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Ontario Pay Equity Results
for CUPE Service Workers
in Ontario Hospitals:
A Study of Uneven Benefits

By

Jane Stinson

Submitted to complete the requirements
for a Master of Arts
Institute of Political Economy
at
Carleton University

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**ONTARIO PAY EQUITY RESULTS FOR CUPE
SERVICE WORKERS IN ONTARIO HOSPITALS:
A STUDY OF UNEVEN BENEFITS**

submitted by Patricia Jane Stinson, B.A.Hons.
in partial fulfilment of the requirements for
the degree of Master of Arts

Thesis Supervisor

Director, Institute of Political Economy

Carleton University
April 20, 1999

Abstract

This research project looks at whether the Ontario Pay Equity Act (1987) had a differential impact on the wages of female service workers in Ontario hospitals. Whether the application of the Act reinforced or challenged the wage hierarchy and women's position in it, was a related question. It finds the wage gap between men and women for selected job classes did narrow but it also grew, between the top and bottom female job classes. The wage gap between women workers widened as women in job classes at the top of the wage scale (RNAs) received a pay equity increase that was on average three times the value received by the lowest paid female job class (Aides). While the gender order was somewhat reshuffled there was little evidence that wage hierarchy was challenged, illustrating the limits of the liberal feminist notion of equality based on a male norm.

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Chapter 1 – Introduction

Goals of this Research

In 1987 the Ontario Pay Equity Act came into effect. It was the culmination of two years of intense public debate and many years of feminist organizing to get new legislation to close the gender-based wage gap in the labour market by raising women's wages. Heralded as the strongest legislation in North America, it was a breakthrough in many respects. The Ontario Pay Equity Act broke new ground by requiring affirmative action to address the systemic problem of low pay for women workers in the public and private sectors. Remedial action no longer had to wait for an individual to lay a complaint as required under the federal and Quebec legislation at the time. Ontario introduced a pro-active approach by establishing a timetable by which employers were required to complete and post pay equity plans for all employees in the workplace. Where a trade union represented the workers, employers were required to negotiate the pay equity plan with them.

The objective of this research project is to examine the outcome of the Ontario Pay Equity Act (1987) for unionized female service workers' in Ontario hospitals and to understand why it occurred. How were wages and wage relations for female hospital support workers affected by the application of the legislation. How did it affect the wages of the lowest and highest paid female job classes in the service bargaining units? Did it challenge the wage hierarchy or was it reproduced and legitimized in the process?

This study sets out to try to fill in our knowledge by gathering and analyzing pay equity plans at an institutional level in a particular sector, in this case for support workers represented by the Canadian Union of Public Employees (CUPE) in Ontario hospitals. By pointing out the problems encountered in applying the Ontario Pay Equity Act to this

group of women workers this study will help to inform the development of further, more effective policy measures to achieve pay equity for low-paid women workers.

In this research project we examine how gender-based pay inequities have been addressed to meet the requirements of the Ontario Pay Equity Act in a sample of 51 pay equity plan results in Ontario hospitals. This research fulfils an important future task identified in the first evaluation of pay equity conducted for the Ontario Pay Equity Commission, which called for "...an evaluation component which closely examines how a sample of specific pay equity plans have remedied specific gender-based wage inequities" (Ontario Pay Equity Commission 1991a:ii,43).

Chapter Outline

Chapter One introduces the study by identifying the goals of the research and explains why it is useful to focus on the outcome of pay equity for hospital service workers represented by the Canadian Union of Public Employees. It explains the methodology involved in gathering the quantitative and qualitative research that forms the basis of this analysis.

Chapter Two provides the theoretical framework and a review of relevant pay equity literature. It takes into account gender and class in wage relations, and identifies the need to incorporate race into an analysis of low pay. It provides an explanation of how these factors shape the labour market. In reviewing literature on pay equity special attention is paid to the liberal conception of pay equity and the role of job evaluation in the pay equity process. The question of whether, and under what conditions, pay equity may have a radical or transformative potential is explored.

Chapter Three focuses in on the Ontario Pay Equity Act, analyzing the forces that developed and shaped it. Specific features of the legislation are identified as achievements and constraints in transforming wage relations between female-dominated and male-dominated jobs. The anticipated impact of the Pay Equity Act on Ontario hospital workers is presented as well as what previous studies revealed about the province's pay equity results.

Chapter Four analyzes the results of the pay equity plans gathered for this research. Findings of the impact of the pay equity legislation on wage relations are presented and discussed, noting the differences between benchmark classifications at the bottom and top of the wage hierarchy in the bargaining unit, analyzing what happened and why. It also explores whether implementing the legislation changed wage relations in terms of how women's work was valued or led to other significant changes in practice.

Chapter Five presents the conclusions. It refines the preceding analysis of why these were the outcomes from Ontario's Pay Equity Act and poses the question of whether or not pay equity has been achieved through this legislation. It ends with policy considerations for the future.

Why Focus on CUPE Hospital Service Workers ?

Hospitals are an important site for analyzing the effects of pay equity legislation because hospital work is largely women's work, both in real and symbolic terms. Women's paid work in hospitals, of caring for others, cleaning, preparing food and doing laundry, is much like women's unpaid work in the home. In fact, the border between this work being paid or unpaid women's work has shifted back and forth over time. Hospitals provide employment to many women, with almost one in 15 Ontario working women employed in

a hospital. Hospitals are predominantly female workplaces where women account for 84% of hospital employees (Armstrong 1988:66).

The key reason for focussing on the hospital service workers represented by CUPE is to analyze the results of pay equity for those who are located at and toward the bottom of the institutional wage hierarchy. It is these women workers who are among those with the greatest financial need for pay equity. Therefore it is important to evaluate the benefits they have received from it.

Comparatively little has been written about service workers who form the invisible infrastructure of the industry. Attention tends to focus more on those with more power, credentials and status within hospitals, namely doctors and nurses. These non-professional service workers, who account for the bulk of CUPE's hospital membership, constitute what George Torrance has called the "invisible underside of the industry" (Armstrong 1988: 27). This research tries to fill in a gap left by what may be an unconscious or inherent class bias in research, in terms of who is considered important to study or possibly who it is that is doing the "important" and recognized work.

Choosing to focus primarily on one bargaining unit within the hospital sector provides a partial institutional picture of the results of pay equity. But there are many good reasons for focussing this analysis on hospital workers represented by CUPE. A more complete institutional analysis would include the experience of nurses as well, as the other large predominantly female employees in hospitals. But the situation for the nurses, represented by Ontario Nurses Association (ONA), was quite different. There were no higher paid male employees within the hospital establishment they could use as comparators. Doctors, an obvious choice, are self-employed and thus not employees. And to use residents or any of the management positions as male comparators would have

required the use of proportional value since they were not considered to be of exactly equal value. ONA's experience was extremely valuable in pointing out the shortcomings of the Pay Equity Act for the highest paid female dominated job class within the establishment. However it did not reveal other problems associated with applying the Act, which are the subject of this investigation. Therefore, ONA's rich and revealing experience with the Pay Equity Act is beyond the scope of this research.

CUPE is the largest bargaining agent for hospital workers in Ontario, next to the Ontario Nurses Association (ONA), which represents Registered Nurses throughout the provinces' hospitals (and other health care settings). CUPE represented over 23,000 hospital workers in almost 100 hospitals across Ontario during the time frame for pay equity negotiations. CUPE has a diverse hospital membership, in many cases encompassing all employees other than managerial and Registered Nursing staff. The bulk of CUPE's hospital membership comes from the so-called service units which represent non-managerial staff in the housekeeping, dietary, laundry and central supply departments as well as the nursing staff of Registered Nursing Assistants, Orderlies, and Health Care Aides. Maintenance, grounds and trades classifications are represented as well as, in some hospitals, ambulance and registered technologists and clerical workers (CUPE 1992).

CUPE represents a large portion of hospital occupations. The three largest occupational groups - RNAs, Aides and Assistants and Orderlies - who form the bulk of CUPE's hospital membership, accounted for just under 10% of hospital employment (Armstrong 1988: 26). This is the second largest occupational grouping next to Registered Nurses who are the largest single occupational group in health care, accounting for just under 25% of employment.

The Service Employees International Union (SEIU), is the other major union in Ontario representing a large portion of hospital service workers, with about 11,000 hospital workers in similar classifications. (ibid:24) There would be value comparing the results obtained through pay equity by these two unions representing similar workers. Unfortunately this comparative analysis was beyond the scope of this project.

Personal familiarity with the sector was another reason for this focus. I had worked with CUPE's provincial hospital bargaining group, the Ontario Council of Hospital Unions (OCHU), as a national staff person for three years, between 1985 and 1988. As a result, I was familiar with the job classifications, the work performed, this group's bargaining history, including an earlier effort to negotiate pay equity in bargaining and some of the active participants in the union. The OCHU executive members were interested in the results of this study and supported this investigation. My personal history working with CUPE hospital workers in Ontario helped to provide access to the pay equity results. This was important because there was no legislative requirement to file the plans with a government agency.

CUPE is a union with a long history of promoting equality for women workers. As early as 1971 CUPE promoted an equal pay campaign among its hospital workers across the country. At that time the goal was to raise the wages of predominantly female RNAs up to that of predominantly male Orderlies. CUPE was the first union in Canada to establish an Equal Opportunities office in the mid-eighties and later to hire a full-time staff person to deal with pay equity in Ontario. The Ontario hospital group, OCHU, had attempted to address pay equity in its central bargaining just prior to the introduction of the Pay Equity Act in 1987. Throughout the province CUPE had been actively involved in the campaign leading up to the passage of the Pay Equity Act. This historical context suggested that

CUPE would try to make the most of the opportunity to raise women's wages presented through the new legislation.

Before turning to an analysis of what CUPE hospital locals were able to achieve from the Ontario pay equity legislation, we begin by establishing the theoretical and scholarly framework within which these efforts are analyzed. This is followed by an explanation of the specific features of the Ontario Pay Equity Act and a discussion of the forces that shaped it. We then examine the results of pay equity bargaining for CUPE hospital locals and discuss why these results occurred, concluding with policy considerations for the future.

Chapter Two – Theoretical Framework

Feminist Political Economy

This analysis of the outcome of pay equity bargaining in Ontario is viewed through a lens of feminist political economy. It is also influenced by and draws on a growing body of literature analyzing pay equity initiatives in Canada and the United States.

Feminism and political economy form a natural bond through a shared perspective on social relations. Both recognize that power relations underlie the economic structures and processes that influence social relations. As well, ideology plays a strong role in reproducing and maintaining both the social relations and the foundations that sustains them (Maroney and Luxton 1987:6). A number of common tenants of feminist political economy have been identified. These include a belief that gender divisions are as fundamental and significant as class divisions. All classes are gendered and gender is fundamental to conflict within and between classes. As well, class and gender systems are inter-related and work together to reinforce each other. Analysis should seek to reveal the hidden operations of gender as well as class (ibid:27).

Feminist analysis brings to political economy recognition of the “two-sided character of social life” (ibid:13). This includes the realm of production and the sphere of reproductive social activity that exists on a daily basis outside of the workplace. This involves familial relations surrounding the reproduction of the next (and often former) generation as well as domestic labour required for replenishment and nurturance outside of paid work. Feminist political economy rejects the view that biology determines economic and social structures, although it recognizes the influence biology has on them.

This analysis of pay equity draws on this two-sided aspect of feminist political economy. It recognizes that while a wage is determined through productive relations,

women's wages and the pay increases they received through the application of pay equity legislation are heavily influenced by women's unpaid work in the sphere of reproductive relations. Women's paid work in hospitals, the subject of this pay equity analysis, bears a strong resemblance to women's unpaid domestic work. Cleaning, food preparation, laundry, as well as caring and nurturing for the sick accounts for much of the work of hospital support staff. This work is similar to, if not also part of the continuum of women's unpaid work in the home. The resemblance to women's unpaid domestic labour and the fact that caring for the sick does shift back and forth between paid and unpaid work contributes to hiding the importance and difficulty of this work, which in turn has a depressing effect on the pay provided for this work.

Gender and Class in Wage Relations

Gender and class relations shape workers' wages. The breakup of feudalism and the establishment of a market economy not only introduced new relations of production, it also established market relations based on a wage as the primary relations of distribution, replacing the former system of rights and entitlements. For Marx, the establishment of free wage labour was a defining characteristic of capitalism. Wages, which represented these new relations of distribution were gendered (Acker 1988:479). Historically this took the form of the family wage, which was supposed to be sufficient for a male wage-earner to financially support a family. The family wage was also used to justify lower wages for women workers who were not considered to be responsible for the economic survival of a family.

The wage gap between men and women continues to be one example of how the wage is gendered. But Acker points out that it is also gendered in terms of the actual tasks and activities undertaken by men and women which produce their pay cheques (ibid:481).

This occupational segregation of the labour force based on sex, derives from a division of labour that separates men and women workers and reinforces traditional beliefs about masculinity and femininity. Men's jobs tend to be associated with technical skills or physical strength whereas women's jobs are seen to require patience, repetition and attention to detail or mirror the type of unpaid work women do in the home. The gendered separation of tasks performed by men and women in the workplace emphasizes differences based on gender and combines with the hierarchical ordering of the workplace in which men tend to earn higher wages. It reinforces notions of female subordination and male superiority.

The hierarchical ordering of wages in the workplace is not based only gender relations. It is also based on class relations (Acker 1989:20). According to Marx, wages represent a proportion of the value created by and paid to labour. Power relations between workers and employers determine the value of the wage and hence the extent of surplus value derived by the employer. Conflict between labour and capital is inherent in the capitalist mode of production (Miliband 1977:17) and is reflected in the determination of wages.

Class relations are not static nor do they reflect a structural location in the workplace hierarchy. Class position is relational and dynamic, produced, reproduced and potentially transformed through dynamic social relations. There are both material and ideological components to class formation. In other words, class is not just a function of where workers are in the process and relations of production. It also involves class consciousness which is achieved through recognition of a common situation and common interests and primarily develops through struggle to constitute an organized class and defend its class interests (ibid:22).

Feminist scholars have reformulated the understanding of class to better take into account and explain the experience of women. For example, MacDonald and Connelly argue that the mode of production needs to be understood to include relations of reproduction as well relations of production and that in turn the conception of class must change to take the household into account where women have traditionally worked without pay (1989:62-4). The class position of women should take into account both their direct and indirect relation to the means of production (ibid:66) since both productive and reproductive relations are an integral part of the capital accumulation process.

The inter-relationship of class and gender relations helps to explain women's location in female-dominated occupations that are typically clustered toward the bottom of the workplace hierarchy. The wage setting process associated with pay equity provides a valuable avenue for analyzing and understanding the reproduction of gendered class situations.

In Doing Comparable Worth Joan Acker analyzes the conflicting class and gender interests which permeated the job evaluation process and the redistribution of wages for employees of the State of Oregon. In her view, analyzing pay equity efforts that seek to change the practices that produce inequality can help to bring to light some of the ways inequality is embedded and reproduced in everyday social relations. Efforts to change women's position in the wage hierarchy in the workforce can reveal resistance from class relations (management resisting increasing the value for women's work) and gender relations (men believing their work is worth more) (Acker 1989:5).

I was particularly struck by Joan Acker's argument that "gender is so deeply embedded in the hierarchical structure that alteration of the gender order tends to threaten the hierarchy itself" (Acker 1988:482). I wanted to know whether or not this was true. Did

the application of the Ontario pay equity legislation, which seeks to alter the gender order in the workplace by repositioning women upward in the wage hierarchy, threaten the hierarchy itself? Would pay equity radically transform wage relations in this way? Was this the case for Ontario hospital workers?

The Need to Incorporate Race

The major theoretical concern within the literature on pay equity has been with the connection between class and gender, with a few exceptions (Glenn 1992, Malveaux 1985). In the pay equity literature there tends to be a recognition that race also plays a role, but less effort has been devoted to how it is also implicated in pay equity efforts.

For example, Ronnie Steinberg has argued that the pay equity movement has been concerned with both sex and race-based wage discrimination since minority females are among the lowest paid, indicating the combined impact of gender and race discrimination. However even in the article where this point is made, the analysis is restricted to examples of gender bias (Steinberg 1990:477).

This is not surprising given that class and gender are directly confronted in pay equity efforts, whereas race is buried further below the surface. This is partly because pay equity efforts are focussed on the exclusive goal of addressing gender inequalities in pay, not all inequalities. Class is implicated not because pay equity legislation tends to seek greater class-based wage equality but because there is a clearer connection through women's location in the organizational and wage hierarchy. With race the connection is more obscured. Yet it is clear that the workforce is also racialized. Different racial and ethnic groups tend to be located in distinct occupational clusters or sometimes in distinct work groups within a general occupation. The connection between the racialized character of the workforce and gender-based inequities

in pay has not received as much attention. This author wishes to call attention to this relatively neglected dimension in analyses of pay equity.

Race is a social construction not a biological one (Solomos 1986:107). It is relational; a social boundary drawn on the basis of otherness or difference arising from different phenotypical characteristics like skin colour, physical features or hair type or colour. It involves social processes of individual or collective identification (self-identification) and labelling by others (Mason 1986:11). A distinction is made here between race and ethnicity with the latter term referring to the establishment of social boundaries or distinctions drawn within racial groups, on the basis of some other characteristic, such as language. Subordinate social and economic status is attributed to the “other” social group on the basis of race or ethnicity. The social construction and identification of racial or ethnic groups as different is often a way to justify subordinate social and economic status.

A growing number of feminist theorists are calling attention to the need to integrate race into feminist analysis and are struggling with how to do this (Allen 1991, Anthias 1991, Stasiulis 1991). While some socialist-feminists see the need to construct a theoretical framework that encompasses gender, class and race this has not always been the case. Certain feminist scholars have focussed primarily on the relationship between gender and race. And among other theorists, there has been a prolonged debate on the relationship between race and class (Rex and Mason 1986). Fortunately there has been a growing movement to integrate these previously separated strands of debate into a more complex and coherent theoretical framework that encompasses class, gender and race.

An important theoretical development is the analysis of gender, class and race as inter-related rather than as operating independently from one another. The goal is to recognize that all three are experienced simultaneously in everyday life and to avoid reducing explanations to

simply one factor. For those working within a political economy framework the tension is between privileging class relations as a fundamental organizing principle, without reducing explanations of gender and race to a simple class analysis. This may be accomplished by analyzing class relations as not only being gendered but also as being racialized.

Analysis should be focussed on identifying the particular ways in which gender, race and class inter-relate in particular contexts at a specific historical time rather than on developing broad, universal theories based on analysis at a level of abstraction, removed from the specificities (Allen 1991:24). In a critical review of the marxist debates about the inter-relationship of race and class, Solomos notes a failure in marxist analysis to push beyond a theoretical understanding that “points to contradictions and struggles but says little about the concrete historical and contemporary experience of racism at the level of everyday life and human agency” (Solomos1986:102) that would help to develop a practical understanding of how to overcome racism.

For example, the global historical impact of colonial and capitalist development should be recognized for creating a racially and ethnically diverse labour market. The displacement of racial and ethnic groups, both within and between nations, has been created by the global growth and development of capitalism. Historically, segments of a population have been displaced through changes in the mode of production or economic development that has in turn drawn them to new centres of industrial development or economic activity. This process has caused workers to move from one country to another in an effort to survive or prosper (Ng 1986:13). And it is this underlying process that accounts for the existence of and influences the treatment of a racially and ethnically diverse labour market.

The Labour Market

In classical political economy, as articulated by Adam Smith, the market was considered a self-regulating economic order, governed by an “invisible hand” that established “natural values” through the effect of competition on supply and demand (Dobb 1973:43). The labour market is the place where individuals come on a free and equal basis to exchange their labour for wages from employers. It operates in a neutral fashion. Wages reach their “natural value” through the interplay of supply and demand. Any difference in pay would either be due to an imbalance of supply or demand or to some characteristic of the individual worker.

But such a view fails to recognize the underlying imbalances of power that shape the market. Markets exist within an economic system that is inherently unequal. Workers, by virtue of having to sell their labour for wages are less equal than those who own capital or the means of production. On top of these class forces are layered gender, racial and ethnic forces that also shape the distribution of wages in a capitalist labour market. Overt and systemic discrimination help to explain the unequal distribution of wages and occupational opportunities available to some workers in the labour market.

A Stratified and Segmented Labour Market

Differences based on class, gender and race in society create an inherent tension that separates and divides workers. In fact, employers often use or build on these differences in structuring organizations to separate workers on the basis of differences into different occupational groups, or within occupations into different areas of work, different shifts or slightly different tasks. These differences are often used to justify pay differences that serve to lower overall labour costs. Yet at the same time these workers are part of a total, unified system, for example as part of the total labour process in an establishment or as part of a

collective organization such as a trade union. (Although unions often reflect, at least to some degree, some of the occupational divisions within the workplace.) These structurally inbuilt means of separating the workforce by sex, race, occupation, location in the organizational hierarchy and pay scales also helps to maintain the whole unified system of a capitalist mode of production (Harvey 1990, Keat and Urry 1975).

The unified system is maintained and reproduced through social relations. As Roxanna Ng has pointed out "... social inequalities are not "frozen" in structural processes over which we have no control. Our own action, though not necessarily intended, can and does contribute to the ongoing production and maintenance of inequality" (Ng 1986:14).

Evelyn Nakanno Glenn urges scholars to deconstruct and challenge the social construction of race and gender. She suggests that "an initial step in this process is to expose the structures that support the present division of labour and the constructions of race and gender around it" (Glenn 1992:35). The wage setting process is one such structure that supports the present division of labour. Efforts to revise it through pay equity provide one avenue to reveal some of the social processes that maintain and recreate wage inequities.

The forgoing discussion has called attention to the stratified and segmented character of the labour market as well as the social processes that organize and reproduce it. This theoretical conception guides this research project in the following ways. It calls attention to the fact that gender, class and race are all implicated in the segmented structure of the labour market and in the hierarchical structuring of workplaces. The wage that reflects that hierarchy is not only the outcome of gender and class relations it is also racialized. The extent to which race is apparent in this structure of domination varies over time and depends on specific characteristics of particular workplaces. In other words the extent and nature of occupational segregation based on race and gender vary between workplaces and over time. The extent to which and the way

in which individuals and their agents, such as a trade union, challenge these structures will also vary depending on what is perceived as the primary problem (gender, class or racial inequities) or whether these are seen as inter-related. That perception will be influenced both by material conditions (the nature of occupational segregation or the nature and extent of pay inequities) and the consciousness or conceptualization of the problem.

Considerable scholarly attention has focused on how occupational segregation on the basis of sex contributes to gender-based income disparities, but the extent of racially-based occupational segregation and its influence on wage differences are less known. What then is the precise impact of pay equity legislation on the position of visible minority women in the labour force? Does the fact that it is a visible minority woman employed in a particular job classification reinforce and make it harder to challenge subordinate economic status? These are important questions that need to be integrated into analyses of pay equity efforts.

As Joan Acker suggests pay equity provides a “concrete way to explore theoretically connections between gender and class” (1989:3) Pay equity efforts also provide a concrete basis for exploring the connections between gender, class and race. An analytical framework should be widened in order to encompass this important third dimension

Review of North American Pay Equity Literature

There is a large body of literature in the United States and Canada on the potential and limitations of pay equity legislation (as it is called in Canada) or comparable worth (as it is known in the United States). Only a few of these studies actually analyze the outcome of pay equity initiatives.

The 1980s and early 1990s saw a renewed interest and large growth in writing on this subject. Interest was fueled by key breakthroughs in achieving pay equity. These include, in the

United States, a court decision providing a large cash settlement to female employees of the State of Washington in 1982, followed by pay equity initiatives for government employees in other states, including Minnesota and Oregon. In Canada, the passage of proactive pay equity legislation was first in the province of Manitoba in 1985, followed by the province of Ontario in 1987 (the first to extend proactive pay equity legislation to the private sector in North America) and most other provinces since then.

In more recent years the public discourse changed from "equal pay for work of equal value" to "pay equity" in Canada and "comparable worth" in the United States. The concepts behind these two new labels were essentially the same as equal pay for work of equal value. The central objective was one of rectifying gender-based disparities in the market by revaluing women's work. Equity became equated with female jobs being paid the same rate as male jobs of equal or comparable value (Armstrong and Armstrong 1990:37).

Given this conception of pay equity, or comparable worth, the focus of much of the contemporary literature is not surprising. From a neo-classical economic perspective, it focussed on identifying the extent of the male/female wage gap that was due to gender-based discrimination and therefore could be rectified by pay equity legislation. From a feminist perspective a major preoccupation of the literature was in recognizing the skills of women's work in order to revalue it and determine an appropriate wage (Remick 1984, Steinberg and Haignere 1985, Treiman and Hartmann 1981). It is the later perspective that is of greatest interest and influence here.

The Liberal Conception of Pay Equity

Johanna Brenner has provided an important critique of the dominant conception of pay equity and comparable worth that equated women's economic equality with achieving wage

parity with men's work of equal value. She argues that the comparable worth policy aims and campaign goals are the product of liberal notions of equality which, in turn, are based on assumptions of a hierarchical ordering of society providing differential rewards for those occupying different positions in the hierarchy. In this framework competition is considered an important motivator for individuals to aspire to higher positions. It is also assumed this is a meritocratic system where those at the top, earning more, are considered the best and most deserving of preferential rewards (Brenner 1987:447-451).

Brenner argues that the goal of twentieth century public policy is "a just distribution of individuals within a hierarchy of rewards and power" (ibid:449). Fairness is believed to exist "when the distribution of individuals within unequal positions reflects their individual qualities...not their gender, race, religion, or family backgrounds" (ibid:448). The political discourse of comparable worth efforts, she argues, reinforces this dominant ideology because it does not question the market as a fair arbiter of wages. Instead it attempts to remove discrimination from the market by using job evaluation methods to recognize and measure previously neglected skills of women workers. Ultimately, however, it still relies on the prevailing dollar value of comparable male work, which is determined through the labour market (ibid:457).

This relates to an important point Rosemary Warskett makes in her evaluation of the outcome of pay equity cases under Canadian federal equal pay for work of equal value legislation. Warskett points out that pay equity cases pursued by the federal public sector union (the Public Service Alliance of Canada, PSAC) under the federal Canadian Human Rights Act, relied on job evaluation as the method to determine the appropriate value of women's work. Rating and ranking women's jobs according to the criteria of a job evaluation scheme would then indicate which was the male job of equal value to which the female job's pay rate should be

pegged. (She also notes that getting the employer to pay out the identified increases for women workers required a major struggle by the union when the outcome affected large numbers and was very costly.) But the main point I wish to draw out here is her critique of what tends to be considered pay equity.

"Pay equity has come to mean, for the most part, value as measured by job-evaluation schemes. Equating equal pay with job evaluation tends to mask the inequality inherent in a structure where management control is assigned the highest weighting and value. The concepts of 'equality' and 'fairness' serve to legitimize the existing hierarchy and structured inequality, which is based [not] only on gender discrimination but also on class divisions emanating from the market economy" (Warskett 1991:189).

Warskett argues that this conception of pay equity and method to achieve it within the federal government developed from the dominant notions of liberal feminism and liberal democratic capitalism at that historical juncture (ibid:174-5). She illustrates the historical roots of the federal pay equity struggles in the women's movement and in particular in the newly formed National Action Committee on the Status of Women (NAC). It successfully demanded that the federal government adopt the ILO convention of "equal pay for work of equal value" and enshrine it in the Canadian Human Rights Act. As Warskett points out, equal value to what and value to whom were questions that were not widely debated at the time (ibid:176-9). The conception of equal pay was based on the basic assumption of liberal feminism that women should be treated equally, i.e. on the same basis as men, which fails to recognize the class inequality and disadvantage which exists for men. As well, there is an assumption that discrimination affects all women equally, failing to recognize privileges and disadvantages due to class or race (ibid:188-9).

The Role of Job Evaluation in Pay Equity

In Brenner's view, job evaluation, which is at the heart of comparable worth and most pay equity schemes leads to a number of problems. A primary concern is that it can legitimate inequities in pay if all parties agree that the method has been fair and produced an equitable outcome that is a reflection of differential merit. It can exacerbate hierarchies in women's jobs, it can reinforce a continuation of large inequalities by race, and it can create class or gender divisions by concluding that certain occupations are "overpaid" (Brenner 1987:458-460).

"In sum, comparable worth seems to offer an immediate remedy to a pressing problem, but it may institutionalize divisions among women and between women and men that will make future collective campaigns difficult" (ibid:461).

In part, this problem stems from the fact that job evaluation plans tend to reflect both class and gender biases. They are usually built on the premise of value to the employer, thereby reflecting a class bias. For example, in the job evaluation system endorsed by the Ontario Hospital Association and used extensively in the hospitals under study here, managerial decision making and responsibilities were valued more highly (i.e. as more complex) than jobs providing service or medical care. This had a strong gender bias too since the high level managerial positions are held predominantly by men while women are predominant in the jobs providing care and service (Steinberg 1990:464).

The process of using a job evaluation methodology for pay equity does offer a positive potential to recognize and thereby value previously invisible tasks and skills performed by women workers, if not also to challenge managerial values. The first phase of a job evaluation process is particularly important in making visible women's work as job descriptions are developed or revised. Once the characteristics of women's work have been made visible, these jobs can then be given a higher value through the next phase of rating them by assigning values

or weights according to the specific job evaluation plan used. However, unless the specific plan remedies class and gender bias, the process can simply create a legitimate and believable system of inequality (Acker 1989:62).

But even under the best circumstances, where women's skills are recognized and highly valued through a gender-neutral job evaluation system, this method will not necessarily unite workers around the common outcome of higher pay for women workers or gain support for this outcome. That is because job evaluation is premised on recognizing and rewarding differences between workers to determine their location in a stratified, hierarchical compensation structure. As well, it is often conducted in a highly technical way where many workers don't fully understand the reasons for particular outcomes. Yet another problem arises in the final phase of job evaluation in which point values are translated into wage rates. The potential to dramatically alter wages is limited by comparison to the existing labour market value of wages in which class and gender biases are deeply entrenched. The job evaluation method is used to re-value and re-rank jobs in order to arrive at a new internal equity. However, the new wage rates are established to be consistent with external equity, what similar jobs are paid in the market (Feldberg 1987:249).

Does Pay Equity have a Radical or Transformative Potential ?

Some scholars have been hopeful about the transformative and radicalizing potential of pay equity or comparable worth. For example, Joan Acker suggests that a more important long term consequence of comparable worth may be to draw more women into union activity and get unions to more fully embrace women's concerns. (1989: 27) In addition, she suggests a radical conclusion that may be drawn from implementing comparable worth is that "...the very

form of the job, and the hierarchy in which it is the unit, must be transformed if male dominance is to be eliminated" (ibid: 221).

In Wage Justice Evans and Nelson are interested in the "transformative possibilities" of the State of Minnesota's experience with comparable worth. They argue that "mobilization around this issue can be a democratic and empowering experience for women and minorities who rethink the value of their own work and challenge the hierarchy of values enshrined in the wage scale" (Evans and Nelson 1989:171). In a subsequent article, Evans and Nelson focus on the need to better understand what they call the "translation process, the activities that transfer gains in one arena to gains in another" (Evans and Nelson 1991:242). Here they begin to analyze the "immediate prospects for pay equity to transform market, political and domestic relations" (ibid: 228). They conclude that the transformational potential of pay equity in the market depends partly on how extensive the legislative coverage is and the proportion of the workforce that is unionized (ibid: 243). Pay equity's political transformative potential depends on such factors as the extent to which it is embraced by feminists, unions and other popular organizations (ibid:244). They are brief and inconclusive about changes in the domestic sphere arguing that this area is the "most contingent" (ibid: 244) since it is heavily influenced by interpersonal relations and must be more fully evaluated in this context.

Others who have studied pay equity efforts have also been concerned with its ability to contribute to larger social changes. For example, in Between Feminism and Labor, a comparative study of comparable worth efforts in San Jose and Costa Contra counties in California, Linda Blum is interested in the "radical potential" of pay equity campaigns. In her study, which focuses on grass-roots, low-paid women workers, she argues that pay equity can mobilize low-paid women, contribute to feminist-labour alliances and provoke changes in the ideology supporting an unjust class/gender system (Blum 1991: 183).

As well, the editors of Just Wages, a Canadian book on pay equity, argue that pay equity "expresses a larger social vision as much as it names a technique for rectifying gender-based wage differentials" (Fudge and McDermott 1991:6) as one of many strategies for ending systemic discrimination against women.

Others have been dubious about the radical potential of pay equity legislation. In Pay Equity: The Labour-Feminist Challenge, an analysis of the political struggles over the development and passage of the Ontario Pay Equity Act, Carl Cuneo questions whether it is possible for the state in our society to produce a law that will achieve pay equity ? In his words:

"Assuming that unequal pay is one of the supports of patriarchal capitalism, is it possible for a patriarchal capitalist state to produce a law that undermines this support ? Is it possible...[for it] to create a pay equity law that, in the longer term, favours the working class over the capitalist class and women over men ?" (1990:12).

Cuneo raises an important question here, but I think that a major problem is that there is no clear legislative solution to the problem of unequal pay based on gender discrimination, when these inequalities also reflect pay inequities due to class and racial discrimination. It is hard to develop and apply a logical, fair, gender-neutral wage relationship on a labour market that has none of these characteristics. This is especially true of a legislative pay equity approach where equity is defined in terms of comparison with the male labour market.

Johanna Brenner also disputes claims that comparable worth has a radical potential because it politicizes the wage setting process and initiates an end to women's economic dependence, or questions the market basis of wages. She predicts that the outcome will be limited to being most effective in public sector settings (where unionized workers can effectively pressure elected officials). It will provide little to benefit women in industries (such as insurance) where they are concentrated at the bottom and have no union, nor will it

substantially improve conditions for women of colour who need access to jobs and education (Brenner 1987:457).

She argues that a different kind of organizing is needed around pay inequities in order to realize its radical potential. In Brenner's view a radical strategy would "argue for raising the pay of the lowest-paid workers, most of whom are women and minorities, on the grounds that everyone who contributes his or her labour deserves a comfortable and secure existence" (ibid:461). Her vision of a radical strategy would also argue for compressing salary differentials between jobs, especially those between workers and management.

Wage Solidarity - An Alternative Conception of Pay Equity

This view is consistent with the notion of wage solidarity advocated by Rosemary Warskett as a "...progressive union strategy, using the power of all its members to decrease pay differentials and raise the wages of the lowest paid" (Warskett 1990:57). The Swedish trade union movement is best known for pursuing a solidaristic wage policy which unintentionally established the narrowest male/female wage gap in any industrialized country, with women earning on average 91% of the average male wage (ibid:78). There are also other, less known, Canadian examples of a wage solidarity approach. For example in 1970 the Quebec Common Front of public sector unions sought a \$100/week minimum wage for its members. While the primary goal here was poverty relief, it had gender consequences since it was primarily women employed in the lowest paid clerical and hospital jobs that benefited most from this strategy. Another example of the wage solidarity approach was spearheaded by CUPE in British Columbia in 1981 primarily in municipal and school board bargaining where the goal was to boost the lowest paid women's wages by achieving an equal wage rate between predominantly

female and male entry-level classifications (Errington1981). Both the Quebec and British Columbia example provided inspiration to CUPE Ontario hospital workers in the mid-80s who sought a \$10 an hour minimum wage through bargaining, just prior to the Ontario pay equity legislation coming into effect. (Ironically, the imminent introduction of pay equity legislation provided the rationale for the arbitrator's denial of the modified bargaining demand.)

Warskett argues that the predominant feminist pay equity strategy of equal value is too limited and will fail to benefit many low paid, unskilled women workers. Nor does it deal effectively with employers' efforts to avoid higher labour costs of women workers who benefit from an equal value strategy, through restructuring work by globally by moving labour intensive tasks to low-wage countries, contracting-out work to lower paid workers within the country or forcing other workers to bear the costs of a higher wage bill (Warskett 1990: 75).

Brenner and Warskett's critique of comparable worth and argument for a wage solidarity approach informs the theoretical framework of this investigation. The subsequent analysis of the outcome of Ontario's pay equity legislation will probe the extent to which this critique of comparable worth is revealed in the experience in CUPE Ontario hospital locals.

Chapter 3 – The Ontario Pay Equity Act (1987)

The Introduction of Pay Equity Legislation in Ontario

Before turning to an analysis of the results of fifty-one Ontario hospital pay equity plans, it is important to know about specific features of the Ontario Pay Equity Act. These features comprise a particular legislative framework that defined how pay equity would be achieved for the purposes of the Act. To understand how pay equity came to be defined in the legislation it is important to examine the origins of the legislation through the social and economic forces that shaped it.

Pay equity made it onto the legislative agenda in Ontario with the election of a Liberal-NDP minority government in 1985. A promise to introduce new pay equity legislation in both the private and public sectors was part of the legislative agenda of the Accord proposed by the New Democratic Party (NDP), upon which they made their support conditional of the Liberal minority government for two years (Cuneo 1990:11, 40). The governing Liberal party promptly took action on pay equity by introducing the "Green Paper of Pay Equity" in the provincial legislature November 19, 1985. This kicked off an extensive set of public hearings, followed by an intense parliamentary process that culminated in the proclamation of The Pay Equity Act in 1987.

In the words of Attorney General Ian Scott when tabling the Green Paper in the legislature:

"Pay equity is a fundamental goal of the government. Let me make clear that the achievement of this goal for women is not at issue. The commitment to implementing pay equity has already been made. Only the methods by which it will be achieved are open for debate and discussion and, finally, decision" (Ontario 1985: 3).

The public hearings on the Green Paper became the focus of an extensive lobbying effort organized by the Equal Pay Coalition and the Ontario Federation of Labour and its affiliates, as well as by business and employer organizations. Over 350 public briefs were presented to the government hearings on pay equity (Warskett 1991:67). The Ontario Federation of Labour (OFL), denied an official place on the hearings committee, established its own alternate, shadow panellist, who attended all of the hearings and produced the OFL's own "Report on the Ontario Government's Public Hearings on Pay Equity". Carl Cuneo, in his book entitled Pay Equity: The Labour-Feminist Challenge, extensively documented the lengthy public process, drawing attention to the nature of the debate at hearings across the province and reflected in the media. Cuneo characterizes the public debate over pay equity legislation as a conflict between a neo-conservative, anti-feminist position and a labour-feminist position (Cuneo1990:2).

The resulting pay equity legislation represented a compromise, shaped by competing social forces of women and unionists on one side who sought higher pay for women workers and employers and their allies on the other side, who resisted this form of higher costs (Warskett 1988). These contradictory and competing social forces were mediated by the state as noted by provincial Attorney General Scott in his statement to the legislature when introducing the Green Paper. He noted:

"Pay equity will impose some costs, to be sure. However, in a democratic society market forces must be weighed together with objectives of social justice. This government cannot and will not accept the argument that profit is to be maximized at the expense of unfair discrimination against selected groups of workers" (Ontario 1985: 6).

The legislation finally approved by the provincial legislature on June 15, 1987 made certain commitments, such as its application to the private sector as well as the public sector. This is the first proactive pay equity legislation in North America to apply to the private sector, which may explain the extent of business opposition to the legislation. But at the same time, it fell far short of the desired goals of some feminists and labour activists who had pushed for it (Bakker 1987:4).

The Contested Terrain of the State: Formulating the Legislation

The decision by feminists and trade unionists to pursue legislation to address pay equity focussed public and private pressure on the state to influence the outcome of the legislation. Before analyzing the effects of this legislation it is important to explain what is meant by the state and theories about how the state acts in order to expose the underlying pressures that influenced the possibilities and limits of state reform at that time in Ontario.

The state is an extensive social institution encompassing many different functions. Designations of the state vary in breadth, ranging from the elected government officials to the administration (civil service, regulatory bodies, public bank, public corporations), to the military (police, security and intelligence services) and judicial system (Miliband 1977) to definitions also including the family, trade unions and religious organizations (Althusser 1972). The narrower conception of the state proposed by Miliband is favoured here. In fact, most references to the state in this analysis of pay equity will primarily refer to what Miliband calls the "executive" of the state, the Members of the Provincial Parliament (MPPs) who were directly responsible for the drafting and adoption of the Pay Equity Act.

One of the theses of Carl Cuneo's book on pay equity is that the state tried to co-opt the trade union and women's movements by "framing weak pay-equity legislation containing numerous loopholes and defects that make it difficult for women to win pay equity adjustments"(Cuneo:4). I agree with the evaluation of the legislation but disagree with Cuneo's reliance on state co-optation to explain the final features of the pay equity legislation. It is an overly instrumentalist view of the state, which infers the state acted in a homogeneous way to achieve a specific desired objective. Poulantzas' notion of the state provides a more reasonable explanation of how the state functions, as a system of class relations in which policy is formed through mediated conflict between class representatives within the state (Warskett 1988: 68). This view recognizes variety and difference in interests within a class, which I consider more accurate. There are differing interests within the ruling class, for example between large multinational corporations and small independent employers as was seen in the public debates over introducing pay equity legislation in Ontario. This unequal structure of representation within the state (Mahon 1977) provides insight into the state acting not as a neutral homogeneous entity, but as a contradictory whole (Warskett 1988:68).

During the time of the introduction of pay equity legislation in Ontario there was an unusual structure of representation within the state. A Liberal-NDP minority government had just taken power after years of Conservative party rule. The NDP had partially set the legislative agenda for the next two years through the elements of its Accord, which featured the introduction of pay equity in both the public and private sectors. But the NDP did not hold the balance of power when it came to determining the precise shape of the legislation. The governing Liberals set the framework for the legislation in the Green Paper, circulated for public discussion. And when it came down to choosing the options outlined in the Green

Paper and deciding on the specific details, the NDP could be outvoted in the committee drafting the legislation or in the provincial parliament by a coalition of Liberal and Conservative members. Looking more closely at the unequal structure of representation in the government in the final negotiations over the precise details of the legislation helps to explain why it fell short of what was sought by feminists and labour organizations. A common class interest drew the Liberals and Conservatives together, responding to heavy pressure from business, to limit the impact of the legislation on raising labour costs. In contrast, the NDP was aligned more closely with the Equal Pay Coalition and the labour movement, who were pushing hard for comprehensive and effective pay equity legislation.

This examination of the role of the state in implementing pay equity reveals that it was not acting in a neutral fashion while implementing the stated commitment to introduce pay equity in both the public and private sectors. Some argue that the state sought to gain public legitimacy through this action (Armstrong and Armstrong 1990:46). The implications however, were that through this legislation the notion of a free market based on equity and choice were challenged by legitimizing state intervention to bring about gender-based pay equity (ibid:30). At the same time, however, the specific features of the Pay Equity Act which narrowed and limited its application, suggest a response to the demands from capital to protect some of the conditions under which profit was realized through women's low wages (ibid:52). This argument is consistent with the notion of the state as a contradictory whole. In this analysis the

state is viewed as a site of contested terrain, with unequal class and gender relations, where the battle was waged over the precise form and impact of pay equity legislation in this province.¹

The introduction of new pay equity legislation provoked a strong public outcry from business organizations. This included local Chambers of Commerce, Boards of Trade, the Canadian Federation of Independent Businessmen, the Canadian Manufacturing Association, sectoral employer organizations (retail council, auto parts manufacturers, trucking, newspapers), as well as other groups such as the National Citizens' Coalition and R.E.A.L. Women (Cuneo 1990, OFL circa 1986). They objected to the right of the state to intervene in the labour market and influence private capital's ability to determine wages. The National Citizen's Coalition conjured up an image of the "Pay Equity Police" who would snoop through employer's carefully guarded financial statements and prosecute those who had not fully met the requirements of the legislation (Cuneo 1990:94). They and other employer organizations' argued that the market, portrayed as neutral and non-discriminatory, was the best method for determining wages. In their view any difference in women's wages must be due to matters of over-supply, characteristics of the individual worker or the fact that women had a "secondary attachment" to the labour force given their primary domestic responsibilities. Other concerns were raised as well, such as its potential to break down the nuclear family and the fact that pay equity would be so costly it would drive some out of business.

¹ While the notion of unequal representation in the state tends to refer to class relations, it can also apply to gender relations since women form a small minority of MPPs and senior administrative government personnel.

Achievements in the Ontario Pay Equity Act

Despite this resistance, women's groups represented primarily through the Equal Pay Coalition and labour unions can claim a number of significant victories in the content of the pay equity legislation. One is that the legislation was based on the assumption that the problem with women's unequal wages was systemic, rooted in discriminatory pay structures, rather than an individual problem within the labour market. A remaining problem, however, is in the limited way in which systemic discrimination was addressed through the legislation, namely by equating women's wage equality with male rates deemed of equal value. The premise for women's pay equity became the male wage labour market with all its biases and inequalities.

The formulation of the new legislation provided a remedy to women's lower pay that went beyond addressing individual complaints, implying a recognition of the failure of the complaint-based legislative model to close the gender-based pay gap. This was a proactive legislative model in that employers were required to initiate action to identify the wage gap between male and female dominated job classes within an establishment.

Put simply, the major elements of the pay equity process were to 1) identify female and male jobs or job classes, 2) compare jobs or job classes in terms of skill, effort, responsibility, and working conditions, and 3) provide the same compensation to jobs that were equal or comparable (Pay Equity Commission 1989b:6). The Pay Equity Act defined a job class as "... positions in an establishment that have similar duties and responsibilities and require similar qualifications, are filled by similar recruiting procedures and have the same compensation schedule" (Section 1).

With this legislative approach the solutions became collective rather than individual (Armstrong and Armstrong 1990:35). And possibly in reaction to the lengthy delay in

providing remedy under the complaint-based legislative model, a time schedule was established for the implementation of the Act, outlined below, with penalties for non-compliance. Despite the staggered implementation of the Act depending on the size of the establishment, the application of the Act is extensive. It applies to all public sector employers and private sector employers except those with fewer than ten employees.

PAY EQUITY TIMETABLE

Sector/No. of Employees	Deadline for Posting Plan	Wage Adjustment Begins
Public Sector	Jan. 1, 1990	Jan. 1, 1990
Private Sector with 500+	Jan. 1, 1990	Jan. 1, 1991
Private Sector with 100-499	Jan. 1, 1991	Jan. 1, 1992
Private Sector with 50 -99	Jan. 1, 1992 ²	Jan. 1, 1993
Private Sector with 10-49	Jan. 1, 1993	Jan. 1, 1994

Another important feature was that the Act required employers to negotiate pay equity plans with unions where they represented the workers. It legitimized the role of unions in addressing gender-based pay inequities and provided a form of collective representation to do so. The union desire to look for male comparators first within the bargaining unit was also reflected in the legislation. This was considered important to ensure that comparisons with male job classes would be first with unionized workers before comparing with lower paid, non-union male comparators.

² Posting is voluntary for private sector employers with fewer than 100 employees (Ontario PEC 1988a:5).

The range of exclusions from the legislation that employers sought was limited to only five specific situations, eliminating from comparison male wages which were unusually high due to a skills shortage; a gender-neutral seniority system, temporary training opportunities; merit pay; and “red-circled”³ wages (Section 8(1)).

One of the most important elements of the Ontario Pay Equity Act was the creation of a separate Pay Equity Commission with the sole purpose of overseeing and upholding the implementation of the legislation. The Commission launched a series of high profile, public ads to try to shape public opinion to recognize and more highly value women’s work. Commission staff provided educational and technical assistance to employers and unions to develop pay equity plans and they were authorized to mediate and resolve disputes over pay equity. A separate Pay Equity Hearings Tribunal was established to hear and resolve all outstanding disputes over the implementation of the legislation.

Despite these achievements some of the specific features of the Act served to limit its effect. The intense debate over the specific details of the legislation, while highly specialized and technical, had a major impact on the pay equity results.

Constraints of the Pay Equity Act

The precise wording of specific elements of the Act had a tremendous impact on the effectiveness of the legislation. These included the definition of the employer, the

³ “Red-circling” refers to the practice of maintaining a higher rate of pay for a position that has been downgraded until pay increases bring the level of compensation up to what the incumbent should be receiving, often as a result of a job evaluation. It is considered “red” circling because the incumbent’s pay increases are stopped until their pay comes into line with a new norm into line with a new norm.

establishment, gender predominance, the determination of value, the definition of pay, allowable exceptions, pay adjustments, collective bargaining and the method of implementing pay equity (Ontario Government 1985).

The employers won a number of important concessions on some of these matters. For example, the main argument put forward by small employers was that they could not afford pay equity, that it would drive them out of business. Bowing to this pressure, the legislation was applied differently within the private sector, depending on the size of the establishment. In addition to benefiting from a staggered implementation date, those with fewer than 100 employees were required to begin pay adjustments by a specified date but were not required to post a pay equity plan. It effectively removed the obligation for a pro-active review of their pay practices in favour maintaining a complaint-based model of pay equity. In small workplaces enforcement of the Act required individuals to file complaints if they felt their wages were not properly adjusted and they wanted to ensure that the pay equity plan was fully and properly implemented. Furthermore, establishments with fewer than 10 employees were completely exempted from the legislation.

This represented a huge gap in the benefits of pay equity for Ontario women workers. In 1985 half of the female labour force in Ontario's private sector was employed in firms with less than 100 employees, and thirty per cent of these women were in firms with less than twenty employees (Ontario Government 1995:64-5). This indicates a major loophole in the application of the legislation to the female labour force even though the Green Paper on Pay Equity revealed that this segment of the labour force is more poorly paid, on average, and therefore in greatest need of the benefits of the legislation. The Green Paper indicated that the wage gap

was larger in the private sector than the public sector, given that it was calculated at 38% for all women in Ontario compared to only 23% for women in the Ontario Public Service (ibid:45).

Not only are women in small workplaces also disadvantaged because they are less likely to be unionized but often they are immigrant or visible minority women who also face discrimination on the basis of race and ethnicity (White 1993: 167). In other words, women in small establishments outside of the scope of pay equity legislation are probably, on average, the most disadvantaged segment of the female labour force. It is precisely their cheap labour that allows profit to be accumulated. The state was not prepared to intervene in this segment of the market to boost women's wages and potentially significantly alter the conditions under which capital was being accumulated. Perhaps there was an overriding concern that small establishments tended to be those operating at the margin of economic activity and that significantly increasing women's wages would drive a number of them out of business in the province.

Large employers, who accounted for over a third of the province's female labour force (Ontario Government 1985:45) and who were considered able to absorb the cost of higher women's wages were treated differently in the pay equity legislation. Their opposition to the legislation had taken a different tack. They did not oppose it outright, rather they sought to restrict the impact of the Act by making adjustments to it (Armstrong and Armstrong 1990:36). For example, they sought to restrict the definition of establishment to a particular geographic location so that chains and franchises would be able to avoid the impact of the Act because of the small number of employees in one location. They also sought to narrowly restrict the scope of comparisons between male and female job classifications, by limiting it not only to each separate employer within an establishment but to the smallest unit within it, the bargaining unit,

rather than across the entire establishment (ibid:36). They also sought a high and inflexible cut-off point for determining gender predominance such as 70% of incumbents required to be of one sex, to reduce the number of possible comparisons (Cuneo 1990: 30). In this case the legislation was more flexible providing for gender predominance to take into account a historical pattern of employment. While large private sector and public sector employers were unable to avoid the legislation completely, they were successful in easing its potential impact on them.

For example, the Ontario Pay Equity Act established very narrow criteria for determining the achievement of pay equity. Section 6(1) of the Act states:

"For the purposes of the Act, pay equity is achieved when the job rate for the female job class that is the subject of comparison is at least equal to the job rate for a male job class in the same establishment where the work performed in the two job classes is of equal or comparable value".

The legislative requirement of a job-to-job comparison within the bargaining unit for determining and achieving pay equity had serious implications as the findings analyzed through this investigation reveal. However, it also had the effect of denying the application of the legislation to a large segment of the female labour force employed in predominantly female workplaces where there were few if any male jobs upon which to base a claim for pay equity adjustments. Critics charged that over one million women in the province were denied the Act's benefits as a result of this legislative definition of pay equity (OFL 1988). Concerns about the limited impact of job-to-job comparisons within the bargaining unit on predominantly female workplaces led to building into the legislation a requirement for a review of the impact of the Act on female dominated sectors.

The sectoral reviews conducted for the Pay Equity Commission in 1988 supported the need to amend the legislation to extend its benefits to workplaces with few male comparators. The succeeding New Democratic provincial government took action to rectify this problem. The Pay Equity Act was amended in 1993, through Bill 102, to allow for women workers in predominantly female workplaces to compare their wages to men in other establishments using a proportional value or proxy method. It allowed for comparisons on the basis of proportional value, as opposed to strictly equal value, between female and male job classes in the same establishment in both the public and private sectors. For the broader public sector only, the proxy method was provided, which allowed for comparison with a male job class in another establishment if proportional value was of no benefit.

This victory, however, was short-lived. Before many women had been able to derive the benefits of these changes to pay equity legislation yet another provincial government was elected. This time it was a majority Conservative government elected on a platform of improving the economic climate for business and reducing the role of government in society. This government suspended the amendments to improve the Pay Equity Act and launched a review of the legislation.

In January 1996 the Ontario government eliminated pay equity rights for 100,000 women by ending proxy payouts in 1993 and repealing the proxy comparison method altogether for predominantly female workplaces effective January 1, 1997 (S.E.I.U.1997). This action by the provincial government was successfully challenged by the Service Employees International Union who pursued it as a violation of the Canadian Charter of Rights.

The implications of these more recent changes to the Act, while extremely important, are largely beyond the scope of this analysis of its impact. The pay equity plans analyzed here

were negotiated before proxy and proportional value methods were introduced. This analysis concentrates on how the original features of the Pay Equity Act, outlined above, influenced the outcome.

This analysis of outcomes under the Ontario pay equity legislation shows that despite feminists and unionists push for the adoption of new legislation and then for the best possible application of the law (Warskett 1991:70) it was not possible to overcome the limits of certain features and application of the Act.

The Anticipated Impact of Ontario Pay Equity Legislation on Hospital Workers

One of the five predominantly female sector studies required by the Pay Equity Act was on health care (Armstrong 1988) where pay equity was expected to have limited results because of few male comparators. The expectations presented in the report are useful to review here and compare to the empirical findings of this research presented below.

. A general conclusion drawn from that investigation was that few women in the overall health sector will benefit from the Pay Equity Act since health care is a female-dominated sector. Many were not expected to find male job classes in their establishments and most were not expected to find male job classes of equivalent value. This was attributed to extreme sex segregation for both jobs and establishments, the concentration of men at the top or near the bottom of the health care hierarchy and the structure of job evaluation schemes which often reinforce the existing hierarchy (Armstrong 1988:136).

Furthermore, it was anticipated that pay equity would create greater inequities between large and small establishments due to the presence of equivalent male comparators in large

establishments but their absence in small ones, and from the application of more than one pay equity plan in each establishment.

The report concluded that "...the implementation of pay equity may serve to increase differences among women while leaving the majority without higher wages or benefits" (ibid: 137). Ultimately, the Pay Equity Act was seen as ineffective in systematically addressing the systemic discrimination identified in the Ontario government's Green Paper, which launched the legislative initiative (ibid:139).

Within hospitals specifically, women were expected to derive greater benefits than in some other segments of the health care sector, such as long term care for example where there were almost no male comparators upon which to base a pay equity claim. However, it was still expected to be a minority of women (ibid: 68) since the thousands who do service and clerical work in hospitals were expected to rely on only a few male dominated jobs for pay equity comparisons, primarily maintenance and trades occupations (ibid: 29).

It is relevant for this study to summarize the expected male comparators for female classifications in the sample investigated here. For Registered Nursing Assistants (RNAs) cooks and maintenance personnel were considered likely male comparators, if these occupations were present in the same establishment and same bargaining unit. Health Care Aides were expected to be able to use the male cleaner, kitchen porter or maintenance personnel as possible male comparators if they were in the same bargaining unit (ibid:42-43). For Dietary Aides, Housekeeping and Laundry Aides, maintenance personnel were considered the only possible male comparator (ibid: 46-7). Clerical workers, among the lowest paid and frequently not unionized were expected to get a pay equity increase if a comparator could be found, which was

expected to be difficult in smaller establishments. In larger establishments maintenance workers or cleaners were the anticipated comparators.

What previous studies reveal about the Ontario pay equity results

Despite the fact that so much public attention and effort went into the achieving and shaping Ontario's pay equity legislation very little is known about the effect it had on women's wages. The analyses that have been done tend to be conducted at a sectoral level and provide only aggregate data.

Aggregate data related to pay equity tend to hide more than they reveal. For example, recent reports that the gender-based wage gap has narrowed may be interpreted as a sign of the success of pay equity legislation. A closer examination of the findings, however, reveal that this is due less to women's wages increasing than it is due to men's wages declining as a result of the loss of well paid male manufacturing jobs resulting from economic decline and restructuring.

When it comes to aggregate data on pay equity in the health sector, provincial averages provide little indication of differences between female and male wages and conceal much more than they reveal. Because nurses are the largest occupational category in health care, and because data leave out the largest male categories of physicians and surgeons who are considered self-employed, comparisons based on average wages suggest women are better paid than they are, compared to men (Armstrong 1988:31).

It is necessary then, to dig below the surface of aggregate, average data to discover what the real effect of pay equity has been on women's wages.

Unfortunately, this is not easy to do. There was no requirement in the Ontario Pay Equity Act to file plans with the Pay Equity Commission, or with any other body. One reason

suggested for this is that they are considered a private contract. Furthermore, no unions have centrally gathered plans, according to a recent evaluation of pay equity results (Genge 1994:4-12).

The Ontario Pay Equity Commission conducted studies to evaluate the results and effectiveness of the Act, which are summarized below. However these have been criticized for a number of reasons. They provide incomplete information, since they were conducted six months after plans were to be complete, but many were not finished at that time. And the results were considered potentially biased, since responses were voluntary creating a non-response bias. Because the reports provided only aggregate data they were seen of limited value for the problems outlined above with relying solely on aggregate data (Genge:4-12).

Despite these limitations, these studies provide the only published information to date for evaluating the outcome of the pay equity legislation. What it does reveal is that women in the private sector have benefited less from pay equity than women employed in the public sector. And women in smaller, non-union private sector establishments have benefited least.

We begin by summarizing key findings of the first evaluation conducted for the Pay Equity Commission, of public establishments and private sector establishments with more than 500 employees. This group was supposed to have completed and posted pay equity plans by January 1, 1990. The survey was conducted between July and December 1990. An 82% response rate was obtained from a sample of 317 private sector employers and 1,157 public sector employers. Of these, 82 responses were from Hospitals reporting on 101 pay equity plans (Ontario PEC 1991a:1, 9).

Significant delays in complying with the pay equity legislation and posting a plan were noted. Only half of the private sector firms and 46% of the public sector/regulated agencies

had posted their plans 9 to 11 months after the date required by the Act (ibid:ii). It must be kept in mind, then, that the evaluation results reported below, provide a partial, and potentially biased picture of the results. Compliance was slower in establishments where a union was present, and in predominantly female public sector establishments. (Only 20% of these had posted a pay equity plan (ibid:ii)). The evaluation also found that implementation was faster in the private sector than the public sector, which could not be explained by unionization, or size, or proportion of females in the workforce (ibid:16). This suggests a valuable role in this study examining further the experience in the public sector, where there was greater difficulty in complying with pay equity legislation.

The Importance of Male Comparators

The evaluation confirmed that the lack of male comparators was a major problem preventing many women from achieving pay equity. It "...left close to one-third of all employees in female dominated job classes excluded from comparisons and thus from potential pay equity adjustments" (ibid: 28). The problem was more severe for some sectors of the economy. For example, while 30% of private sector employees in female job classes had no comparator, almost half (42%) of public/regulated employees in female job classes were without male comparators (ibid: 28). And in some segments of the public and private sectors the proportion was much higher. For example, the lowest rates were found in public social services where three out of four (75.9%) of female job classes had male comparators and private sector services (of 500+) where the rate was similar (72.4%).

Hospitals were among the leading organizations where male comparators were available for female job classes. Colleges and universities reported the highest level (91.3%) of female

job classes with comparators, followed by hospitals with 86.3% (ibid: 29). Hospitals had a unique standing in the health care sector in this regard. At 51.1%, nursing homes ranked just below the 58.6% provincial average of female job classes with comparators. Other health organizations were just above the public sector average, with 60.1% of female job classes with comparators.

Extent of Pay Equity Adjustments

While the presence of a male comparator is clearly a key factor in influencing the outcome of the pay equity legislation, the findings of the first evaluation revealed that it is not the only significant factor. Despite the fact that there were more male comparators in the private sector, than public sector, pay equity wage adjustments were less likely to occur in the private sector because "...more female job classes were found to be already earning the same or higher as comparators" (ibid:30). As a result, pay equity adjustments were twice as likely to occur for public sector employees, as for private sector employees (ibid:32). In part this may be due to a higher level of unionization in the public sector than private sector, which meant that pay practices were more closely scrutinized to ensure that women benefited from the legislation.

Two measures indicate the significant difference between results in the public and private sectors. One is the number of female job classes getting pay equity adjustments. Here the public sector outstripped the private sector by almost two to one, with 40.4% of female job classes in the public sector getting adjustments compared to 20.6 % in the private sector (Genge:4-13, Ontario PEC 1991a:31). The other measure is the proportion of employees in female job classes receiving pay equity adjustments. While the overall numbers are smaller for both in this measure, the relationship between the two sectors remains the same. Public sector

employees were twice as likely (37.5%) to get a pay equity adjustment than private sector employees (17.7%) (Ontario PEC 1991a:33).

The relative advantage of the public sector should not overshadow the fact that overall, less than half of the women employees in female job classes covered by this survey qualified for pay equity adjustments (Genge:4-13).

Hospitals ranked above the public sector average for both measures. In the first, 51.7% of female job classes received pay equity adjustments, compared to the 40.4% average for the public sector. The reason for a failure to get an adjustment was almost three-times more likely to be because the female job class earned the same or more than the male comparator (34.8%) than because there was no comparator (12.3%) (PEC 1991a:31). This contrast sharply with social services, for example, where the lack of male comparators was almost three times more likely (65.8%) to account for no adjustment than earning the same or higher than a male comparator (23.5%).

In terms of the percentage of employees receiving a pay equity adjustment, hospitals were once again above the provincial average at 51.2% compared to 37.5% overall for the public sector (ibid:33). However, this is a lower percentage than might be expected, given the high rank of hospitals within the public sector in terms of the presence of comparators. In that measure, hospitals came second to colleges and universities. However, in ranking the same public sector organizations for the percentage of employees getting pay equity adjustments, hospitals ranked sixth out of ten. This finding, and the conclusions of the health sector study conducted for the Pay Equity Commission, suggests that the concentration of male comparators near the bottom of the wage hierarchy in hospitals and the way in which comparisons were done (i.e. the values contained in the job evaluation plans) had a much more

significant impact on preventing pay equity adjustments in hospitals than in many other types of public sector establishments.

The Value of Pay Equity Adjustments in the Public and Private Sectors

The most dramatic difference between the public and private sectors is in the value of the pay equity adjustments. At 2.2% of payroll, public sector pay adjustments were far higher than the private sector ones which were, on average, about one-quarter of that at 0.6% of payroll (ibid:34).

Within the public sector the value of adjustments ranged widely from a high of 12.4% reported in libraries, to three below 1% of payroll (police commissions at 0.9%, social services at 0.8% and other health organizations, the lowest at 0.5%). Hospitals reported slightly above the public sector average at 2.9% of payroll.

Evaluations of Smaller, Private Sector Establishments

The Ontario Pay Equity Commission had two separate surveys done of private sector employers with later deadlines for complying with the Act to evaluate the outcome. The next survey, published in March 1992, was of private sector employers with 100-499 employees who were required to post their pay equity plan by January 1, 1991 (Ontario PEC 1992b). The findings indicate that an even smaller proportion of women workers in this sector benefited from the Pay Equity legislation.

Just over half (51%) of the 1,089 employers contacted through a telephone survey stated that all of their pay equity plans were posted. Of these, 284 replied to a written questionnaire that provided the data reported on below (ibid: 10,15). The majority of

respondents were from the manufacturing sector and their employees were not unionized (ibid:15, 17). This study also found that the presence of a union tended to delay the posting of a pay equity plan (ibid:25).

The most shocking finding is that "...most female job classes in pay equity plans did not receive a pay equity adjustment" (ibid:36). The absence of a male comparator accounted for four out of five plans (83%) where less than half of the female job classes failed to get a pay equity adjustment. Surprisingly, a breakdown by size of establishment showed there were fewer comparators, the larger the establishment (ibid: 35). In about two-thirds (63%) of the plans, the fact that female job classes earned the same or more than the male comparator meant that half or more of the female job classes failed to get an increase. In almost one in five cases (17%) none of the female job classes got an increase for this reason (ibid: 37).

The value of the pay equity adjustments varied significantly. Almost one-third (30%) of those reporting having done some work on their pay equity plan expected to make no adjustments. Almost an additional half (43%) expected their adjustments to be less than 1% of payroll (ibid:44). Once again, clerical workers were expected to be the job category that benefited most from pay equity.

A third survey was conducted of smaller, private sector employers; those with more than 50 employees but fewer than 100. This category of employers was not required to post a pay equity plan, but was expected to complete a pay equity plan by January 1, 1992. Of the respondents to this survey, only 25% reported posting a pay equity plan (Genge1994:4-14).

Almost half (47%) failed to report the costs of pay equity as a percent of payroll. Of those that did, almost two-thirds (61%) expected they would make no pay equity adjustments. The fact that few unionized establishments were included in this report suggests that the Pay

Equity Act failed to provide many benefits to non-union women in small private sector establishments (ibid:4-15). Yet many of these women workers likely have lower wages, especially compared to their unionized, public sector counterparts, and therefore have the greatest need to benefit from pay equity legislation.

Overall Assessment of the Ontario Pay Equity Act

The main conclusion to draw from this assessment of the Ontario Pay Equity Act is that it failed to benefit the women who needed it most, the lowest paid women workers. In part, this was due to the scope of the legislation which, despite subsequent amendments, did not apply to women in many workplaces. And where it did apply, the total value of pay equity was low; 2.2% of payroll in the public sector and less than 1 % in the private sector. These results suggest that the lowest paid women workers in Ontario hospitals (which are public sector, predominantly female workplaces) got very small increases in pay from the legislation.

The fact that the legislation did not apply to small private sector workplaces (under ten employees) left out thousands of women workers. Consider, as an example, all of the women employed in small retail outlets, many of them part of large North American corporate retail chains. The results of pay equity plans in the private sector, gathered by the Pay Equity Commission and summarized in this chapter indicate that even private sector women covered by the Act did not generally derive large financial benefits. The value of pay equity wage adjustments in large private sector establishments (over 500 employees) totaled on average only 0.6% of payroll, about one-quarter of the average 2.2% of payroll paid out in the public sector (Ontario PEC 1991a:34). Even fewer women benefited in smaller

private sector establishments (100-499 employees). A Commission survey revealed that the majority of female job classes received nothing from the pay equity legislation. This was partly attributed to the absence of a male comparator but in two-thirds of the plans it was reported that women already made the same amount as the male comparator (ibid:35-7). The overall value of the pay equity increases was expected to be zero by almost one-third of respondents and less than 1% of payroll by most of the remainder (43%). The majority of the survey respondents were from the manufacturing sector and were not unionized. In a subsequent survey of even smaller private sector establishments (50-99 employees) only one-quarter had posted a plan. Of those surveyed, almost two-thirds (61%) expected to make no pay equity adjustments (Genge 1994:4-15).

In comparison women in the public sector sector derived larger financial benefits, on average, from the legislation; 2.2% of payroll according to the PEC survey. If anything, this figure may underestimate the total value since data was gathered only 7-12 months after the Jan. 1, 1990 deadline for concluding and posting pay equity plans. At that time less than half (46%) of the public sector and regulated agencies had completed and posted their plan and only 20 per cent of predominantly female workplaces had done so (Ontario PEC 1991a:ii).

The subsequent legislative amendment to allow proportional value and proxy comparisons where no male comparator existed would have enabled more women to derive larger financial gains from the legislation. The fact that the succeeding Conservative provincial government ended proxy comparisons for predominantly female workplaces suggests this measure would be effective. The recent Ontario court decision to reinstate proxy comparisons reopens a number of unresolved pay equity cases.

This brief summary of the data collected and analyzed to evaluate the outcome of pay equity in Ontario provides an overview of the results. It points out the need for more in-depth analysis of pay equity results within establishments as well as the need for more comparisons between public and private sectors, and unionized and non-union establishments. Therefore this study breaks new ground by digging beneath the surface of aggregate results within the health care sector. In the following chapter findings are presented for CUPE hospital workers that reveal the patterns and variation found in pay equity plans in hospitals across Ontario.

Chapter 4 - Presentation and Evaluation of the Results

Methodology

In order to identify the impact of the Ontario Pay Equity Act on these women's wages, the pay equity plans negotiated and signed by CUPE and Ontario hospitals had to be gathered and the results analyzed. In order to better understand why these results were obtained from an application of the legislation, over a dozen interviews were conducted with workers and staff involved in negotiating pay equity plans with hospitals to meet the requirements of the Ontario Pay Equity Act.

Unlike the evaluations conducted by the Pay Equity Commission which were based on information from employers (Ontario Pay Equity Commission 1991a:1) this study is based on information obtained from individuals involved in unions.

Gathering the Pay Equity Plans

It is not easy to analyze the results of the Ontario pay equity legislation since there was no requirement to file pay equity plans with the Pay Equity Commission or, as in the case of collective agreements, with the Ontario Labour Relations Board. As a result, the investigative process began with trying to gather pay equity plans. I chose to go through the union representing these workers to seek these results.

From the outset, the active support of the Ontario Council of Hospital Unions was crucial in gathering the data. A letter was sent from the President of OCHU to all affiliated CUPE hospital locals encouraging them to send in their pay equity plans for

analysis.¹ In response to this letter, thirty-four pay equity plans out of almost 100 possible pay equity plans between Ontario hospitals and CUPE were forwarded over the course of almost two months. This provided sufficient results to begin a preliminary analysis of the outcome.

The preliminary analysis of the data involved developing a list of the local union plans by region and identifying key characteristics associated with each pay equity plan. A master data sheet was constructed to gather details on the following information:

- The hospital, listed by region.
- The size of the hospital, based on the number of hospital beds was noted. This

was to see if there was any relationship between the value pay equity wage increases and the size of the hospital. I was curious to follow up on a prediction in a study of the hospital sector for the Pay Equity Commission, prior to the application of the legislation, that the absence of male comparators in many smaller establishments would lead to an inequity between large and small hospitals (Armstrong 1988:137). The number of hospital beds was also used to calculate weighted average wage rates and pay equity increases since data on the number of incumbents in a specific job class or hospital was not possible to obtain.

-The Gender Neutral Comparison System (GNCS) used by the parties to determine pay equity wage adjustments. Unlike Manitoba's proactive pay equity legislation, Ontario did not require the use of a comprehensive job evaluation system. Instead the Act required the parties to use a "gender-neutral comparison system" (Section 12) to take into account skill, effort, responsibility and working conditions in comparing

¹ Correspondence from M. Hurley, President CUPE Ontario Council of Hospital Unions, to all affiliated locals. February 16, 1993.

the value of work between male and female job classes (Section 5(1)). I was interested in whether many locals used the greater flexibility of the Ontario legislation to adopt a method other than a formal job evaluation plan. And I was interested to see if there was any relationship between the plan used and the pay equity results. One reason for the breakdown of provincial bargaining over pay equity for CUPE in the hospital sector was because of the employers' (Ontario Hospital Association's) insistence on using a job evaluation plan they selected, the Stevenson, Kellog, Ernst and Whinney (SKEW).² I was therefore interested to see how extensively the SKEW plan favoured by the Ontario Hospital Association was applied locally or whether an alternative was used. I was also curious to see whether any relationship existed between the GNCS used and the pay equity results.

-The wage rates and amount of the pay equity adjustment for the female job classes of Aides (the lowest paid female job class in the bargaining unit) and RNAs (the highest paid female job class in the bargaining unit).³ Both the wage and amount of the pay equity increase were noted to allow the calculation of the pay equity increase as a percentage of the hourly rate. This information was analyzed to see whether the benefits of pay equity had been evenly distributed among the female job classes or whether those at the top had derived a greater monetary benefit than those at the bottom of the wage hierarchy.

- The male comparator and wage rate for these job classes. This was to see if there

² Interview with Bruce Land, CUPE Hospital Co-ordinator. April 12, 1993.

³ The highest and lowest paid female job classes were selected based on a survey of wage rates for CUPE Ontario hospital collective agreements (CUPE 1992).

was any pattern in which male job class was the comparator for these female job classes.

- The point value for the female and male job classes where a job evaluation plan was used and point scores were provided. This was to see if any patterns existed for the point value of the benchmark female job classes or if a relationship existed between the point value and the amount of the pay equity increase.

- The date the pay equity plan was settled to see if the results were influenced in any way by an early or late settlement.

- The involvement of a Pay Equity Commission Review Officer to help the parties arrive at a settlement. A PEC officer would be involved in cases where there were disputes that could not be resolved between the parties. This could be an indicator of intense gender or class dynamic over the contents of the plan and may be associated with a particular pattern of results.

This analysis of the pay equity plans was initially intended to identify a location for a case study in order to probe into the underlying dynamics expected to have shaped the pay equity results. Here I was influenced by Joan Acker's study of pay equity in the State of Oregon where she provided a detailed analysis of the class and gender conflicts and negotiations that occurred through the process of job evaluation to achieve pay equity. I was curious to see if similar dynamics were at work in pay equity negotiations in the CUPE hospital locals in Ontario.

However, as I received and analyzed more pay equity plans from across the province I was puzzled by how dissimilar the results appeared to be. The preliminary

quantitative analysis of thirty-four pay equity plans in CUPE Ontario hospitals showed that there was tremendous variability in the results for the same occupational classifications that could not be explained easily. There was no clear pattern in the value of the pay equity adjustments for predominantly female job classes.

The most striking feature of the data was the big difference in the value of the pay equity wage adjustments for the highest and lowest paid women in the bargaining unit. The most typical pattern (19 of the 34 cases) was of pay equity adjustments in dollar terms for RNAs at the top end of the wage scale to be two to four times that of the pay equity adjustment for Aides at the bottom of the wage scale. A distant second pattern (five cases) was where the pay equity wage adjustments were almost equal for both the top and bottom classifications. In another five cases there was no wage adjustment for the Aide classification at the bottom. Two more cases provided a larger pay equity wage adjustment to the bottom than to the top of the wage scale. One provided equal adjustments across the board - to all classifications. And the remaining eight were anomalies in that they represented a variety of solutions that did not fit into any of the preceding categories.

There was not even any clear pattern between hospitals for the pay equity wage adjustments for the same occupation using the same job evaluation plan (which tended to be the plan promoted by the Ontario Hospital Association called "SKEW"). One could reasonably expect some regional variation in pay equity adjustments, reflecting differences in local labour market wage rates. But the pay equity adjustments varied greatly even for the same female job classes in the same local labour market, such as Metropolitan Toronto.

Another indicator was that the point value for the same classification using the same (or essentially the same) job evaluation plan. These also varied tremendously between hospitals.

These puzzling findings caused me to want to look beyond the underlying dynamics of pay equity bargaining in one location and instead attempt to uncover the reasons for these different results across the province. I sought to get more pay equity plans to do a more comprehensive analysis of the outcome in this sector.

Size of the Sample

A further seventeen pay equity plans were added to the data set as a result of another reminder to locals to send in their pay equity plans, distributed at the April 1993 OCHU convention. In total, the results of pay equity plans for service workers represented by CUPE in 51 Ontario hospitals were gathered through this research project.⁴ This represents slightly more than half of the ninety-five Ontario hospitals organized by CUPE at that time and about twenty per cent of the total number of Ontario hospitals in 1990. Most of the support staff in other hospitals are organized by the Service Employees International Union (SEIU). Within this sample of fifty-one hospitals there were twenty-two where both an RNA and Aide classification existed, making comparisons between the top and bottom of the wage scale possible.

The number of plans collected for this study represents a significant portion of Ontario hospitals. While one must be careful about drawing general conclusions from

⁴. Most results were taken from pay equity plans sent by the union local. A few were published in the CUPE Pay Equity newsletter or OCHU News. In these cases only the pay equity adjustment for particular classifications were provided.

the results presented here given the tremendous variation in results noted here, the findings of this study do suggest a pattern at least for Ontario hospitals. Caution should be taken in generalizing the pattern of pay equity adjustments here to other sectors, given the importance of the male comparator in affecting the outcome under the Ontario pay equity legislation. The availability and wage rates for male comparators in other sectors may have lead to very different results elsewhere. Further analysis of other sectors is needed to know if the uneven and unequal distribution of pay equity benefits between the lowest and highest paid female classifications in a bargaining unit found in this study is true elsewhere.

Despite efforts to gather as many pay equity plans as possible this research relies on a non-probability sampling methodology. It is the most appropriate sampling method for this investigation since this study meets four conditions for non-probability sampling (Singleton 1988:152).

1. This is an intensive study of a small number of cases.

2. It is a study of past events.

3. This study is in the early stages of investigating a problem. It is breaking new ground in analyzing the outcome of pay equity negotiations within a particular sector. The objective is to be more informed about the problem itself and thereby develop a better understanding, rather than to provide precise statistical generalization.

4. An adequate sampling frame for probability sampling could not be obtained.

Requests were made to CUPE locals on three separate occasions to provide the results of their pay equity plans. The total number reported on in this study were all that could be

gathered within the constraints of this research project.

Given the variability of outcomes, depending on factors specific to each particular establishment (particularly the presence or absence of specific male comparators), predictive results associated with probability sampling are not possible to achieve in this study.

However, the number and mix of pay equity plans that are analyzed in this investigation do provide a sound basis for drawing certain conclusions about the outcome of pay equity negotiations in this sector. The sample is representative, in that it provides "...a close approximation of certain characteristics of the target group" (ibid:137). The sample contains pay equity plans from different regions within the province as well as different sizes of establishments (small, medium and large).

Digging Deeper Through Interviews

The annual convention of CUPE's Ontario Council of Hospital Unions in Toronto from April 12 to 14, 1993 provided an excellent opportunity to conduct interviews with local union activists and staff from hospitals across the province. The interviews would help explain what occurred in the pay equity negotiations to produce the outcomes I received.

My preliminary analysis of the thirty-four pay equity plans received prior to the convention suggested certain local unions in three categories to seek out for further explanation. This included: (i) those who had a "typical" pattern of top end increases two to four times that at the bottom end of the wage scale (nineteen plans); (ii) those

which were atypical with almost equal adjustments at the top and bottom end (five), and; (iii) those considered "anomalous" (eight), including five that had no wage adjustment at the bottom and two which gave more to the bottom than the top and one with equal adjustments across the board. Particular locals were identified within these different categories to seek out at the convention to interview about the dynamics that surrounded their pay equity bargaining in order to explain the outcome.

The convention drew around 200 delegates from across the province. I conducted twelve interviews there with local union activists and staff representatives who had been involved in pay equity negotiations. I was successful in finding representatives of locals that fell into the three categories identified above.

The series of questions developed before the interviews were based on factors my research indicated could be expected to influence the outcome of pay equity negotiations and based on an earlier interview with the President of the Ottawa Civic CUPE local, who was involved in pay equity negotiations. They revised and expanded my original research questions that partly reflected the influence of Joan Acker's description of the gender and class power dynamics woven through the efforts to implement pay equity in the State of Oregon. I tried to probe for similar conflicts and examples around the selection of the method or job evaluation plan used for achieving pay equity as well as its application. My questions were geared to finding examples of gender-based struggles within the union as well as indications of class-based conflict with the employer. Other literature (Blum 1987,1991, Cuneo 1990, Fudge and McDermott 1991) suggested the influence of the women's movement in pay equity struggles, so other questions sought to

explore this dimension. The literature on pay equity often mentioned a connection between race and gender discrimination but this was never really developed in the studies or analysis. Therefore I included questions which tried to investigate this aspect further. And finally, I asked questions about whether the members were satisfied with the outcome, what the effects of pay equity were and about maintaining the results (See Appendix A).

The interviews confirmed that I needed to reorient my research to explain the results of pay equity negotiations in CUPE hospital locals. The interviews provided some evidence of gender and class-based struggle through the job evaluation process, as anticipated. However its significance in explaining the outcome paled in comparison to the importance of the male comparator in affecting the value of the pay equity increase. The presence (or not) and selection of male job classes in each hospital appeared to have a greater impact on the outcome than did the selection or application of any gender neutral comparison system or job evaluation plan. Given this unanticipated explanation I broadened my inquiry to try to better understand what had happened and why. The interviews, which were subsequently transcribed and analyzed helped to explain the most influential factors affecting the outcome and how workers felt about these changes.

What was the effect of pay equity on wage relations?

One of the main questions this research sought to answer was how were wages and wage relations for female hospital support workers affected by the application of the Ontario Pay Equity Act ? In particular, this study examines how the wages of the lowest

and highest paid female job classes in the service bargaining units were affected through this effort to close the pay gap between women and men's wages? Did the application of the Act serve to "increase difference between women while leaving the majority of women without higher wages or benefits" (Armstrong 1988:137).

A related question is whether the application of the Ontario Pay Equity Act had a transformative effect. Did the application of the Act reinforce or challenge the wage hierarchy and women's location in it? Did applying the Act transform how women's work in the hospitals was valued or not?

With these questions in mind let us turn to look at the value of pay equity adjustments in the fifty-one plans for which results were obtained.

The Selection of Benchmark Classifications

The value of pay equity increases varied by job class since the Act called for a job-to-job comparison between predominantly female job classes and predominantly male job classes of equivalent value. Therefore two benchmark female job classes were selected for this study, to analyze the value of the pay equity wage increase. To look at the question of differential benefits between women workers, a common job class at the bottom of the wage scale was selected – the Aide – as well as one at the top of the wage scale – the Registered Nursing Assistant.

At the top end, the selection of the highest paid female job class was straightforward. The Registered Nursing Assistant (RNA) was consistently the highest paid, predominantly female classification in the CUPE service bargaining units. It was

possible to obtain the results of pay equity adjustments for RNAs in fifty-one hospitals organized by CUPE. These findings are presented in Table 1 in the Appendices.

At the time RNAs required a Secondary School Diploma prior to entering and completing a three semester Community College program which included clinical experience. As with nurses, RNAs must register with the College of Nurses of Ontario who provide regulations on the scope of duties an RNA is considered qualified to perform. An RNA frequently performs much of the bedside nursing care, in some cases delegated by and responsible to a registered nurse (Armstrong 1988:40). More recently the title Licensed Practical Nurse (LPN) has been substituted for RNA by the College of Nurses of Ontario. However, in this study we have retained the RNA title since it was in force at the time of pay equity negotiations.

At the bottom end of the wage scale the selection of a specific classification for comparison was not as straightforward. There were many more predominantly female job classifications among the lowest paid in the CUPE hospital service units. The classification of Aide (or equivalent) was selected as the most common, bottom benchmark female classification. Many hospitals listed different types of Aides in the wage schedule (eg/ Housekeeping, Laundry, Dietary, etc.) In most cases, all of the different Aide classifications received the same wage rate. Where there were differences in pay among these Aide classifications, the Housekeeping Aide rate was chosen for analysis since it was the most common classification across hospitals and tended to be the lowest paid Aide. Housekeeping and other Aide positions did not require any formal qualifications other than basic literacy. While the specific duties of Aides would vary

from hospital to hospital, generally, Housekeeping Aides do primarily manual cleaning throughout the hospital. Laundry Aides sort laundry, feed and unload machines as well as fold and deliver clean laundry. Dietary Aides wash dishes, clean the kitchen, make up food trays, prepare desserts and assist with serving meals (Armstrong 1988:42-47). These jobs perform work similar to the unpaid domestic labour of women in the home.

It was possible to obtain the results of pay equity adjustments for CUPE hospital aides in forty-five Ontario hospitals. These findings are presented in Table 2 in the Appendices.

The Value of Pay Equity Raises for Aides

Pay equity wage increases for hospital Aides ranged from zero to \$1.46 an hour – a difference of almost \$3,000 a year. The simple average value was 57 cents an hour or \$1,111 a year. The vast majority of pay equity adjustments for Aides were well under \$1.00. In fact, in a number of cases (eight of forty-five plans) no pay equity increase was provided for Aides at all.

Far many more Aides than RNAs were denied a pay equity increase, usually on the grounds that there was no male comparator. This was the case in four hospitals (Milton, Hornepayne, Mattawa, Geraldton) and appears to be the reason for two other plans that state "no comparison possible" for this classification. This could mean that there was no predominantly male classification within the hospitals or that none were of equivalent value to the Aide. In two cases (Owen Sound Grey Bruce RHC & Ottawa Queensway-Carleton) the reason provided was that no pay equity adjustment was required with the male

comparator, suggesting this was because the Aide was already paid the same rate as the equivalently valued male comparator. In the remaining three cases it was not clear why there was no pay equity adjustment provided to the Aides. All of the cases where there was no male comparator were small hospitals, with under 100 beds.

Aides in only a few (six out of forty-five) hospitals received pay equity increases of over \$1.00 an hour. The highest value was \$1.46 an hour, almost three times the average amount for Aides. What explains the better results for this small number of cases? In these cases, the male comparator was either a Heavy Cleaner, Porter or in the top example, a Storekeeper. In these cases the work of the Aides was considered of equal value to the work of higher paid male job classes, further up the wage scale than the entry-level male job classes used as male comparators in the other cases. These were all medium to large hospitals, with the number of beds ranging from 127 to 507 at the time.

In the vast majority of cases Aides received pay equity increases around the average value of 57 cents an hour or almost \$1,200 annually.

The Value of Pay Equity Increases for RNAs

On average, RNAs received a pay equity increase of \$1.72 an hour, representing an adjustment of 12.8 per cent to their 1990 rate. But focussing on this simple, aggregate value is highly questionable when one sees the tremendous variation in pay equity increases for RNAs represented by CUPE in different hospitals. From hospital to hospital the increase ranged from zero at Hornepayne Community Hospital where no comparable male classification was found to \$3.57 an

hour at the Scarborough Centenary hospital where an Electrician was the comparator.

Almost half of the pay equity plans provided for increases ranging from \$1.50-\$2.50 an hour, (twenty out of forty-six.), with the highest concentration between \$1.51-\$2.00 an hour, with 12 out of 46 plans providing increases in this range.

The Difference in Pay Equity Adjustment at the Top and Bottom of the Wage Scale

The difference in the value of the pay equity wage increases for these female job classes at the top and bottom of the wage scale was striking. The value of the pay equity increase for Aides at the bottom of the wage grid was about one-third the average value derived by RNAs at the top of the wage grid in the bargaining unit. The simple average value of the pay equity increase for RNAs in dollar terms amounted to \$1.72 an hour or \$3,354 a year⁵. This represents a simple average percentage value of 12.8% or a weighted average percentage value of 14.7%.⁶ In contrast, the simple average value of the pay equity increase for Aides, at the bottom of the wage grid, amounted to only \$0.57 an hour or \$1,111 annually, less than one-third of the value of the increase obtained by higher paid RNAs. In percentage terms, the same disparity held true. The simple average percentage value of the pay equity increases for Aides was 4.7%, or 4.88% on a weighted average basis.

⁵ Based on a work week of 37.5 hours per week or 1950 hours per year.

⁶ A weighted average was calculated using the number of hospital beds since data on the number of incumbents in a classification is not available. It is likely that a larger hospital will have more incumbents in the job classifications studied here. A weighted average is a closer approximation of a true average value paid out to the women workers in this sample. The 1991/92 Canadian Hospital Directory was the source for the number of hospital beds.

Tables 3 and 4 in the Appendices illustrate the differential pay equity adjustments for the Aide and RNA classifications.

Reasons for the Outcome

Why Less Money went to Women at the Bottom of the Wage Scale

There are many reasons why women at the bottom of the wage grid got less money from pay equity than their higher paid sisters in the bargaining unit. This includes the absence and low pay of male comparators at the bottom end of the wage scale, the valuation of women's work compared to men's (gender bias), class and market forces, as well as the desire (or lack of it) to use the Pay Equity Act to challenge and transform wage relations.

The Significance of the Male Comparators

Aides were disadvantaged by the greater likelihood that there was no male comparator with higher pay in the bargaining unit. There were eight (of forty-five) examples where Aides were denied a pay equity increase on the grounds of no male comparator compared to only one case (of fifty-one) for RNAs. Despite this, the problem for most Aides was less one of finding a male job class in the hospital than it was of finding a higher paid male job class of equivalent value. This was due to either the lower pay of equivalently valued male comparators or the undervaluation of women's work in comparison to their male colleagues.

Finding a higher paid male job class of equivalent value was crucial for women to win higher pay under the Ontario legislation. That is how the Act defined

the achievement of pay equity. There was concern that the absence of male comparators in predominantly female sectors such as health care and hospitals would mean women working here would derive few benefits from legislation that required job-to-job comparisons within the same establishment.

A positive correlation between the size of the hospital and the value of the pay equity increase was expected since the larger hospital size meant that a wider range of male job classes was likely present. But size on its own was not the determining factor for the value of the pay equity adjustment. Equally important was the range of male job classes in a hospital available for comparison. This was more likely to benefit RNAs more than Aides since the difference in pay for male comparators at the bottom end of the pay scale was not nearly as great as the difference in pay for male job classes at the top end of the pay scale. For RNAs (where a male comparator was found) pay equity adjustments ranged in value from 11 cents to \$3.57. This was a difference of \$3.46 an hour; over \$6,800 annually. For Aides (with a male comparator) the amount ranged by \$1.32 hourly or approximately \$2,600 annually, from 14 cents an hour to \$1.46.

The main explanation for the lower value of pay equity increases for Aides was that the wages of their male comparators were not much higher than their own. This could be partly due to gender bias; failing to recognize and appropriately value the work of female hospital Aides. But it is more likely due to the requirements of the Act that constrained comparisons to the wages of the male hospital workers near the bottom of the wage grid. Furthermore, these male wages were low because hospitals are predominantly female

workplaces where the historic undervaluing of women's work has spilled over to depress the wages of men employed here as well.

Revaluing Women's Work

Information was compiled on the Gender Neutral Comparison Systems used to achieve pay equity to help explain the results. The Pay Equity Act required the use of an unspecified gender neutral comparison system to compare female and male job classes on the basis of skill, effort, responsibility and working conditions in order to revalue women's work. A number of hospitals used the Stevenson, Kellog, Ernst and Whinney (SKEW) job evaluation system, which was promoted by the Ontario Hospital Association (OHA). It had been rejected by CUPE's Ontario Council of Hospital Unions in provincial bargaining with the OHA as a poor system of comparison to be used on a provincial basis.⁷ Yet in local bargaining a modified SKEW plan was the most common one used. In some hospitals CUPE's own gender neutral job evaluation plan was used. In other cases other job evaluation plans were used or no plan was used at all where the parties evaluated the gender-based pay discrepancies and mutually agreed on pay equity adjustments.

The Stevenson Kellog Ernst and Whinney (SKEW) job evaluation plan was the subject of extensive review by the Ontario Pay Equity Hearings Tribunal in the Women's

⁷ CUPE Hospital Co-ordinator Bruce Land explained that provincial bargaining on pay equity broke down over the inability to get agreement from the Ontario Hospital Association (OHA) over the choice of gender neutral comparison system. The O.H.A. wanted the Stevenson, Kellog, Ernst and Whinney (SKEW) plan and CUPE wanted the CUPE Gender Neutral Job Evaluation plan to be used on a provincial basis.

College Hospital case brought forward by the Ontario Nurses Association (ONA).⁸ The Tribunal found that the job fact sheets used in the SKEW plan

“... will not make visible nursing work visible and will not accurately capture the skill, effort, responsibility and working conditions normally required of nursing work. Nor will the valuing tool value the range of nursing work appropriately. Many elements of nursing work will not be measured and those that are measured will not receive their true value. In short, the Hospitals’ proposal does not meet the standards of gender neutrality by the Act”.⁹

Unfortunately, it is not possible to draw strong conclusions about patterns or trends in the value assigned to women’ jobs through the point ratings assigned to particular classifications, based on the gender neutral comparison system used to identify and correct gender-based pay inequities. Point ratings for each job class were often not included in the pay equity plan provided. As well many different plans were used and even the most common plan, SKEW, was modified on a local basis. For these reasons it is not possible to draw comparisons on point values for the Housekeeping Aide or RNA from one establishment to another. There was no consistent pattern between the value of points allocated to the Aide classification and the value of the pay equity adjustment received. It was necessary to interview participants in the pay equity process to get a better understanding of the extent to which women’s work was revalued through the pay equity process.

⁸ Women’s College Hospital (4 August 1992) 0008-89; 0011-89; 0018-89; 0029-89; 0034-89; 0036-89 (P.E.H.T.)⁸ Ibid:57-58.

⁹ Ibid:57-58.

Market Forces

Market forces, reinforcing traditional, gender-biased skill values and class-based wage inequities also shaped the outcome. Male comparator job classes at the bottom of the wage scale in the hospitals are considered unskilled or semi-skilled work whereas the male job classes at the top end such as an electrician, mechanic or engineer are considered skilled work and skilled trades. Labour market influences reinforce this inequity or disparity in male wages. The external market comparisons for the skilled trades in the hospital are other skilled trades who, through their craft unions, have been more successful in establishing higher wages. Hospitals, like other employers, know they must offer wage rates comparable to those paid elsewhere in the local labour market or they will risk losing or not being able to attract these workers.

Labour market forces exert a different pressure on the wages of male workers at the bottom of the hospital wage scale however. Other male cleaners, laundry workers and porters doing work comparable to hospital workers are employed in the largely non-union, private sector such as the hotel and hospitality industry. The external labour market comparisons for these male classifications at the bottom of the hospital hierarchy exert a downward pressure on the wages of hospital workers. The wages of these comparable workers are even lower because they do not enjoy the benefits of long-term, widespread unionization that CUPE hospital workers do.¹⁰

¹⁰ It is difficult to obtain data on wage rates for non-union jobs. One indicator is the Statistics Canada data on the average hourly earnings for employees paid by the hour. The hourly rate for employees in the hospital industry was \$17.82 compared to only \$7.38 for employees in the accommodation and food services industry at January 1992 (Statistics Canada:117).

The Impact of Pay Equity on the RNA rate

The most dramatic change in pay among the classifications covered by this study was on the Registered Nursing Assistant largely due to the impact of the male comparators' wages on the RNA rate. The impact was widespread since RNAs represent the single largest female job category in service bargaining units.

The Pay Equity Act changed the RNA wage from a standard, benchmark provincial hourly rate of \$12.74 in 1989 to widely different rates, due to pay equity wage adjustments from zero to over \$3.50 an hour. The wide variability in the pay equity adjustments for RNAs stemmed partly from the use of different job classifications for male comparators and partly from difference in the rate for the same male comparator.

The impact on the former provincial RNA wage rate was very significant. It was a unique example of wage solidarity for female job classes in these bargaining units. The provincial RNA wage rate did not distinguish between the specific duties of the job, depending on the type of floor or assignment, the size of the hospital that could influence the range of duties practiced, or vary depending on the local labour market. It emphasized sameness rather than difference. It was a deliberate strategy of revamping wage relations in order to address a perceived gender-based wage inequity and injustice.

The establishment of this provincial standard was a goal identified by the Union and achieved through negotiations in the late seventies or early eighties. It was designed to boost RNA rates across the province by bringing them up to the higher paid rate for Orderlies, a predominantly male co-workers classification. Here's how one of the union activists involved in that earlier effort described the effect of pay equity on the former,

provincial RNA wage rate. His tone was one of bitter resignation over the mixed effects of the Ontario pay equity legislation.

"We worked for years to develop a standard rate to overcome forms of very obvious systematic discrimination between the RNA and the Orderly rates. And having done that, we've now used pay equity to get these great disparities in the rates of one similar classification."¹¹

The fragmentation of this example of provincial wage solidarity was an inevitable outcome of the application of Ontario pay equity legislation that required job-to-job comparisons within the same establishment as the measure of pay equity. In the absence of a provincial legislative framework or an agreement to negotiate pay equity provincially, wage comparisons were limited to job-to-job comparisons in the same establishment.

The framework set by the legislation required that comparisons be made between predominantly female and male job classes within the same establishment. Furthermore, the Act directed the parties to use comparisons within the same bargaining unit and only if they were not available were they able to look outside of the bargaining unit but must limit comparisons to the same employer.

The definition of employer and hence the male job classes available as comparators had been hotly contested as the legislation was being developed and as it was applied by unions. After the act was passed certain groups which had few or no comparisons sought a broader definition of employer so as to be able to widen the net in a search for comparably valued male comparators. This was the strategy adopted by hospital nurses, represented by

¹¹ Interview # 12.

the Ontario Nurses Association (ONA). Aside from a few male administrators and doctors who were not hospital employees, nurses had no higher paid male counterparts to seek comparison with. As a result, ONA adopted a centralized, calculated strategy to test and expand the definition of employer. In the end the nurses negotiated a provincial wage adjustment for pay equity.

This strategy was not pursued by CUPE hospital bargaining units because, in most hospitals there were male comparators within the CUPE bargaining units, although there were differences between hospitals in the range of male job classes available as comparators, primarily on the basis of size, with large hospitals having more. As we see from the results here, the absence of a male comparator for RNAs was not as problematic as for Aides. But the variation in the comparator used for RNAs and even the variation in the wage rate between hospitals for the same male comparator job class introduced new inequities between what had previously been a standard, provincial rate of pay for this female job class.

Male Comparators for RNAs

Many different male job classes were considered comparable to the female RNA job. This variability reflects, in part, the differing selection of male job classes found in particular bargaining units. From looking at the specific pay equity plans and information gathered through interviews, it is clear that RNAs generally compared to the top paid male job classification in the bargaining unit. According to one staff representative:

"The RNAs compared with the trades where there were trades. And I didn't have one hospital where an RNA didn't compare to a trade where a trade existed."¹²

In most cases, comparisons with skilled trades yielded the highest pay equity increases, but trades did not uniformly exist in hospitals across the province. There was a greater chance they would be employed in medium to large hospitals. But even in these hospitals their presence in the bargaining unit depended on particular and historical hiring practices of the hospital. For example, it depended on whether or not the hospital historically hired contractors to do trades' work rather than hiring them as employees. Or whether the hospital opted to hire an all-round "maintenance man" to do much of the work that skilled trades may be employed to do in another hospital.

The RNAs benefited much more from the pay equity legislation than did the Aides on average, in part because of the presence of higher paid equivalently valued male comparators in the same establishment. However, the RNA gains were not always easy or automatic. The interviews of participants in the pay equity process revealed that often gender, class and racial influences exerted a pressure on the final outcome. There was evidence of many different struggles to successfully increase women's wages through pay equity. And the pressures did not end with the signing of the pay equity plan. Even those who were most successful were later afraid of the consequences of their big wage gains.

¹² Interview #6.

Cases Where RNAs were Less Successful

Large pay equity wage adjustments were not shared by RNAs in all hospitals across the province. While about one-third of forty-seven locals achieved raises of over \$2.00 an hour, the increases for another third were less than \$1.50 an hour. Of these, four received pay equity adjustments from under a dollar an hour to zero. The reason for these low adjustments was often attributed to the male comparator. While members were aware of problems with the pay equity plans, they often considered the male comparator the key reason for a low adjustment, as indicated by the President of a local where RNAs got less than 50 cents an hour as a pay equity wage adjustment.

"I thought the points should be higher for some areas, especially our RNAs. Mind you our biggest problem was that we didn't have a male comparator for our RNAs."¹³

In this local the male comparator was the Handyman classification, which paid only 42 cents more than the RNA. The local president felt "it wasn't worthy of the RNA". Dissatisfied with the pay equity results, the local appealed the outcome to the Pay Equity Commission. Initially only four female positions were going to get an increase but through the Appeal all but two female job classes received a pay equity increase, albeit a small one. The RNAs got an additional 14 cents an hour despite the fact that the job evaluation plan gave them 240-290 points and the Handyman comparator job class was rated at only 190 points. The slight increase in the pay equity adjustment was due to using a banding method to group jobs for comparison with a male job class.

Banding refers to grouping jobs together on the basis of a "bandwidth" or job

¹³ Interview # 4.

evaluation point spread (i.e. all job classes with job evaluation point scores from 100-120 points, 120-130 points, etc.) Grouping job classes in this way was used to establish comparative female and male job classes to find a way to comply with the Act. By banding different female and male jobs together on the basis of job evaluation points it was possible to establish male comparator job classes that would not have been possible by requiring pay equity comparisons to be of exact point value.

In this case the female local union president felt the results were a "little bit better" with most classifications getting some increase:

"I mean there only might have been a few cents but a few cents is better than no cents."¹⁴

Gender and Class Influence

Interviews revealed dynamics of class and gender conflict during the process of implementing the pay equity plan. In one case the worst tension was between the two union representatives on the hospital pay equity committee, who met with two local hospital management to determine the plan and its application. According to the female local president I interviewed:

"Even the other union person and myself had problems. He was male, I was female. And there was a few problems there... Well, I don't know if it was because I was female and he was male, but I got the impression that he might, I could be all wrong, but I got the impression that he didn't want the RNAs to be paid more than he was... He was the Handyman and our past president... He didn't understand a thing though. In all fairness. He didn't understand how it ran. He just, I think he thought that if his job would be

¹⁴ Interview #4.

threatened or his wage could be threatened, which I can understand, you know..."¹⁵

She went on to say her main complaint was against the other union committee member rather than the management committee members. When she "tried to boost the point up to what [she] felt was worthy of them he would bring them down" so that it felt like there was three against one. She also felt the SKEW job evaluation plan they were using was "management favoured" because "the points were higher if you had people under you" and did not highly value a range of other skills. Yet despite these conflicts over recognizing and assigning points for the value of women's work in the hospital, she concluded that the main problem with pay equity was the lack of male comparators. The local's eventual and small success hinged on banding female classifications and points together so that they could find male comparators. This was the approach taken by the Officer from the Pay Equity Commission, assigned after the local appealed. The woman I interviewed was very pleased with the banding approach since by "circling them all together...it ended up bringing most of the whole union body up." This was particularly important for the lowest paid positions of Laundry and Housekeeping who, otherwise, had no comparator in this hospital.

Dominant gender and class values presented obstacles to achieving greater benefits from the pay equity process. Some male trade unionists that played an active role in negotiating pay equity held traditional values about the worth of male and female work. In some cases they worked with management representatives to poorly rate female jobs¹⁶,

¹⁵ Ibid. ¹⁵ Interviews #4, 7, 11.

¹⁶ Interviews #4, 7, 11.

depressing their value and potential pay equity adjustment. Take for example, the views of the local president who argued strongly that RNAs should not be considered equal to skilled trades. His views likely played an important role in explaining why RNAs in this hospital initially got one of the smallest wage increases across the province, of 11 cents an hour. It was subsequently raised by over \$1.00 an hour to bring RNAs in this hospital up to the new rate achieved by RNAs at the associated, non-union hospital. The local president explained that the change was not negotiated to address a gender-based wage inequity in an establishment, but to correct local labour market conditions. It was necessary to bring the wages for RNAs up at the one hospital to prevent a turnover problem from developing. The pay equity legislation prevented the hospital from lowering the higher pay equity adjustment at the other associated hospital.

The evidence gathered through this research suggests that since pay equity was determined on a local basis, the outcome was subject to the influence of varying views about what types of work are considered valuable. This is another important factor in explain the widely differing results.

In some cases it was clear that specific local considerations shaped the outcome. In one case the RNAs achieved a pay equity increase around the provincial average. However, they decided to give some of that increase to the male job class of Orderly so that they would be paid the same as the others at that classification level. It is an interesting example of redefining equity.

Pressure not to Radically Alter the Wage Hierarchy

A number of those interviewed spoke of pressures to depress the RNA pay equity adjustment to preserve the existing wage hierarchy among women workers as well as among men. A number of those interviewed expressed fear that pay equity results would “price RNAs out of the market” and therefore the need to keep RNA wages below the RNs. These concerns sometimes acted as constraints in the pay equity process. For example, one RNA complained about pressure from management to minimize the assignment of points to RNAs during the grading of job descriptions in order to keep the value of the pay equity increase down.

"I find that we could have been graded a little bit higher but the person from the Human Resources said if they did it any higher we would be going into, like, an RN's bracket. If we got anything more for education or using your head or something like that, you'd be going into like Manager or the RN's slot."¹⁷

In this case the class hierarchy was being maintained as the hospital management exerted pressure to lower the point scores for those at the top end of the female wage rates in the CUPE bargaining units during the pay equity process. In this case these efforts were successful. The RNAs in this hospital were very disappointed with the results from pay equity since they only received a 79 cent increase spread over three years. Their male comparator was a Chef, rather than a tradesperson, even though the Chef had fewer points than the RNA.

¹⁷ Interview # 10.

Another hospital was not so successful in holding back the wage increases of its RNAs, despite warnings. The RNAs were unexpectedly rated high enough to put them on par with the Electricians.

"At first they told us that we must be very careful that we don't go above the RN start rate. And throughout the negotiations they told us two, three times just to be careful...The Electricians were at that time making something like \$18/hour and the RN start rate was somewhere around \$16. And we never thought that we could achieve anything above \$16/hour or even a little bit more than that."¹⁸

The RNAs unexpected success created a fear of layoff. The hospital Finance Director's view was that the RNAs were "making far too much money now" and the Director of Nursing was "seriously looking at the RNA issue and the wage rate that they're making", according to an RNA who had spoken to them.

At the time interviews were conducted many RNAs spoke of the fear of layoff from boosting RNA wages to be on par or above the start rate for Registered Nurses. RNAs had been at risk for a number of years given the interest in some hospital administrators in moving to a model of "all-RN staffing". This involved getting rid of RNAs in favour of a more flexible all-RN nursing staff. There was a growing fear that RNAs were "pricing themselves out of the market" through their success with pay equity, fueled by rumours that pay equity was responsible for the elimination of RNAs in certain hospitals.¹⁹

¹⁸ Interview # 5.

¹⁹ Interview # 5, 6, 11.

In one hospital, where an Electrician was the male comparator for the RNAs, they received a pay equity increase of \$1.82/hour. This boosted many RNAs above the start rate for a RN and put some on par with the wage for an RN after two years. The fear of job loss was widespread among the RNAs at this hospital. According to one, who had been local President for seventeen years:

"...the results of [pay equity are] very scary for the RNAs. I don't know how now that we can survive, maintain the jobs that we have because of what's happened."²⁰

The belief that raising RNA wages too high would result in their job loss existed elsewhere, too. Another local president commented:

"I think the RNAs were quite pleased with [the \$1.37 wage adjustment negotiated for them] because they also realized that if they had gotten the \$3.00 or the \$3.25 that they had received in some other...hospitals they probably would have faced even more reductions, because the situation [here] is very shaky."²¹

At yet another hospital the local President felt that the RNAs had only escaped layoff because they had not yet received their full pay equity adjustment. From his perspective a cloud hung over the the RNAs' future.

"...there's this threat, that as soon as our RNAs are brought up to where they're supposed to be, we're going to be hit. Right now we think we live as just a cheap source of labour because they haven't got the adjustments yet... because the employer's just looking at rates of pay. Why pay an RNA eighteen dollars and pay an RN at sixteen dollars? Let's get rid of the RNAs."²²

²⁰ Interview #5.

²¹ Interview #7.

²² Interview #11.

Unpredictable Outcomes

Through the interviews we are able to see the subjective reactions to the changes this pay equity legislation brought to wage relations and what participants thought of them. The reactions to the changes brought about by pay equity were not always positive. Those interviewed often described the outcomes from pay equity as unpredictable and unanticipated results were often considered unfair.

In one hospital the outcome for the Pharmacy Assistants was unanticipated and unwelcome. The Pharmacy Assistants (predominantly female) failed to get highly rated since they were not given job evaluation points for responsibility, complexity of judgement, or consequence of error. They were denied any recognition of these work characteristics since their work had to be checked by the Pharmacist. This is how the local President described the situation:

"We thought they should have got a lot more money than what they did. We challenged that job. It was to no avail...which in my opinion, even to today was just not fair, because those girls deserve more money and there's no way of getting it because of the system."²³

In another hospital it was the Food Handlers. They were all employed in one job classification but the job evaluation process identified 6 new classifications which would have different wage rates for the food handlers. The union President was "quite shocked that that actually took place." He said they made the best of it by averaging out the scores to maintain one job classification for food handlers. In his view, it would have

²³ Interview #8.

been disastrous to create six new job classifications where there had previously been only one. It would have lead to problems determining which individuals should have the right to the higher paid positions. For example, would all of the current food handlers have the right to bid on the better paying positions on the basis of seniority, as for other jobs?

And how would future vacancies and turnover be handled? This example illustrates how the job evaluation method for making comparison emphasized the differences between the workers, by concluding six new job classifications were needed, rather than a process that united them around similarities and a common wage.

The food service department was the cause of controversy, in another case. Here the local president predicted that after pay equity the "lowest paid people in food services will be the males", as the women co-workers who had made less than them, jumped over them in the wage hierarchy. He was concerned about these "inequities" in the food service department, receiving department, and transportation where forty or fifty males would become the lowest paid. And he was figuring out a bargaining strategy to bring the pay of those men up, at least to the average of the female rates. This was crucial, in his view, to continue to have male workers' support for the changes associated with pay equity.

"You know, we had a fight to try to convince the males that, look this is what pay equity is all about. But in the end, when they start looking at their contracts and saying - "What? How can I be a Porter ? I'm the one stacking all those trays. I'm the one doing the heavy work, doing all the physical aspects and the female making sandwiches. She's being paid more than I do." ²⁴

²⁴ Interview # 11.

Note how the heavy, physical aspects of the male job are considered most valuable. This long-standing traditional rationale reveals some of the historic, gender constraints that influenced efforts to achieve pay equity in Ontario. It also indicates that some male unionists seemed more concerned about what was indirectly happening to men's wages, and the need to develop a bargaining strategy to address perceived inequities created through the application of the pay equity legislation.

Why did these unpredictable results occur ?

The use of a job evaluation methodology for job to job comparisons within each individual workplace partly explains why the results were unpredictable. Put simply, the job evaluation method is one of assigning point values to the characteristics of a job. Comparable point values between male and female job classes indicate where gender-based wage gaps need to be corrected. The analysis of job content and assignment of value can lead to unanticipated outcomes if some elements of a job are recognized for the first time and more highly valued. This can lead to emphasizing differences between similar jobs causing significantly different values to be assigned, as in the case of the food handlers described above.

Unpredictable results from this pay equity process may also be due to insufficient education and preparation of workers about the reasons for revaluing women's work. A job evaluation plan and rating committee that does recognize and value traditional women's work could lead to women's job classes unexpectedly being more highly valued than male job classes. Unanticipated low results were also due to the legislative

requirement to use the lowest paid male comparator in the bargaining unit.

In part, the unpredictable outcomes and discomfort with them may simply reflect the fact wage relations and location in the wage hierarchy is being changed through pay equity. Because wages (and value equated with them) are relational, other workers' sense of value or worth is affected by the change in another workers' status. For example, a male worker may feel he is worth less, or he should also be paid more, if a female co-worker who has always made less than him suddenly makes more. In part, it shows the need for extensive education about how women's work has been undervalued. But it also calls into question the method that produces an outcome where those most involved in the process feel the results were unfair and many would not want to do it again this way.

Although this may be more reflective of the actual job evaluation plan used which contains certain assumptions about what is an appropriate workplace hierarchy and the constraints of the legislative framework.

Using the Legislation as a Springboard

Analyzing this group of pay equity plans also revealed differences in attitude toward the Pay Equity Act. There were a number of pay equity plans where arrangements were negotiated, above and beyond what the legislation provided for in order to get pay equity increases for some female job classes or to increase their value. There were cases where those involved in negotiating pay equity clearly worked to achieve the most for women workers from the legislation, coming up with creative approaches that went beyond its scope. For example, in some cases when no male comparator could be found, the union simply

negotiated a wage adjustment, based on what was considered fair, rather than denying these women an increase, even though this was not required by the legislation. Other examples using a point-spread banding method to group jobs so that male job classes could be considered equivalently valued, negotiating proportional value increases before the legislation provided for it.

Interviews helped to reveal more examples where workers used the legislation and the openings provided by the legislation to boost women's wages and transform wage relations. Some participants spoke of how they used the legislation, challenged the process and tried to transform wage relations to get more money for women by using traditional union bargaining power to push for creative and innovative applications of the Act, in some cases going beyond the provisions of the Act. There were many cases where the initial, strict application of the Act yielded disappointing results providing a pay adjustment to only one or two female job classes, usually because of the absence of higher paid male comparators. In order to get wage adjustments for more or all female job classes CUPE locals and staff reps came up with a number of creative approaches. These included:

- Negotiating adjustments for particular female job classes that would otherwise not receive a pay equity increase.
- Negotiating an average pay line to provide a proportional value pay equity increase when no male comparator of equivalent value existed. (This pre-dated the legislative amendments that established proportional value as a valid method of comparison.)

- Negotiating parity with rates at another, nearby hospital based on their pay equity results.
- “Point-banding” or grouping male and female job classes according to a particular point spread of job evaluation plan scores to find more highly paid, equivalently valued male comparators. (In some cases the point spread was narrow while in other cases it was wide. It varied depending on what produced the largest increase for the greatest number of female job classes.)

In some cases, these approaches were encouraged by the Pay Equity Review Officer involved in trying to resolve a dispute.

Here is one example of tough bargaining to get a desired outcome from pay equity that the application of the job evaluation plan had failed to address or had created a problem to be rectified. In this case the amount of money was less important than what it symbolized, as revealed in the following scenario described by a female union representative where there was a 16 cent an hour difference between two female classifications which she thought should be paid the same. Two women who were about to retire in a few years held the positions. In her opinion, the employer was right to say they didn't have to give the Seamstress the extra 16 cents. But she felt that represented an inequity that she believed was wrong. She argued it would violate the Act to bring the Launder down by that amount, which was the hospital's desire.

"It was going to cost them approximately 500 hundred dollars a year for them to do this. But it became a principle issue for me and it became an issue of these two senior women who have sweated in this laundry room for twenty-five years feeling hurt and devalued...if we allowed the Pay Equity Act to take its legal form there. I tried to negotiate it...I finally had to sit down in a closed room and

say to them "You either give them the five hundred dollars or we take you to the Commission. And they said, "You'll lose". And I said, "Absolutely, but it will cost you more thousands of dollars to go that route than to pay these women off for five years. And it took them two days to think about that."²⁵

Pay Equity's Transformative Potential

Was implementing pay equity legislation in Ontario a radicalizing experience for those I interviewed? Did it transform their view of the value of women's work or lead to other major changes? In some cases it was transformative and in others it seemed that it was not. Some workers supported raising women's wages because they recognized that women's work was undervalued and underpaid. However, traditional beliefs that men doing heavy physical work or skilled trades were still deeply rooted among some participants who played a key role in the process. A number of those interviewed indicated traditional views about the relative value of men and women's work. Men should be paid for doing the heavy, physical work.²⁶ The type of work that women do isn't as important.²⁷ Female job classes, like RNAs, are not as qualified because of less training, compared to a skilled trades apprenticeship.²⁸

However, there were other indications that it was a radicalizing experience for some. In one case, the outcome from pay equity was considered so unfair it sparked the women to unionize. A string of incidents influenced their decision to take this action.

The original management plan for pay equity only provided raises to two people

²⁵ Interview #6.

²⁶ Interviews # 5, 6, 7, 8, 11.

²⁷ Interview #11.

²⁸ Interview #7.

out of a total of 94 in the mainly female bargaining unit. When asked by women to explain these results, the hospital refused to provide the information that explained how they arrived at those results, despite legislative requirements for financial disclosure about payroll costs. The woman I interviewed successfully appealed to the Pay Equity Commission for access to this information. It revealed that management manipulated the process in order to hold down the costs by not giving job classifications proper ratings. The ratings committee had been imbalanced with two employees selected by the hospital and six representatives from Administration.

A Pay Equity Commission provided a Review Officer who agreed that management had done things wrong and owed the women money, according to the interview, but nothing changed. The women decided their next move was to try to get a union in. Within 24 hours they had 85 people signed up. The woman I interviewed, who spearheaded the complaints to the Pay Equity Commission and the unionizing drive, described their reasons for organizing this way:

"I think it was because people were always afraid to speak. Always afraid of what would have happened to them. Always afraid of being suspended, not being able to do things. I think people were just tired of shutting up. And wanted a body to represent them."²⁹

Some particular injustices were considered at the core of the problem. Overall, the women felt that their evaluations were very low. They felt very unappreciated and frustrated by the lack of recognition for their work. In addition, within some classifications that had been considered basically the same, like RNA and Secretary,

²⁹ Interview #9.

dramatically different ratings were given to various RNAs and Secretaries depending on their particular floor or assignment. To top it off, the men were rated much higher than the women. Anger about this situation caused them to take radical action. They hastily signed union cards and sent them to the Labour Board before the hospital could catch wind of it and fire or suspend the organizers in an attempt to stop the union. In the words of the chief organizer:

"The general feeling was that the women wanted their place now. Yes, the government had realized that we have been underpaid. We want our place." ³⁰

They were successful in negotiating a vastly different outcome that they felt satisfied with. The newly established union local figured most of it out on their own, drawing on assistance when needed from the staff representative assigned to them. Essentially they just applied the SKEW job evaluation method the way it was supposed to be done. They negotiated outstanding inequities to "bring up those who were trailing behind" or through creative negotiations when no male comparator existed. For example, they used the wage rate for a Maintenance position vacant for the previous few years to provide a suitable benchmark wage for all of the Secretaries' to be brought up to this common rate.

An important difference in this situation was that in the context of the SKEW pay equity plan the workers figured out what they wanted in terms of wage relations and then negotiated that with the hospital. For the first time they discovered what everyone was being paid, since the hospital had always kept the different rates it paid a secret.

³⁰ Ibid.

They looked at the results from applying the SKEW plan and they decided on adjustments they wanted to make to it, creating a common wage rate for each classification and determining where on the wage scale each should be located.

"The union did their work, placed the people in categories and said, this is the way it should be. These people had no comparator, they were in between, so we told them [management] "we're going to re-establish a new committee with the union and do it all over again, if these people don't get a raise...So we settled on 40 cents an hour for the first two years."³¹

In this case the woman interviewed was very pleased with the final outcome from the pay equity legislation. But the positive outcome was only because they used their collective power as workers to challenge management in how they had applied the Act. This experience not only changed the wage relations in this workplace, it also changed the power relations between these women workers and their hospital management.

The change in power relations that came from altering the wage scale was noted in other cases also. One male local union president commented on the effect of significantly raising the wages of female service workers of colour in a large Toronto hospital. He felt that not only have the female workers befitted economically "... now they are given some respect for the work they are doing."³²

³¹ Interview # 9.

³² Interview #11.

Chapter 5 – Conclusion

Effect of Pay Equity on Women's Wage relations

This study looked at the outcome of pay equity legislation for female service workers in Ontario hospitals. Overall, wages for women went up slightly at the bottom of the wage scale. The lowest paid female job class, the Aides, achieved pay equity raises worth about one-third of the value, on average, received by the highest paid female job class in the bargaining unit, the Registered Nursing Assistants. Most Aides did find a male comparator within the establishment. It tended to be the Cleaners or Porters in their department. However the difference in pay between these male and female job classes was small compared to the difference in pay at the top end of the bargaining unit, especially where RNAs were able to use skilled trades as their male comparator. In some hospitals, RNAs missed out on a large pay equity increase because there were no skilled trades employed by their hospital. For this reason the uneven value of pay equity increases for RNAs destroyed a benchmark wage rate for this classification across the province. Pay equity brought an end to a twenty year example of wage solidarity for these women workers.

The legislation was successful in closing the gap between men's and women's wages for selected job classes within a particular hospital. But while it narrowed the pay gap between some female and male jobs, it also widened the pay gap between the women workers studied. The wage gap between women workers grew larger as women in job classes at the top of the wage scale tended to leap further ahead as they received a pay equity increase that was on average three times the value of what the lowest paid female job class got.

Gender, class and race relations influenced this outcome. Gender relations affected the outcome through the failure to place a higher value on paid hospital work of cleaning,

food preparation, doing dishes and laundry, so similar to women's unpaid domestic and caring work in the home. Class relations influenced the low point scores contained in job evaluation plans, the main method used to determine pay equity, awarded to positions at the bottom of the wage hierarchy, with few recognized skills and no supervisory responsibilities. Race relations, while not explicitly explored in this study are another important set of social relations that exerts an influence in how jobs are viewed and valued, especially in the larger cities where the majority of employees in the jobs within the scope of this study are workers of colour. The influence of race relations on how jobs held by workers of colour are perceived and valued merits further examination.

One of the limitations of the Ontario pay equity legislation is its narrow definition and scope. It only seeks to correct the portion of the pay gap that is due to gender discrimination, yet gender, class and race all work together in an interconnected way to influence wages and depress wages for women workers. Wage relations represent a complex set of social relations including gender, class and race relations. The problem is that by just focussing on the gender relations aspect the interconnected elements of class and race relations are missed. While there is a need to highlight the gender dimension, the challenge is how to do so without losing the connection to the other elements that influence wages.

Male wages, used as the standard or definition for achieving pay equity under the Ontario Pay Equity Act are not a neutral norm. They reflect a history of unequal power relations as well. While pay equity legislation may remove or correct some gender discrimination in wages by closing the pay gap between specific male and female job classes, it does little to narrow the overall pay gap between the lowest and highest paid workers. It thereby helps to perpetuate the gender-based wage gap since women tend to be concentrated in the lowest-paid job classifications.

There is a great need to recognize and utilize the potential pay equity legislation offers for revaluing women's work and reordering the workplace hierarchy from a gendered perspective. But there is also a need to recognize the additional steps that must be taken if there is a desire to more dramatically change wage relations to revalue work and financial rewards more broadly.

Would a provincial strategy have worked better ?

The analysis of expected outcomes from the hospital sector, conducted for the Pay Equity Commission as one of five predominantly female sectors, expected that the best pay equity results would be found in large hospitals. Therefore it recommended a more effective approach would be to use a large hospital to provide a model for pay equity adjustments. This model would then be applied to hospitals across the province (Armstrong 1988:141). This investigation confirms that there would have been advantages to this approach. For example, it would have produced a more consistent value for pay equity adjustments for hospital workers across the province. This would have allowed a provincial RNA wage rate to be maintained and avoided the development of vastly different wage rates for other hospital service classifications. One advantage of a standard wage rate even in a local labour market with more than one hospital is that labour shortages due to turnover at the lower paying hospital can be avoided. It is also more equitable. Why should workers doing essentially the same work with the same training and qualifications, be paid widely varying amounts depending on the hospital and male comparator used there? Evidence from this investigation indicates that there would be significant benefits to a provincial approach, especially for the highest paid classification of RNAs. However, the findings presented here suggest that the other, lower-paid classifications would not have benefited much more from this approach for the following reasons. The pay gap between women and men at the bottom of the pay grid was small (i.e. it

tended to be much less than for those at the top) and second, there was a greater likelihood to find a lower-paid but equivalently valued male comparator in a large hospital. Since the legislation stipulated that wage comparisons must be made with the lower-paid male comparator of equal value, this could have resulted in lower pay equity wage adjustments for certain predominantly female job classes.

One major advantage of a broader-based provincial approach would have been greater consistency that could have increased support for changing wage relations since larger numbers of women workers would be affected in the same way. More uniformity could have contributed to a greater sense of fairness. The experience of applying the Ontario pay equity legislation on a hospital by hospital basis led to pay equity adjustments that were perceived as arbitrary. The value of the pay equity adjustment depended on the range and the pay of male comparators in the hospital, the type of gender-neutral comparison system used and the values contained in it, as well as the values of the team rating the jobs and determining their value. Because the specific outcome at any one hospital was so arbitrary or variable, a provincial approach could have taken into consideration the general pattern in more than one hospital to develop appropriate pay equity wage adjustments to apply across the province. Using a more centralized, provincial approach could have provided more opportunity to shape the overall wage relations and thereby ensure that wages were increased for large numbers of working women.

It is unclear whether a provincial approach would have radically altered the wage hierarchy and women's place within it. The findings of this investigation suggest that reordering women's place in the wage hierarchy would be a more likely outcome than significantly changing the distribution of financial rewards reflected through the wage hierarchy. This would only occur if it were part of a deliberate and forceful strategy, to overcome the tendency to replicate existing patterns of the male labour market. To be successful in making significant changes a provincial

approach would also require extensive education about why specific pay equity wage adjustments are warranted so that workers perceive these changes to be equitable and therefore understand and support these changes to wage relations.

What became clear, through the data and interviews collected for this project, was that even with similar objective situations (eg/ similar male and female classifications and similar ratings) the outcome could vary significantly. It depended on the extent to which the union sought to negotiate particular aspects of the application of the legislation. In other words, there was no automatic outcome. In some cases, the local union simply applied the legislation as they understood it. In other cases, however, the union tried to go beyond the provisions of the legislation in order to get the most money for as many female job classes as possible. In some cases this involved negotiating proportional increases which were not required through the legislation. In other cases, the union went beyond the legislative requirements, and argued for different combinations of point banding to be able to find male job classes of comparable value where none would have existed, if they had relied on a narrower conception of equal point values.

However, not all of the local unions tried to improve upon the legislation in this or other ways. In some cases, for example, where there was no male job class of equal point value the local union went no further in trying to develop a male comparator by grouping jobs by points to find a male job class of comparable value. It seems that some local unions and their staff representatives lacked a desire to use the legislation as a floor or springboard to go beyond the specific legislative requirements in order to correct wage inequities between female and male job classes.

It is more likely that concentrating efforts into provincial negotiations over pay equity in the hospital sector would have strengthened the union's efforts to use innovative approaches

and their bargaining power to make the most from the legislation. It would have also meant that a huge amount of money spent on consultants to advise employers on how to implement the pay equity legislation or limit its cost would have been put to better use in the form of pay equity wage increases for women workers.

Did Pay Equity transform the wage structure ?

In general, the findings presented here indicate that the effect of the Ontario pay equity legislation was more a matter of slotting women into another place in the existing wage hierarchy than challenging and changing the wage hierarchy itself. The application of the Pay Equity Act did reshuffle the gender order for wages in the workplaces studied here. In doing so, it often provoked an outcry partly because the results were unanticipated. This may reflect that pay equity plans were successful at revaluing women's work. The interviews provided a number of examples where female job classes compared to higher paid male job classes than expected. In some cases it led to efforts to go further than the requirements of the Act in order to address outstanding pay inequities since the results of the job evaluation process did not yield the desired results. In other cases it was concern by male workers about why women workers were getting pay increases and they were not, or that they too deserved higher pay. However, Ontario's pay equity legislation did little to fundamentally challenge the existence or parameters of the hierarchical distribution of wages in the workplace. Given the importance of the male comparator in this legislation, it effectively pegged women's wages within the existing male wage hierarchy at the spot deemed equivalent in value.

In many ways the pay equity process did replicate and reinforce the male wage hierarchy with women hospital workers, rather than challenge or revamp it. The effect for the group studied here is that the wage gap among women workers was widened, since the lowest paid

women received pay equity wage increases of a smaller percentage value. The application of the legislation had the opposite effect on their wage relations as a wage solidarity approach would have had. Rather than compressing the differences in pay, with a greater emphasis on improving the wages of the lowest paid, the differences in pay between female workers widened with those at the top of the wage scale moving further ahead. In other words, the Ontario's pay equity legislation added to the stratification of the female labour force by being of greater economic value to higher paid women workers.

Why was this legislation so ineffective at boosting wages of the lowest paid ? One reason was the significance of the male comparator in determining the value of the pay equity wage increase. In hospitals, the entry level male comparator wage rate is low, and arguably depressed partly because it is located in a predominantly female establishment

This study illustrates the limits of the feminist notion of equality based on equality with a male norm. It points to the need to construct a new model of equality which asserts the need for improving wages for all workers recognizing that gender, class and racial power relations shape wages.

Was Pay Equity achieved in Ontario ?

There is no one clear answer to this question. For CUPE hospital workers, as for some feminist writers, there is no clear, objective standard as to what constitutes pay equity. The difficulty in answering this question rests with the fact that this seemingly simple question is very complex. It depends on how pay equity's goal is characterized and the level at which it is evaluated. In other words, how it is defined and measured (Fudge and McDermott 1991: 281).

Under the Ontario legislation pay equity is achieved when the job rate for the female job class is at least equal to the job rate for a male job class in the same establishment where the

work is of equal or comparable value (Section 6(1)). This narrow definition and the fragmented application of it in the Ontario hospital sector had a significant impact on the outcome.

The experience with pay equity in Ontario is hampered by the legal definition and also the methods used to achieve it. The conception of what constituted pay equity was flawed. It defined pay equity too narrowly between one predominantly female job class and another predominantly male job class deemed of equal value within the bargaining unit. It was based on a very individualized determination of value and worth. Both the legal definition and the main method used to achieve pay equity - job evaluation - fail to evaluate the male wage relations that become the norm for female job classes through pay equity comparisons. There is a failure to question how male wages have been determined or to challenge how gender, class and racial biases have shaped them.

But the Ontario Pay Equity Act was not designed to question wage relations in this way. It was consistent with Brenner's critique of American comparable worth efforts and Waskett's criticism of the Canadian equal pay for work of equal value concept outlined in Chapter Two in that it relied on the labour market value of comparable male work. As well, job evaluation, the main method used to determine the value of jobs, legitimizes the hierarchical ordering of wage rates and reinforces the concept that some workers should be paid less than others. This may create resistance to future efforts to change wage relations, for example to increase the wages for the lowest paid workers in the bargaining unit or seek to re-establish a provincial wage rate for RNAs where the union and employer have gone through a lengthy process of determining of the relative value and worth of jobs in the bargaining unit.

Valuing Women's Work

One of the benefits of the Ontario pay equity experience, however, was that it did contribute to a better understanding of what women do at work as well as how complex and difficult it is. The Ontario Pay Equity Commission made an invaluable contribution in raising this to a societal level of awareness. The Commission played an active role in promoting greater public awareness of the Act and the need to revalue women's work through an extensive public advertising campaign. Commission staff provided materials and education sessions for employers and unions to assist in the pay equity process, especially in developing job descriptions which recognized and valued the work of women. These job descriptions then became the basis of the rating process using a particular job evaluation plan, assigning specific weights and values to different types of work.

One of the problems, though, of relying on a job evaluation plan to achieve pay equity was that the outcome was unpredictable. Many of those I interviewed did not like the experience for that reason and did not want to have to repeat it. Those interviewed were uncomfortable with the results being unpredictable and sometimes felt the outcomes from the job evaluation process were unfair. This may have been partly because it was a new and unfamiliar process to those interviewed. And many felt that they did not know enough about the process to be confident that what they were doing was correct and fair.

A number of those interviewed considered pay equity responsible for creating new inequities and disparities. For many, upheaval in established wage relations was the major effect of pay equity. One female local union President felt that "... pay equity has caused a lot of disparity in our union. And it is something that has caused a lot of animosity between the

individuals.”¹ This comment indicates the importance of modifying the method of achieving pay equity in order to build more understanding of and support for the outcomes.

For others, pay equity did spark other changes in practice. It included increasing the level of respect for women workers and in one case it caused the women to form a union in order to challenge the pay equity results and radically alter the wage relations.²

Policy Prescription: shift the premise for pay equity

Pay equity, comparable worth and equal pay for work of equal value are all based on a liberal approach where women’s equality is defined in terms of a pre-existing male norm. What is really needed, however, in order to significantly increase women’s wages, especially for the lowest paid, is to radically shift the premise of wage equality. One problem with the current premise is that it is based on a market valuation of wages. Yet male labour market wage rates are inherently unequal reflecting class and racial biases as well as the effects of gender bias in predominantly female establishments. The premise should be shifted to economic justice and compensation based on need as well as the value of women’s work. Value is a useful concept to use to expose the gender biases in failing to recognize the contribution and importance of work performed by women, especially that similar to women’s unpaid domestic labour. But it should not be the sole consideration.

There are many advantages to shifting the premise and strategies used to raise wages for women workers. We need methods to ensure that the lowest paid women workers derive at least an equal share of the benefits. Our pay equity goals should include compressing the differences in pay in the wage hierarchy between the lowest and highest

¹ Interview with President CUPE Local 1097, Hotel Dieu Hospital, April 14, 1993. Toronto.

² Interview with President CUPE Local 3549 Notre Dame Hospital, April 14, 1993. Toronto.

paid, primarily by raising the wages at the bottom of the wage scale. Reorienting our goals in this way would ensure that the majority of women benefit significantly from a legislative effort since the majority of women workers are employed at or close to the bottom of the wage scale. Because wages are set in relational context, focussing on raising wages for the lowest paid women would help to exert an upward pressure on other wages.

We also need to find a method that unites male and female workers in closing the wage gap between men's and women's wages. The method used to achieve wage equity needs to contribute to developing an understanding and commitment to transforming wage relations. Otherwise, those who support the old patterns and traditional values will simply try to recreate their former wage advantage.

The experience with pay equity in Ontario shows that it is hard to unite workers in changing wage relations when the results are unexpected and selective. The results were questioned and challenged, especially when they benefited certain groups of workers but not others. To develop broad-based support and commitment to change there should be shared benefits and a better understanding of and commitment to the wage goals. The goal should be one of achieving more egalitarian wage relations rather than the narrower definition of equality that the Ontario Pay Equity Act relies upon. While the Ontario legislative model moves us closer to addressing the systemic nature of wage discrimination experienced by women workers the remedy was limited in the hospitals studied here since it occurred in a fragmented, decentralized way, hospital by hospital. To be more systemic in approach, unequal wages must be addressed on a system-wide basis, for example at least at a sectoral basis rather than at the level of a particular hospital or within a specific bargaining unit within a hospital. Ultimately equality does not occur in one workplace since that level of change is insufficient to change the market valuation of wages.

Pay equity legislation may challenge the gender bias of the workplace hierarchy to varying degrees, but it does not necessarily challenge the existence or even the parameters of the workplace wage hierarchy. It simply tries to remove gender bias (i.e. the undervaluing of women's work) from the wage hierarchy, while leaving the hierarchy itself intact.

The results of this study suggest that the pay equity results were more heavily influenced by the presence (or absence) of male comparators and their respective wages than it was by the specific features of the job evaluation plans. Despite that, I do not think that using job evaluation plans are a very effective method for radically transforming wage relations. This study found that the reasons for the changes in wage relations were not well understood, even by those directly involved in or close to the process. It is reasonable to believe then that there was an even poorer understanding by the majority of affected workers who would have been less involved and less informed of the process that created these results. No doubt this contributed to a negative reaction to the redistribution of wages.

How would one try to establish a better understanding of revaluing women's work and raising women's pay through the application of pay equity legislation? Communication and education about the previously unrecognized elements and value of women's work is crucial. All workers covered by pay equity legislation need to receive information of both a general and specific nature. General information should speak to the historic undervaluing of women's work, help others to recognize previously unrecognized elements of women's work and contribute to a better understanding of why women's wages should increase. Specific information should also be provided as to why certain female job classes are receiving pay equity increases, to promote a widespread understanding of why their wage relations are changing.

There needs to be regular discussions, ideally in the workplace to encourage maximum participation, about why changes should occur and why. Such discussions would need to occur periodically over the process of applying the pay equity legislation and around the results. In this way workers would be engaged in a serious discussion about the value of women's work. This would have the potential for pay equity legislation to develop a deeper understanding and support for the changes pay equity brings to wage relations.

Does pay equity legislation have the potential to change the wage hierarchy or simply change women's position in it? I think it does have the potential to dramatically increase women's wages and change wage relations but there was not much evidence of it in this study, partly because of the constraints of the legislative framework. There was more evidence that the Ontario legislation led to a reshuffling of the gender order in the wage hierarchy. And even that change provoked a strong negative reaction in some cases. This indicates how difficult it is to radically change wage relations. And it suggests that a different, more comprehensive and more systemic strategy is required to change the wage hierarchy as well as women's position within it. I believe that such a strategy needs to be based on addressing economic need and economic justice as well as revaluing women's work.

Lower pay for women workers was built on the ideology that men are the main breadwinners and as such the primary male wage earner needed a "family wage" to be able to support a family on just his earnings (Steinberg 1990:458). The concept was used to justify lower pay for women since they were considered in less need of a higher salary as secondary income earners. But this argument is certainly not true today as two salaries are needed to support a family and as growing numbers of women bear the sole responsibility

for the family income as single-parents. Therefore, more than ever before, there are strong grounds for arguing for higher wages for women on the basis of need, not only value.

While I agree with much of Brenner and Warskett's critique of job evaluation methods for achieving pay equity I believe that they discount the potential pay equity legislation offers to recognize and revalue women's work. However, on its own the equal value approach is limited to simply reshuffling the gender order of the wage hierarchy as found in this study. What needs to be added and integrated into the strategy for achieving pay equity are the elements that address economic need and economic justice. This could support a wage solidarity approach that places greater emphasis on raising wages for the lowest paid workers and provides the potential for greater class solidarity between female and male workers to achieve this goal.

In this way work that is less skilled can be more highly valued by recognizing the contribution of those jobs to the overall production process or provision of a service. In the case of hospitals for example, good surgical techniques or nursing care will be undermined if cleaners are not doing their job. Dirty and unhygienic hospitals mean more germs and a greater risk of infection that will impede a patient's healthy recovery regardless of the quality of surgical techniques or nursing care.

Shifting the premise of pay equity to incorporate the notions of economic need and economic justice offers the potential to challenge the assumptions inherent in a capitalist division of labour that is premised on dividing work into skilled and less skilled jobs to justify differential wages and lower total wage costs. This conception of pay equity offers a greater potential to move beyond simply repositioning women in the existing wage hierarchy and instead start to redefine the wage hierarchy itself in such a way as to boost the wages of the lower paid, less skilled women who are in greatest economic need.

Appendix A

Interview Questions for CUPE Local Activists and Staff Involved in Negotiating Pay Equity Plans

Method/Plan

What method or plan did you use for achieving pay equity ?
How did you come to use that one ?
Why ?
Did you try to change it ?
If Yes, How ?
Did you encounter any problems trying to change it ?
With whom ? - the Hospital ?
 - in the Union ?
 - Other ?
What did you succeed in changing ?
Was it what you wanted ?
Why did you want that change ?

Legislation

What is your view of the pay equity legislation ?
Was it helpful in achieving your goals or did it create obstacles to your goals ?
Did you have to prepare for pay equity bargaining ?
If so, How ?
What did you do ?
eg/ training/education
- selecting/electing a pay equity bargaining team (Probe with questions about the composition of the pay equity bargaining team.)
- provide information to members
- develop bargaining/political strategy

Did you approach pay equity bargaining any differently than regular bargaining ?
If so, How ?

Relations with Employer

Did you encounter resistance by the employer ?
If Yes, over what ?
What happened ?
What was the outcome ?

Was the employer co-operative ?
If yes, ask for Examples.
Why do you think the Employer was co-operative ?

External Influences

Who played the most important role, from your perspective, in influencing the pay equity process ?

- In your local ?
- Within CUPE ?
- generally, within the province ? (Probe: Equal Pay Coalition, women's movement, Ontario Federation of Labour ?)

Before the legislation was passed:

- Were you or your local involved in any efforts to lobby the government about the pay equity legislation ?
- eg/ - involved in presenting a brief to the provincial panel on the Green Paper in 1985 ?
- involved in the OFL lobby of members of provincial parliament ?
- involved in any Equal Pay Coalition efforts ?
- anything else ?

Are you familiar with OCHU's proposal for a \$10/hour minimum wage in 1985 central bargaining ?

If yes, What do you think of what you have achieved through pay equity legislation, compared to that proposal ?

Maintenance and Long Term Effects

What do you think the overall effect of pay equity has been within your local ?

Are your members satisfied or dissatisfied with the results ?
Why ? (Note differences)

Would your members like to see further pay equity changes ?
If yes, what changes ?

What impact, if any, do you think pay equity will have on making changes to individual wage rates (eg/ bargaining wage adjustments) in the future ?

Do you think it will be easy or difficult to maintain pay equity?
Why ?

Do you think the pay equity results were fair ?

Appendix B

Table 1
Pay Equity Wage Adjustments
for Registered Nursing Assistants (RNA)
in CUPE Ontario Hospital Bargaining Units

Hospital	Amount of P.E. Adjust	Male Comparator	Method GNCS	Fem/male Points
Guelph, St. Joseph's	\$2.12	Negotiated	not provided	not provided
Stratford General	\$2.41	Negotiated	SKEW	not provided
Owen Sound, Grey Bruce RHC	\$2.563/hr	Maintenance- person	modified SKEW	183/183 ¹
Windsor Metropolitan General	0.405	Relief Mechanic	Aiken plan ²	points not ³ included in plan
Windsor Western	\$1.19	Electrician (CUOE)	no specific plan	no points referred to
Fort Erie Douglas Memorial	0.56/hr	Handyman	modified SKEW	240-290/190
Port Colborne General	1.511/hr	not specified (prop. Value?)	modified SKEW	230-255/na
St. Catherines Hotel Dieu	1.10/hr	proportional value ?	unspecified	204/214 ⁴

¹ Comparators determined by order of Pay Equity Review Officer. Parties reached impasse over point spread for banding. PER officer's decision based on legislation was that banding was not necessary. Therefore straight classification comparison based on comparable points. Higher paid trades present in bargaining unit but RNAs did not have comparable points. (eg/ Electrician-230, Plumber-205, Cook-203...)

² The Plan states: "The method of comparison adopted was the West Nipissing version of the gender neutral Stevenson, Kellogg, Ernst & Whinney job evaluation plan commonly known as the Aiken Plan...used by the Federal Government Human Rights Commission..."

³ Used banding.

⁴ for Paramedic

Hamilton Chedoke-McMaster	0.11/hr \$1.26	Invent. Cont. Co-ord negotiated	modif CUPE plan	not included
Milton Dist.	1.46	Mtce worker	"Factor Comp Method" banding syst.	not included ⁵
Georgetown & Dist. Memorial	1.70	Handyman	no specific system ⁶	no points
Burlington Joseph Brant Mem	3.08	Electrician	not mentioned	not included
Mississauga Credit Valley	2.03	Carpenter	no details ⁷	n/a
Scarborough Centenary	3.57	Electrician	modified SKEW	not in signed plan
Toronto Doctor's	2.69	no details provided	no details	n/a
Toronto Hillcrest	0.79	Chef	Peat Marwick Stevenson & Kellogg Core J. E. Plan	not in plan
Providence Centre	2.38	Bricklayer	SKEW	not included
Queensway General	2.75	Certified Plumber	SKEW ⁸	n/a
Queen Elizabeth	2.81	Plumber	no detail ⁹	
Salvation Army Grace	2.18	Maintenance Man	no details	n/a

⁵ RNAs only classification to get pay equity adjustment.

⁶ "System of Comparison - Male comparators were identified and negotiated between the above-named parties, with the assistance of [PEC] Review Officer Lynn Burkart." from Pay Equity Plan, CUPE Local 145 and Georgetown & Dist. Memorial Hospital. Clerical unit organized during pay equity process and challenged posted plan.

⁷ Source: CUPE Pay Equity Adjustments, at March 14, 1990.

⁸ Correspondence from National Representative Brian Atkinson to Director of Personnel indicates effort to modify SKEW weightings to CUPE proposed weightings, on grounds that "...the "CUPE" weightings maintain a more satisfactory relationship between job classes, insofar as their relative value is concerned." July 12, 1989.

⁹ "RNA Pay Equity Increases". PEC. May 17, 1991.

St. John's Rehabilitation	1.73	Painter	no details on GNSC in plan.	n/a
Women's College	2.895	Electrician/Plumber ¹⁰	SKEW ¹¹	not in signed Plan
Ajax & Pickering General	1.30	no comparator-negotiated ¹²	SKEW	not included
Bowmanville Memorial	1.70	SPD Manager	mod. SKEW	not included
Oshawa General	3.25	Trades	mod. SKEW	not included
Port Perry Community	0.60	Mtenance Mechanic	no details ¹³	
Whitby General	1.26	4th Class Engineer	modified SKEW	not included
Peterborough Civic	1.34	Ambulance Dispatch	no details	308-371 ¹⁴ /359
Peterborough St. Joseph's General	1.634	Maintenance Mechanic	SKEW	not in signed plan
Port Hope & Dist.	?	Boiler/Mtc Man	not provided	not provided ¹⁵
Cobourg District General	1.66	Stationary Engineer	no details ¹⁶	n/a
Alexandria Glengarry Memorial	0.394	Maintenance Man	mod. SKEW ¹⁷	not included

¹⁰ Electrician, male comparator for Family Practice and Operating Room RNA, Plumber male comparator for General RNA.. Same wage rates.

¹¹ Indicates now Peat, Marwick, Stevenson & Kellogg).

¹² "There is no male comparator in the establishment. However, to maintain the integrity of Schedule 'A' the parties have agreed to the rate of 14.04 per hour which equates to 1.30 per hour adjustment."

¹³ "RNA Pay Equity Increases" PEC. May 27, 1991.

¹⁴ RNA Physio - 308; RNA Nicholls - 355; RNA Acute - 369; RNA Chronic - 371.

¹⁵ Information provided only on 1993 (final) pay equity pay-outs. Does not indicate total amount of pay equity adjustment or plan used.

¹⁶ Source: "CUPE Pay Equity Adjustments at March 14, 1990."

¹⁷ Modified West Nipissing SKEW Plan.

Amprior & Dist. Memorial	0.75	not specified	mod. SKEW ¹⁸	not included
Winchester & Dist. Memorial	2.25	Electrician	SKEW	205/210 ¹⁹
Kingston Ongwanada	0.07	Orderly/Fire Officer	no details ²⁰	n/a
Ottawa Civic	0.85	Photographic Tech	mod.SKEW	not included ²¹
Ottawa General	2.34	Carpenter	no details ²²	n/a
Ottawa Queensway-Carleton	2.12	Painter (93% of rate)	mod.SKEW (W. Nipissing)	not included
Smith Falls Community	2.04	Purchasing Buyer	no ref. to GNSC in plan	n/a
Blind River St. Joseph's	0.83	not specified	not specified	not specified
Hornepayne Community	0	none required	mod SKEW ²³	not included
Matthews Memorial ²⁴	0.92	not specified	not specified	not specified
North Bay Civic	2.75	Electrician	not specified	not specified
Mattawa General	1.69	Ambulance Attendant	CUPE Gend-Neut.JE Plan	within 310-329 pts ²⁵
West Nipissing	2.57	Electrician	no details ²⁶	n/a

¹⁸ Used the Peat Marwick Stevenson & Kellog nine-factor job evaluation plan for hospitals modified using West Nippissing weights.

¹⁹ Used 30 point band commencing at 85 points.

²⁰ Ibid.

²¹ A system of point banding was used. The point spread varied; not a consistent spread for all thirteen point bands. "All job classes in the same point band were considered, for the purpose of achieving a pay equity plan, to be comparable."

²² "RNA Pay Equity Adjustments". PEC. May 27, 1991.

²³ Used the amended Stevenson Kellogg Ernst and Whinney gender neutral comparison system as agreed at Bowmanville Memorial Hospital with CUPE.

²⁴ Satellite of Plummer Memorial Public Hospital.

²⁵ Used 20 point bandwidth system of 9 bandwidths (groups of comparable jobs).

²⁶ "RNA Pay Equity Increases". PEC. May 27, 1991.

Manitoulin Health Centre	2.05	Maintenance Man	Point Factor Job Evaluation	not included ²⁷
Cochrane Lady Minto	1.81	Ambulance Attendant	Peat Marwick Stevenson & Kellogg	197.5/205
Rainy River Valley H.C. F.	0.60	none used (?)	none ²⁸	none
McKellar General	1.953 ²⁹	Electrician	SKEW (aka Aiken)	not in plan
Geraldton Dist	1.703	4th class Engineer	mod.SKEW	201-240 banding
Hearst Notre Dame	1.98	Ambulance Attend.	SKEW	not included

²⁷ Used point banding system.

²⁸ "Our pay equity plan was ...60 cents per employee regardless of their classification." According to correspondence from local union.

²⁹ Pay equity plan dated Feb. 21/91 provided different adjustments for RNA and RNA-ORT based on different male comparators (Stationary Engineer for RNA-ORT, requiring \$1.01/hour adjustment; Electrician for RNA, requiring \$1.88/hour adjustment). Revised pay equity plan signed July/92 provided the same adjustment for both RNA classifications, at higher amount than before.

Appendix C

Table 2
Pay Equity Wage Adjustments for Hospital Aides
in CUPE Ontario Hospital Bargaining Units

<u>Hospital</u>	<u>P.E. Adj.</u>	<u>Female Job</u>	<u>Male Comparator</u>	<u>Method/ GNCS</u>	<u>Fem/male points</u>
Guelph, St. Joseph's	0.85	Cleaner 1	Cleaner 2	negotiated	n/a
Stratford Gen.	0.58	Dietary Aide	not provided	negotiated	n/a
Owen Sound, Grey Bruce RHC	0.589	Cleaning Helper	Washperson	modified SKEW	130/130 ¹
Fort Erie Douglas Memorial	0.46	Laundry Aide	Gen. Help Cleaning	modified SKEW	143/155 ²
Port Colborne General	0.465	Laundry, Hskpg, Ward, Dietary, Janitor Nursing Aides	Dishwasher/	modified SKEW	100-25/ 100-25
St. Catherines Hotel Dieu	1.06	Cleaner I Diet. & Laund. Aides	Cleaner II	unspecified GNCS	82/80
Hamilton, Chedoke-McMaster	0.924	Housekeeping Aide	Dishroom	revised CUPE plan	n/a
Milton District	0	Aides (Dietary, Hskpg, Laundry)	no male comparator	Factor comparison	n/a
Georgetown & Dist. Memorial	0.61	Aides/Porter	Cleaner	no specific system ³	no points

¹ PEC Officer Mac Douglas involved. Disagreement over banding method. Order issued Dec.21/90 did not provide for banding. Only job to job comparison allowed, as per legislation.

² A proportional value comparison was established using a comparison of Laundry Aide (143 pts) at \$11.10 to General Help Cleaning (155pts) \$12.48 on the basis of 143/155=92.25% (92.25% of \$12.48 =11.51). A pay equity adjustment of .46/hr was applied to bring the other Aides up to \$11.51.

³ "System of Comparison - Male comparators were identified and negotiated between the above-named parties, with the assistance of [PEC] Review Officer Lynn Burkart." from Pay Equity Plan, CUPE Local 145 and Georgetown & Dist. Memorial Hospital.

Burlington, Joseph Brant Memorial	0.82	Aide	Cleaner	no details	n/a
Mississauga Credit Valley	0.76	Housekeeper	Carpenter	no details ⁴	n/a
Scarborough Centenary	0.00 0.82 0.82	Lab Aide(L 1) Food Serv.(L 2) Hskpg Aide(L 3)	no male comp. Porter Cleaner	modified SKEW	points not in plan
Toronto Doctor's	0.29	Housekeeping Aide	not provided	not provided	n/a
Toronto Hillcrest	0.55 0.42	Dietary, Hskpg Aide Cashier	Hskpg & Diet. Porter "	Peat Marwick Stevenson & Kellogg Core J. E. Plan	not in plan
Providence Centre	0.16	Ward Aide ⁵	Printer	SKEW	n/a
Qnsway General	0.15	Kitchen & Ward Helper	Machine Operator	SKEW ⁶	n/a
Salvation Army Grace	0.81	Laundry, Hskpg Ward Aides	Cleaner	no details	n/a
St. John's Rehabilitation	0.51 1.14	Linen Helper (1) Hskpg II (Band 1)	Laundry Worker Laundry Worker	no details on GNSC in plan.	n/a
Women's College	0.14 0.524 0.721	Aide (Rehab, TRIDEC, Fam pract, Clinical, Nurses') Kitchen/Cafet. Worker I Cleaner I	Porter Kitchen/Cafet. Worker II Cleaner II	SKEW ⁷	not in plan
Ajax & Pickering General	0.57	Dietary Aide	Dietary Porter	modified SKEW	n/a

⁴ Source: CUPE Pay Equity Adjustments, at March 14, 1990.

⁵ Empire Maintenance represents some workers here. Likely includes Housekeeping staff.

⁶ Correspondence from National Representative Brian Atkinson to Director of Personnel indicates effort to modify SKEW weightings to CUPE proposed weightings, on grounds that "...the "CUPE" weightings maintain a more satisfactory relationship between job classes, insofar as their relative value is concerned." July 12, 1989.

⁷ Indicates now Peat, Marwick, Stevenson & Kellogg.

Bowmanville Memorial	0	Housekeeping Aide	no comparison possible	modified SKEW	n/a
Oshawa General	0.63	Aide	Porter	mod. SKEW	n/a
Whitby General	0.32 0.38	Dietary Aide Hskpg Aide I	Security Security	modified SKEW	not in plan
Peterborough Civic	0.51 0.44	Dietary Aide Housekpg Aide	Pharm. Aide " "	no details	219/233 222/233
Peterborough St. Joseph's	0.426 0.379	Dietary, Hskpg, CSR Aides (Gr 2) O.R., P.A.R. Aides (Gr. 1)	Laundry Helper Cleaner	SKEW	not in plan
Alexandria Glengarry Memorial	0.681	Aide	Houseman	mod. SKEW (W. Nippissing)	n/a
Brockville Gen	0.92	Housekeeping Aide	Housekeeping Porter	SKEW (SEIU Version)	n/a
Amprior & District	0	Maids	No equivalent valued male comparator	mod. SKEW (W. Nippissing)	n/a
Winchester & District 120	0.44	Dietary Aide	Storeman	SKEW	115/115-
Kingston Ongwanada	0.35	Nurse Assistant (no Aides)	Cleaner/Grounds	no details ⁸	n/a
Ottawa Civic	0.78	Ward Housekeeper	Porter	mod. SKEW	n/a
Ottawa Queensway-Carleton	0	Housekeeping Aide	Housekeeping Custodian	mod. SKEW (W. Nippissing)	n/a
Smith Falls Community	1.01	Housekeeping, Dietary, Laundry, Linen Aides	Heavy Cleaner	no ref. to GNSC in plan	110/102.5 92.5/102.5 90/102.5 85/102.5

⁸ Ibid.

Blind River St. Joseph's	0	Housekeeping Aide	not specified	not specified	n/a
Hornepayne Community	0	Housekeeping Aide	no comparators	SKEW (as agreed at Bowmanville Mem)	n/a
Matthews Memorial	0.682	Housekeeping Maids	not specified	not specified	n/a
North Bay Civic	1.13	Housekeeping Aide	Porter	not specified	n/a
Mattawa General	0	Housekeeping Aide	no comparator	CUPE Gender 191 ⁹ Neutral JE Plan	
West Nipissing	1.13	Dietary, CSR Aides	Porter Housekeeping	no details ¹⁰	n/a
Manitoulin Health Centre	0.81	Housekeeping, Laundry, Dietary Aides	Stores	Point factor	n/a
Cochrane Lady Minto	0.41 0.58	Laundry Aide Dietary, Hskpg & Material Mgt I	Maintenance Helper " "	PMSK ¹¹ 157.5/152.5 162.5/152.5 9 factor plan	150/152.5
Riverside HCF at Emo	0.60	Housekeeping Aide	not specified	not specified	n/a
Kenora Lake of the Woods	1.46	Housekeeping Aide	Storekeeper	modified SKEW	n/a
McKellar General	0.768	Laboratory Aide	Untrained Orderly	SKEW (aka Aiken plan)	not in plan
Geraldton District	0	Housekeeping Aide	no male Comparator	modified SKEW	136-165 ¹²

⁹ No male comparator even with comparisons based on 20 point bandwidth.

¹⁰ "RNA Pay Equity Increases". PEC. May 27, 1991.

¹¹ Peat Marwick Stevenson & Kellogg

¹² Despite 25 point bandwidth used for comparisons, no male comparator.

Appendix D Percentage Value Comparison of Pay Equity Adjustments for Aides and RNAs

Appendix E Dollar Value Comparison of Pay Equity Adjustments for Aides and RNAs

Appendix F

Aide & RNA PE Adjustments (% value)
Ranked in ascending order on Aide adjust

■ Aides □ RNAs

Appendix G

List of Interviews

Position	Date	Location
1. CUPE Staff Co-ordinator, Ontario Hospitals.	April 12, 1993	Toronto
2. President CUPE Local 1742 Shaver Hospital St. Catherines	April 13, 1993	Toronto
3. President CUPE Local 19 Peterborough Civic Hospital	April 13, 1993	Toronto
4. President and Vice-President CUPE Local 1531 Douglas Memorial Hospital Fort Erie	April 13, 1993	Toronto
5. Past President CUPE Local 1409 McKellar Hospital Thunder Bay	April 13, 1993	Toronto
6. CUPE Staff Representative Toronto area hospitals	April 13, 1993	Toronto
7. President and Secretary CUPE Local 839 Chedoke-McMaster Hospital Hamilton	April 14, 1993	Toronto
8. President CUPE Local 1097 Hotel Dieu Hospital St. Catherines	April 14, 1993	Toronto
9. President CUPE Local 3549 Notre Dame Hospital Hearst	April 14, 1993	Toronto

Interviews

Position	Date	Location
10. President and Steward CUPE Local 2008 Hillcrest Hospital Toronto	April 14, 1993	Toronto
11. President CUPE Local 1744 Toronto Hospital, Western Division	April 14, 1993	Toronto
12. CUPE Staff Representatives Peterborough and Ottawa	April 14, 1993	Toronto

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