work, they suffer accordingly. Low wages during a worker's employed life are extended into an impoverished retirement.

The lowest-paid workers not only receive fewer benefits, however, they also bear a disproportionate burden in paying contributions. Contributions are not paid on income above \$16,500 (in 1982), so workers with incomes above this level pay a smaller proportion of their income into the pension fund. For example, a worker earning \$25,000 per year would pay the maximum contribution of \$268.20 to the C/QPP, which amounts to 1.1% of the total income. At the same time a worker earning \$15,000 a year would pay \$241.20, which is 1.6% of the total income. Contributions from employers are equally unfair. As a worker's income rises from \$1,600 to \$16,500, the employer's contributions increase accordingly. So the higher-paid worker receives a larger employer contribution than the lower-paid worker. Far from being a progressive programme, the C/QPP places a heavy burden for contributions upon low-income workers.

A large proportion of part-time workers are women with young children, who split their time between paid employment and domestic responsibilities. Their work in the house is not recognized and because their part-time incomes are low, their annual average earnings are lowered when it comes to calculating what pension they should receive. The 15% drop-out of zero- or low-income years is far too little to account for the years spent raising children. In Quebec the situation has been improved by an extended drop-out period. In that province, zero- or low-income earnings are dropped from the calculation of years of earnings for mothers or single parent fathers caring for children up to age 7. While such a provision has also been recommended at the federal level, the opposition of the Ontario government has prevented its implementation.

Thus, for part-time workers, their partial participation in the labour force, low incomes and domestic responsibilities all serve to undermine their access to adequate pensions.

A Better System for Part-Time Workers

There has been on-going debate on the reform of Canada's pension system, and numerous proposals have been made. Three crucial considerations will be discussed here: expanding the C/QPP to pay higher pensions, making the C/QPP progressive so that lower-income workers pay less and receive proportionately more than high-income workers, and the inclusion of domestic work in the home under the C/QPP.

It would be of great benefit to low-income workers — and therefore to both women and part-time workers — to ensure a basic work-related pension. This could be accomplished by providing to everyone with a minimum number of years in the labour force, a minimum work-related pension, regardless of what they had earned. A further improvement would be a scale of benefits such that the proportion of earnings replaced would be highest for low-income earners and decrease as incomes rise. One recommendation that would achieve this goal has been that the percentage of earnings payable as pension should be increased from 25% to 50% of earnings up to half the average wage, with a further 25% on the rest of earnings up to the average wage.³⁹ Such a change would also favour the lowest paid, by providing 50% of the lower level of earnings and only 25% of higher-income earnings.

By assuring workers of some minimum work-related pension and protecting the interests of low-income workers, these two measures would do a great deal to improve the situation of part-time workers and of women in general. As one expert on the subject has stated, "Most helpful of all to female earners would be an *adequate and progressive benefit scale* giving relatively larger benefits to low-income workers."⁴⁰

Concerning contributions to the C/QPP, a more equitable system could be introduced. One method would be to eliminate the maximum insurable earnings above which no contributions are required, so that a percentage payment would be made on *all* income, however large. Meanwhile the limit on the maximum pension payable would be retained with a redistributive mechanism as discussed above. These measures would ensure that the C/QPP would not only provide benefits more closely related to need, but would also require contributions more closely related to means.

The third consideration for pension improvement involves the recognition of domestic work within the C/QPP. One method that

has been considered would be to introduce the drop-out provision now in effect in the QPP into the CPP. This would mean that women who stop work or work only part-time while their children are under 7 would have this low- or no-income period dropped from the calculation of their average lifetime earnings. The provision would be improved if it applied also to all fathers, rather than just to male single parents as is now the case in Quebec, and if it covered care of the disabled as well as children.

A more controversial proposal has been that other homemakers, without young or invalid dependents, should also be included in the C/QPP.⁴¹ Louise Dulude has argued that homemakers should be attributed an income of one-half the average industrial wage and credited with pension benefits accordingly, in order to recognize the value of their work and eliminate their present dependent status. In the case of part-time workers who are also homemakers, Dulude suggests a scheme whereby they would contribute to the fund according to their earnings. However, if their earnings were less than one-half the average wage, they would be imputed as earning half the average wage and credited with pension benefits accordingly. Their domestic responsibilities would thus be recognized and the additional part of their contributions financed out of the general fund.

The debate over the inclusion of homemakers continues. Where part-time workers are concerned, if the provisions for low-income workers were improved through progressive contributions and benefits, part-time workers would obtain better coverage through those adjustments, although their domestic role would not receive recognition.

Conclusion

From this review of employment standards, labour relations and social welfare legislation in Canada it is apparent that the law accords part-time workers a secondary status within the labour force. Where part-time workers are not specifically excluded from coverage by law or practice, which occurs disturbingly often, they are forgotten or ignored with much the same result. No attempt has been made to ensure that part-time workers will receive equal protection with full-time workers under the law. Often indeed they may be paid less in wages and benefits with impunity and then be denied union representation with which to improve their standards. Moreover, such injustices are reinforced by federal and provincial legislation which excludes or ignores part-time workers in social welfare legislation.

Part-time workers are a significant and growing sector of the labour force. It is unacceptable that the law not only does not protect them,

but encourages and reinforces their use as a source of cheap labour for employers. To rectify this situation, changes must be made in a large number and broad range of laws in this country to include and cover part-time workers.

It is important to understand that the proposed changes made thus far in this study should be regarded as *minimal*. More comprehensive legislation, intended to ensure just treatment of part-time workers, might encompass the following points:

- 1) Part-time workers should benefit from the same rights accorded to full-time workers, under the law and in collective agreements.
- 2) Pay for part-time workers should be prorated according to the same grade and seniority as pay for full-time workers in equivalent jobs, and seniority should be calculated on a calendar-year basis, as for full-time workers.
- 3) Employers should provide workers, including all part-time workers, with written contracts of work, specifying job grade, pay, the normal hours per week and per day, and any scope for additional hours.
- 4) Overtime for part-time workers should not exceed more than one-third the normal part-time hours and the total hours worked must not reach the usual full-time hours. Part-time workers should be able to refuse additional hours, and such refusal should not be grounds for dismissal.
- 5) Part-time workers should have priority to transfer to full-time jobs within the work place and full-time workers should have priority to transfer to part-time jobs. Such transfers should be voluntary, and a worker's refusal of such a transfer should not be grounds for dismissal.

Such legislation would provide part-time workers with rights to equal pay and benefits, seniority, regular hours, refusal of additional hours and priority in transfers to full-time work. If these proposals seem unrealistic, all of the above protections are already provided in France, under new ordinances passed in 1981 and 1982.⁴²

In addition, the French legislation requires that, *before* introducing part-time workers into the work place, employers must obtain the opinion of workers' councils and representatives (which are mandatory in all work places) and also inform the government body responsible for labour. Part-time workers are specifically included in the organizations representing workers and detailed requirements are made for their paid time off to perform duties for these workers' organizations. Every managing director is required to provide an annual statement to the workers' council or representative, which must

include information on part-time workers by number, sex and job grade. At a required meeting to discuss the statement, the managing director must explain any refusal to transfer part-time workers to full-time positions and vice versa. The French government has further committed itself in the following manner:

If, in a particular sector or occupational category, the practice of part-time working has created a serious and lasting imbalance in conditions of employment, Decrees, issued after consultations with the relevant employers' and employees' organizations, may impose restrictions on the use of part-time working in the sector or occupations category.⁴³

From the perspective of the sad state of Canadian legislation on part-time work, the French laws are remarkable both in their extensive coverage and their attention to detail. They serve as a sobering reflection upon the fact that it is indeed possible to protect workers' interests through legislation.

5

CONCLUSION

Part-time work has expanded in response to various developments, including increased peak-period work, the growth in services and trade, the attractiveness to employers of a source of cheap labour and the use of new technology. As this has occurred, employers have discovered sources of part-time labour, including women with young children. Many women want and need to work part-time during periods of their lives, because of their responsibility for child care, the absence of sharing between men and women in domestic work, and the lack of good, low-cost day care. Under pressure to contribute to the family income, yet retaining full domestic responsibilities, a realistic compromise for women is to work part-time. Consequently, as part-time jobs have opened in the labour force, many women have found that working reduced hours offers a balance between the conflicting pressures in their lives.

Part-time work, dominated as it is by women, is one element of women's particular pattern of labour force participation. As a result of ideological, social and economic inequalities, women do not relate to paid work on the same terms nor in the same way as do men. Women work in different jobs than men for lower rates of pay, take breaks in their paid working lives to bear and raise children, and work part-time. These differences between the work patterns of men and women are the result of differential socialization, the exploitation of and discrimination against women in the labour force, and the fact that women retain primary responsibility for domestic work. Until such inequalities are eliminated, women will continue to express their own specific needs and concerns in relation to paid work, including the need for part-time work.

However, the organization of the labour force, the legislation regulating and protecting workers, and the policies and practices of

trade unions have developed historically in relation to a predominantly male, full-time, industrial work force. The entry of women into the labour force, the expansion of part-time work, the shift from goods producing to services industries in the economy, and the growth of new technology, have fundamentally changed the working lives of Canadians within a relatively short time. These changes have yet to be fully understood, let alone accommodated within the established organization of the labour force and its related legal and union structures. As adjustments are made, one crucial question for women is the extent to which the labour force and its legal and union trappings will accommodate women's specific concerns, particularly their domestic responsibilities. Thus far part-time work has expanded without community support services, legal protection or clear union practice on the issue. Consequently, employers have taken advantage of the situation with the result that most part-time work contributes to the secondary status, ghettoization and low pay of women in the labour force.

Given the reality of women's double work life, the protection of part-time workers within the labour force is of primary importance. In representing workers' interests, trade unions must be expected to contribute to this protection. While opposition to part-time work continues to predominate in trade unions, in the last 10 years part-time workers have been increasingly accepted as full members within unions and have obtained improved pay and benefits through collective bargaining. Only rarely has a union's opposition to part-time work been translated into the automatic protection of full-time jobs in collective agreements. Moreover, with the expansion of part-time work and the increasing recognition of women's particular relationship to the labour force, opposition to part-time work has given way to ambivalence in some unions, while a minority are prepared to support part-time work if it is properly remunerated and desired by the workers.

For the future, continued efforts by trade unions to improve the pay and conditions of part-time workers will be necessary, combined with a better understanding of the role of part-time work in women's lives and the flexibility to deal with specific situations as appropriate, rather than with general approval or disapproval of part-time work. In order to have any impact upon the lives of most part-time workers, there is first and foremost the need for unions to exert themselves to organize the vast majority of part-time workers who remain non-unionized.

Since only a small minority of part-time workers are presently unionized, it is apparent that protection through government legislation is a necessity. The current situation is that legal protection of part-time workers is either minimal or entirely lacking. In particular the extension and improvement of employment standards legislation would have an immediate and beneficial impact upon most part-time workers.

Part-time work is no longer a marginal, negligible issue. Of every five jobs in the labour force, one is part-time, and this proportion shows every sign of continuing to increase. Since one-quarter of all women in the labour force are employed part-time, part-time work is a crucial component of the secondary status accorded to women in paid work. Improved conditions for part-time workers are of major importance within the labour force in general, and for women in particular. Whether governments will grasp the urgency of the situation and be prepared to act, and whether unions will exert themselves sufficiently to deal with the issue, remains to be seen. One and a half million part-time workers will be vitally interested in whatever policies and practices are developed.

APPENDIX I

EMPLOYED FULL-TIME/PART-TIME BY INDUSTRY FOR CANADA — ANNUAL AVERAGE — 1981 (Estimates in thousands)

	Total			Full-time			**Part-time		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
ALL INDUSTRIES	10933	6522	4411	9456	6109	3346	1477	413	1064
AGRICULTURE	484	352	132	396	315	81	88	37	51
PRIMARY	314	280	34	308	277	31	6	*	*
Forestry	76	70	6	74	68	5	*	*	*
Fishing	36	34	*	34	33	*	*	*	*
Mining	202	177	26	200	176	24	*	*	*
MANUFACTURING	2120	1550	570	2049	1521	528	71	30	42
Non-durable	1062	668	394	1015	652	364	47	17	30
Durable	1058	882	176	1033	869	164	24	13	11
CONSTRUCTION	645	583	61	606	565	42	38	19	20
TRANSPORT., COMMUN. & OTHER UTILITIES	904	701	202	857	682	175	47	20	27
Transportation	537	453	84	510	439	71	27	14	13
Communication	240	143	97	222	138	84	18	5	14
Utilities	127	106	21	125	105	20	*	*	*
TRADE	1875	1068	806	1458	942	516	417	126	290
Wholesale	493	361	132	462	348	114	31	13	18
Retail	1382	708	674	996	594	402	386	113	272
FINANCE, INSURANCE & REAL ESTATE	592	232	360	537	220	316	56	12	44

APPENDIX I (continued)

	Total			Full-time			**Part-time		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
COMMUNITY, BUSINESS & PERSONAL SERVICES	3238	1269	1968	2526	1116	1410	712	153	559
Education	704	314	390	597	293	304	107	21	85
Hospitals	696	152	544	549	138	411	147	14	133
Doctors	139	40	99	107	38	69	32	*	30
Religion	62	28	33	48	26	22	14	*	12
Recreation	133	78	55	90	59	31	43	19	24
Business services	444	253	190	395	241	155	48	12	36
Personal services	720	277	442	514	215	299	205	62	143
Private households	134	7	127	64	*	62	70	5	65
Miscellaneous services	207	121	87	162	104	57	46	16	29
PUBLIC ADMINISTRATION	761	484	277	719	471	248	42	14	28
Federal	281	168	113	267	163	106	13	5	7
Provincial	249	142	106	238	140	98	11	*	9
Municipal	230	173	56	211	167	44	18	6	12
Other government offices	*	*	*	*	*	*	*	*	*

* Estimates less than 4,000.

** Part-time work defined as less than 30 hours per week.
Totals may not be exact because of rounding.

Source: Statistics Canada, Labour Force Survey Division, unpublished data, 1981.

EMPLOYED FULL-TIME/PART-TIME BY OCCUPATION FOR CANADA — ANNUAL AVERAGE — 1981
(Estimates in thousands)

	Total			Full-time			**Part-time		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
ALL OCCUPATIONS	10933	6522	4411	9456	6109	3346	1477	413	1064
MANAGERIAL, ADMINISTRATIVE	885	643	242	859	636	223	26	7	19
NATURAL SCIENCES	406	342	64	398	338	60	8	4	4
SOCIAL SCIENCES	156	78	78	140	75	65	15	*	12
RELIGION	26	22	*	24	21	*	*	*	*
TEACHING	453	196	257	387	183	204	66	13	53
MEDICINE AND HEALTH	498	118	381	393	110	283	105	7	98
ARTISTIC AND RECREATIONAL	162	98	63	127	84	43	35	15	20
CLERICAL	1934	422	1513	1589	385	1204	345	36	309
SALES	1125	681	444	892	613	279	232	68	165
SERVICE	1468	662	806	1057	549	509	410	113	297
AGRICULTURE	505	384	121	417	342	75	88	42	46
FISHING, HUNTING, TRAPPING	34	32	*	32	31	*	*	*	*
FORESTRY AND LOGGING	59	56	*	57	55	*	*	*	*
MINING AND QUARRYING	75	73	*	74	73	*	*	*	*
PROCESSING	390	315	75	377	309	69	13	6	6
MACHINING	273	260	13	269	256	13	4	4	*
PRODUCT FABRICATING, ASSEMBLING & REPAIRING	1002	767	234	970	749	221	32	18	13
CONSTRUCTION TRADES	658	649	9	639	632	8	19	18	*
TRANSPORT EQUIPMENT OPERATION	409	385	25	385	368	17	25	17	8
MATERIALS HANDLING	284	230	54	242	195	47	42	34	7
OTHER CRAFTS AND EQUIPMENT OPERATING	133	108	25	125	105	20	8	4	4

* Estimates less than 4,000.

** Part-time work defined as less than 30 hours per week.

Totals may not be exact because of rounding.

Source: Statistics Canada, Labour Force Survey Division, unpublished data, 1981.

APPENDIX II

EMPLOYED FULL-TIME/PART-TIME BY INDUSTRY FOR CANADA — ANNUAL AVERAGE — 1975
(Estimates in thousands)

	Total			Full-time			**Part-time		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
ALL INDUSTRIES	9284	5903	3381	8296	5602	2694	988	301	687
AGRICULTURE	483	375	108	415	343	71	68	32	36
PRIMARY	220	205	15	217	203	14	*	*	*
Forestry	60	57	*	59	56	*	*	*	*
Fishing	21	20	*	20	20	*	*	*	*
Mining	139	127	11	138	127	11	*	*	*
MANUFACTURING	1871	1411	460	1822	1389	433	49	21	28
Non-durable	975	646	329	942	633	309	32	13	20
Durable	896	765	131	880	756	123	16	9	8
CONSTRUCTION	603	564	40	582	551	31	22	13	9
TRANSPORT., COMMUN. & OTHER UTILITIES	812	663	149	779	648	131	34	15	18
Transportation	500	446	55	482	435	47	18	10	8
Communication	205	123	81	191	120	71	14	*	10
Utilities	107	94	13	105	92	13	*	*	*
TRADE	1637	992	644	1318	888	430	319	104	215
Wholesale	439	339	101	415	329	86	25	10	14
Retail	1197	654	544	903	560	343	294	94	200
FINANCE, INSURANCE & REAL ESTATE	474	203	271	440	196	244	34	7	28

COMMUNITY, BUSINESS & PERSONAL SERVICES									
Education	2520	1037	1483	2088	940	1148	432	97	335
Hospitals	654	294	360	568	277	292	85	17	68
Doctors	588	131	457	503	124	379	85	8	78
Religion	105	38	67	87	36	51	18	*	16
Recreation	56	32	24	46	29	17	10	*	8
Business services	87	59	29	61	45	17	26	14	12
Personal services	276	168	108	254	162	93	22	6	16
Private households	504	214	290	383	178	205	121	36	85
Miscellaneous services	89	6	83	51	*	47	39	*	36
	160	96	64	134	87	47	26	8	17
PUBLIC ADMINISTRATION									
Federal	665	454	210	636	443	193	28	11	17
Provincial	256	163	93	248	160	88	8	4	5
Municipal	207	130	77	200	129	72	6	*	5
Other government offices	200	160	40	186	154	32	14	6	8
	*	*	*	*	*	*	*	*	*

* Estimates less than 4,000.

** Part-time work defined as less than 30 hours per week.

Totals may not be exact because of rounding.

Source: Statistics Canada, Labour Force Survey Division, unpublished data, 1975.

EMPLOYED FULL-TIME/PART-TIME BY OCCUPATION FOR CANADA — ANNUAL AVERAGE — 1975
(Estimates in thousands)

	Total			Full-time			**Part-time		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
ALL OCCUPATIONS	9284	5903	3381	8296	5602	2694	988	301	687
MANAGERIAL, ADMINISTRATIVE	609	495	114	597	490	107	12	6	7
NATURAL SCIENCES	308	280	28	305	278	26	4	*	*
SOCIAL SCIENCES	110	62	48	99	58	41	11	*	7
RELIGION	26	23	*	25	23	*	*	*	*
TEACHING	417	174	243	366	164	202	51	10	41
MEDICINE AND HEALTH	424	103	321	363	100	263	61	4	58
ARTISTIC AND RECREATIONAL	114	76	38	95	68	28	19	9	10
CLERICAL	1628	407	1221	1404	384	1019	224	22	202
SALES	1031	680	351	846	618	228	185	62	123
SERVICE	1131	570	561	880	495	385	251	75	176
AGRICULTURE	501	399	102	432	365	67	69	34	35
FISHING, HUNTING, TRAPPING	20	20	*	20	19	*	*	*	*
FORESTRY AND LOGGING	48	47	*	47	46	*	*	*	*
MINING AND QUARRYING	52	52	*	52	52	*	*	*	*
PROCESSING	358	296	61	349	292	57	8	4	4
MACHINING	249	236	13	246	234	12	*	*	*
PRODUCT FABRICATING, ASSEMBLING & REPAIRING	864	664	200	843	652	191	21	12	9
CONSTRUCTION TRADES	645	641	4	633	629	4	13	12	*
TRANSPORT EQUIPMENT OPERATION	385	373	12	368	359	8	18	14	4
MATERIALS HANDLING	239	195	44	207	169	38	33	27	6
OTHER CRAFTS AND EQUIPMENT OPERATING	125	109	16	122	107	15	4	*	*

* Estimates less than 4,000.

** Part-time work defined as less than 30 hours per week.
Totals may not be exact because of rounding.

Source: Statistics Canada, Labour Force Survey Division, unpublished data, 1975.

APPENDIX III

EMPLOYMENT BY INDUSTRY FOR CANADA — 1975 (Estimates in thousands)

	Total			Full-time			**Part-time		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
ALL INDUSTRIES	9094	5856	3238	7919	5501	2418	1175	355	820
AGRICULTURE	459	381	78	377	345	33	82	36	46
OTHER PRIMARY	222	209	14	217	205	12	5	4	*
MANUFACTURING	1899	1432	466	1836	1405	430	63	27	36
CONSTRUCTION	592	556	36	566	541	25	26	15	11
TRANSPORT., COMMUN. & OTHER UTILITIES	790	652	138	744	630	114	46	22	24
TRADE	1597	985	612	1271	883	388	326	101	225
FINANCE, INSURANCE & REAL ESTATE	452	197	255	402	185	217	50	12	38
SERVICES	2453	1009	1445	1934	898	1037	519	111	408
PUBLIC ADMINISTRATION	629	436	193	572	410	162	57	26	31

* Estimates less than 4,000.

** Part-time work defined as less than 35 hours per week.
Totals may not be exact because of rounding.

Source: Statistics Canada, Labour Force Survey Division, unpublished data, 1975.

EMPLOYMENT BY INDUSTRY FOR CANADA — 1966
(Estimates in thousands)

	Total			Full-time			**Part-time		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
ALL INDUSTRIES	7121	4952	2168	6474	4762	1712	647	191	456
AGRICULTURE	529	464	65	457	433	23	72	30	42
OTHER PRIMARY	222	215	7	218	212	6	4	*	*
MANUFACTURING	1741	1355	386	1694	1334	360	47	22	26
CONSTRUCTION	498	481	17	486	474	12	12	8	5
TRANSPORT., COMMUN. & OTHER UTILITIES	619	529	90	594	517	77	25	12	13
TRADE	1176	788	388	1006	737	270	169	51	118
FINANCE, INSURANCE & REAL ESTATE	303	158	146	280	151	129	23	6	17
SERVICES	1613	640	974	1347	594	752	267	45	221
PUBLIC ADMINISTRATION	419	323	96	392	310	82	27	13	14

* Estimates less than 4,000.

** Part-time work defined as less than 35 hours per week.
Totals may not be exact because of rounding.

Source: Statistics Canada, Labour Force Survey Division, unpublished data, 1966.

APPENDIX IV

MINIMUM WAGE RATES FOR EXPERIENCED ADULT WORKERS AND YOUNG WORKERS AND STUDENTS, JUNE 1982

Jurisdiction	Experienced Adult Workers	Effective Date	Young Workers and Students*	Effective Date
Federal	\$3.50	1/5/81	Employees under 17: \$3.25	1/5/81
Alberta	\$3.80	1/5/81	Employees under 18 not attending school: \$3.65	1/5/81
			Employees under 18 attending school: \$3.30	1/5/81
British Columbia	\$3.65	1/12/80	Employees 17 and under: \$3.00	1/12/80
Manitoba	\$3.55	1/9/81	Employees under 18: \$3.10	1/9/81
New Brunswick	\$3.35	1/10/81		
Newfoundland	\$3.45	31/3/81		
Nova Scotia	\$3.30	1/10/81	Underage employees 14 to 18: \$3.00	1/10/81
Ontario	\$3.50	1/10/81	Students under 18 employed for not more than 28 hours in a week or during a school holiday: \$2.65	1/10/81
Prince Edward Island	\$3.30	1/7/81	Employees under 18: \$2.80	1/7/81
Quebec	\$4.00	1/10/81	Employees under 18: \$3.54	1/10/81
Saskatchewan	\$4.25	1/1/82		
Northwest Territories	\$3.50	15/5/80	Employees under 17: \$2.95	15/5/80
Yukon Territory	\$3.60	1/5/81		

* New Brunswick, Newfoundland, Saskatchewan and the Yukon Territory have no special rates for young workers or students.

Source: Labour Canada, Legislative Analysis, *Minimum Wage Rates in Canada*, mimeographed, January 1, 1982, pp. 21-22.

NOTES

Chapter 1

1. Women were 72% of part-time workers in 1981. Canada, Statistics Canada, *The Labour Force*, Cat. No. 71-001, December 1981, p. 112, table 87.
2. Canada, *Report of the Royal Commission on the Status of Women in Canada*, 1970, p. 104.
3. *Ibid.*, p. 105.
4. Harry Mackay, "Part-Time Work in Canada", submission to the Canada Employment and Immigration Advisory Council (Ottawa: Canadian Council on Social Development, September 1980), pp. 4-5.
5. Canadian Advisory Council on the Status of Women, "Part-Time Work: A Review of the Issues," brief to the Canada Employment and Immigration Advisory Council (Ottawa, November 1980), p. 17.
6. Harry Mackay, "Part-Time Work in Canada," p. 6.
7. La Coalition (CSN, CEQ, SFPQ, SPGQ, FQII, FSPIIQ, Action-travail des femmes, Ligue des femmes du Québec, Au bas de l'échelle, Carrefour des associations de familles monoparentales du Québec), Press release, "200,000 femmes dénoncent le piège du temps partiel," (Montreal, December 8, 1981), p. 1.
8. Public Service Alliance of Canada, "Part-Time Employment," Discussion Paper, mimeographed (Ottawa, October 1981).
9. André J. Beauchamp, "The Sham of Part-Time Work," *Perspective CUPW* (Canadian Union of Postal Workers), January 1981.
10. Canada, Statistics Canada, *Vital Statistics, Volume 1, Births, 1975 and 1976*, Cat. No. 84-204, p. 13, table 6. In 1976, the latest year for which figures are available, the fertility rate was 1.8 children per woman.
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17. Alberta, Social Services and Community Health, "Interprovincial Comparison — Day Care Facilities, Licensed Full-Day Program," study conducted by Price Waterhouse Associates, August 1980, Exhibit 7.
18. Laura C. Johnson, *The Search for Child Care*, Project Child Care Working Paper No. 3 (Toronto: Children's Day Care Coalition and the Social Planning Council of Metropolitan Toronto, January 1978); Donna S. Lero, "Factors Influencing Parents' Preference for, and Use of, Alternative Child Care Arrangements for Pre-School-Age Children, Final Division" (Guelph, Ontario: University of Guelph, 1981).
19. Canada, Health and Welfare Canada, *Status of Day Care in Canada*, 1980, p. 8.
20. Laura C. Johnson, *Taking Care: A Report of the Project Child Care Survey of Caregivers in Metropolitan Toronto* (Toronto: Children's Day Care Coalition and the Social Planning Council of Metropolitan Toronto, April 1978), p. 79.
21. *Ibid.*; Ontario, Ministry of Community and Social Services, "Family Benefits Mothers in Metropolitan Toronto," 1973.
22. Laura C. Johnson, *Taking Care*.

23. *Ibid.*, p. 21.
24. May Nickson, "Preliminary Report on Working Mothers and Their Child Care Arrangements in 1973," (Ottawa: Statistics Canada, Labour Division, January 1975), table 10; Ontario Ministry of Community and Social Services, "Family Benefits Mothers"; Saskatchewan, Social Services, "Summary of Day Care Needs," p. 17.
25. Health and Welfare Canada, *Status of Day Care*, p. 8.
26. Statistics Canada, *The Labour Force*, December 1981, p. 113, table 88.
27. Saskatchewan, Department of Labour, Women's Division, Research Unit, "A Study of Part-Time Employment in Saskatchewan," September 1979, p. 35.
28. Martin Meissner et al., "No Exit for Wives: Sexual Division of Labour and the Cumulation of Household Demands," *The Canadian Review of Sociology and Anthropology*, vol. 12, no. 4, Part 1, November 1975; Susan Clark and Andrew S. Harvey, "The Sexual Division of Labour: The Use of Time," *Atlantis*, vol. 2, no. 1, Fall 1976, p. 46.
29. Martin Meissner et al., "No Exit for Wives," p. 436.
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31. *Ibid.*, p. 348.
32. *Ibid.*
33. *Ibid.*, p. 347.
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36. *Ibid.*, p. 38.
37. Jeanne H. Stellman, "Occupational Health and Women Workers: A Review," *Labour Studies Journal*, vol. 6, no. 1, Spring 1981, p. 18.

38. *Ibid.*, p. 18.
39. *Ibid.*, p. 19.
40. Health and Welfare Canada, unpublished data from *Survey of Consumer Finances*, 1980.
41. Saskatchewan, Department of Social Services, "Survey of Child Care Preferences," April 1980, p. 4.
42. Health and Welfare Canada, unpublished data from *Survey of Consumer Finances*.
43. Statistics Canada, *The Labour Force*, December 1981, p. 113, table 88.
44. *Ibid.*, p. 123, table 98.
45. Carol Reich, "A Study of Interest in Part-Time Employment Among Non-Teaching Employees of the Board," Toronto Board of Education, Research Department (Toronto, September 1975); Michèle de Sève and Simon Langlois, "Les hommes et les femmes dans la Fonction publique québécoise" (Québec, Éditeur officiel du Québec, 1978).
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47. *Ibid.*
48. Pat Armstrong and Hugh Armstrong, *The Double Ghetto*.
49. Wendy Weeks, "The Extent and Nature of Part-Time Work in Hamilton, Survey Results of Selected Hamilton Businesses — 1978," prepared for the Community Permanent Part-Time Work Committee (Hamilton, September 1980), table 40.
50. *Ibid.*, table 41.
51. *Ibid.*, tables 44, 47 and 48.
52. Marianne Bossen, "Part-Time Work in the Canadian Economy," Labour Canada, (Ottawa, October 1975), pp. 68-69; Wendy Weeks, "Part-Time Work: The Business View on Second-Class Jobs for Housewives and Mothers," *Atlantis*, vol. 5, no. 2, Spring 1980, pp. 76-77.

53. Wendy Weeks, "Part-Time Work: The Business View," p. 73.
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57. Jennifer Hurstfield, *The Part-Time Trap: Part-Time Workers in Britain Today*, Low Pay Pamphlet No. 9 (London: Low Pay Unit, December 1978); John D. Owen, "Why Part-time Workers Tend to be in Low-Wage Jobs," *Monthly Labor Review*, vol. 101, no. 6, June 1978.
58. Wendy Weeks, "Part-Time Work in Hamilton," table 28.
59. Canada, Statistics Canada, *Employee Compensation in Canada*, Cat. No. 72-169, 1978, p. 46, table 1.
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63. The Bank Book Collective, *An Account to Settle. The Story of the United Bank Workers (SORWUC)* (Vancouver: Press Gang Publishers, 1979), p. 29.
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70. *Ibid.*, table 8.
71. Statistics Canada, *The Labour Force*, December 1981, p. 111, table 86.
72. *Ibid.*, p. 123, table 98.
73. *Ibid.*
74. *Ibid.*, p. 113, table 88.
75. Harry Mackay, "Part-Time Work in Canada," pp. 5, 14.
76. Canada, *Royal Commission on the Status of Women*, p. 104.
77. Québec, Conseil du statut de la femme, "Le travail à temps partiel: une mesure d'égalité en emploi ou d'inégalité en emploi...", September 1982, pp. 40-41.
78. Statistics Canada, *The Labour Force*, December 1981, p. 109, table 84.

Chapter 2

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2. Canada, Employment and Immigration Advisory Council, "Discussion Paper on Part-Time Employment," February 27, 1981, Appendix III, p. 7.
3. Canada, Statistics Canada, *The Labour Force*, Cat. No. 71-001, December 1981, p. 110, table 85.
4. Canada, Statistics Canada, "Summary Analysis of the Annual Work Patterns Survey, 1979," *The Labour Force*, Cat. No. 71-001, July 1980.
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14. Statistics Canada, "Work Schedules in 1981," p. 82.
15. *Ibid.*, p. 83.

16. Unless otherwise specified all the following statistical data is from Statistics Canada, *The Labour Force*, December 1981, p. 110, table 85.
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21. Pat Armstrong and Hugh Armstrong, *The Double Ghetto* (Toronto: McClelland and Stewart, 1978).
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24. Canada, Statistics Canada, unpublished data, see Appendix II; Statistics Canada, *The Labour Force*, December 1981, p. 110, table 85.
25. Canada, Employment and Immigration Advisory Council, "Discussion Paper on Part-Time Employment," p. 1.
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27. *Ibid.*; Statistics Canada, *The Labour Force*, December 1981, p. 112, table 87.
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31. *Ibid.*
32. *Ibid.*, p. 72.
33. Statistics Canada, *Labour Force Annual Averages*, Cat. No. 71-529, Occasional Paper, 1975-1978, p. 111, table 25; Statistics Canada, *The Labour Force*, December 1981, p. 113, table 88.
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36. Canada, Statistics Canada, *1951 Census*, vol. I, table 26 and vol. IV, table 11-11; Statistics Canada, *The Labour Force*, December 1981, p. 83, table 60.
37. Statistics Canada, *Historical Labour Force Statistics*, 1974-1975, pp. 105-106; Statistics Canada, *Historical Labour Force Statistics*, Cat. No. 71-201, 1980, pp. 56-57; Statistics Canada, *The Labour Force*, December 1981, p. 110, table 85.
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39. *Ibid.*
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44. Statistics Canada, *The Labour Force*, December 1981, p. 113, table 88 and p. 123, table 98.
45. *Ibid.*

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2. *Ibid.*
3. *Ibid.*
4. Julie White, *Women and Unions* (Ottawa: Canadian Advisory Council on the Status of Women, 1980), chapter 3.
5. Marianne Bossen, "Part-Time Work in the Canadian Economy" (Ottawa: Labour Canada, October 1975), pp. 81-82.
6. J.K. Eaton, "Collective Bargaining for Employees Within the Jurisdiction of the Canadian Human Rights Commission" (Ottawa: Canadian Human Rights Commission, March 1981), p. 68.
7. Canada, Statistics Canada, *Corporations and Labour Unions Returns Act*, Part II, Cat. No. 71-202, 1980, p. 44.
8. This figure is actually based on the Statistics Canada data, which excludes the B.C. and Alberta teachers' unions.
9. Harold A. Logan, *The History of Trade Union Organization in Canada* (Chicago: University of Chicago Press, 1928), p. 189; Alice Kessler-Harris, "Where are the Organized Women Workers?", *Feminist Studies*, vol. 2, no. 1/2, Fall 1975, p. 97.
10. For examples of such employer tactics see Julie White, *Women and Unions*, pp. 44-45.
11. Wendy Weeks, "Part-Time Work: The Business View on Second-Class Jobs for Housewives and Mothers," *Atlantis*, vol. 5, no. 2, Spring 1980.
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13. Only one other union, the Hotel and Restaurant Employees' and Bartenders' International Union, had such a high proportion of part-time workers. Since equal pay operates as a form of control itself this may be the reason why the Hotel and Restaurant Employees had not introduced any controls on the numbers of part-time workers.

14. Joe Davidson and John Deverell, *Joe Davidson* (Toronto: James Lorimer and Co., 1978), p. 85.
15. *Ibid.*, p. 86.
16. *Ibid.*, p. 87.
17. These unions are the Canadian Union of Public Employees, the Service Employees' International Union, and the Federation of Social Affairs.
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19. Louise Dulude, "Pension Reform with Women in Mind" (Ottawa: Canadian Advisory Council on the Status of Women, March 1981), Appendix 4.
20. Canada, Statistics Canada, *The Labour Force*, Cat. No. 71-001, December 1981, p. 111, table 86.
21. Information from the Women's Bureau, Labour Canada, for 1979.
22. Louise Dulude, "Women and Aging: A Report on the Rest of Our Lives" (Ottawa: Advisory Council on the Status of Women, April 1978), p. 57.
23. *Ibid.*
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Chapter 4

1. To prepare this section, factual information on the legislation was drawn from two sources: Canada, Labour Canada, Legislative Analysis, "Employment Standards Applicable to Part-Time Workers in Canada," memorandum, June 1, 1982; Canada, Labour Canada, Legislative Analysis, "Minimum Wage Rates in Canada," memorandum, January 1, 1982.
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3. *Ibid.*
4. Canada, Statistics Canada, *The Labour Force*, Cat. No. 71-001, December 1981, p. 113, table 88.
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9. Statistics Canada, *The Labour Force*, December 1981, p. 109, table 84.
10. National Council of Welfare, "Revised 1982 Poverty Lines," p. 4.
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14. *Ibid.*, p. 111, table 86.
15. *Ibid.* p. 108, table 83.
16. See chapter 1, *Work Today, None Tomorrow — Casual Part-Time Work*.
17. Statistics Canada, *The Labour Force*, December 1981, p. 109, table 84.

18. Marianne Bossen, "Part-Time Work in the Canadian Economy" (Ottawa: Labour Canada, October 1975), p. 24.
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20. Statistics Canada, *The Labour Force*, December 1981, p. 111, table 86.
21. Statistics Canada, unpublished data, 1981, see Appendix I.
22. Retail Council of Canada, "Part-Time Employment," submission to the Canada Employment and Immigration Advisory Council Task Force on Part-Time Work (Ottawa, September 1980), p. 2; Statistics Canada, unpublished data, 1981, see Appendix I.
23. Statistics Canada, unpublished data, 1981, see Appendix I.
24. Eileen Sufrin, *The Eaton Drive: The Campaign to Organize Canada's Largest Department Store 1948 to 1952* (Toronto: Fitzhenry and Whiteside, 1982).
25. The Bank Book Collective, *An Account to Settle. The Story of the United Bank Workers (SORWUC)* (Vancouver: Press Gang Publishers, 1979), p. 56.
26. Much of the information concerning the practices of labour relations boards is based upon Wendy Weeks' "Collective Bargaining and Part-Time Work in Ontario," *Industrial Relations Industrielles*, vol. 33, no. 1, 1978, and interviews with unionists working in various jurisdictions.
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28. Wendy Weeks, "Collective Bargaining," p. 85.
29. The National Union of Provincial Government Employees and the Alberta Union of Provincial Employees, "Presentation to the Honourable Gerald Regan, Minister of Labour, Government of Canada," May 20, 1980.
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31. For information on all the details of unemployment insurance eligibility see Canada, Employment and Immigration Canada, "Unemployment Insurance in the 1980s," A Report of the Task Force on Unemployment Insurance, prepared for the Minister of Employment and Immigration, July 1981, p. 107, Appendix II.
32. *Ibid.*, p. 88.
33. Canada, Statistics Canada, Labour Force Activity Section, unpublished data from the Survey of 1981 work history.
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36. *Ibid.*, p. 73.
37. National Council of Welfare, "Revised 1982 Poverty Lines," p. 4, table 2.
38. Canada, Health and Welfare Canada, "Canadian Pension Plan Statistical Bulletin," vol. 14, no. 2, June 1982.
39. Louise Dulude, "Pension Reform With Women in Mind" (Ottawa: Canadian Advisory Council on the Status of Women, March 1981), p. 62. This proposal (known as the Cofirentes proposal) was made earlier by the Comité d'étude sur le financement du régime de rentes du Québec et sur les régimes supplémentaires de rentes, in "La sécurité financière des personnes âgées au Québec," (Québec: Éditeur officiel du Québec, 1977).
40. Louise Dulude, "Pension Reform," p. 61.
41. See for example the National Action Committee on the Status of Women, *Status of Women News*, Spring 1982, where articles from opposed positions are published.
42. "France. Part-Time Work Law Reform" and "Documents. French Part-Time Work Legislation," *European Industrial Relations Review*, no. 100, May 1982, pp. 8, 22.
43. *Ibid.*, p. 23.

