

# "EMPLOYMENT EQUITY" CREATING REPRESENTATIVE WORKPLACES



## 2009 HUMAN RIGHTS CONFERENCE HAMILTON, ONTARIO

*This Report, along with a full range of presentations and related materials from the Conference, is available on the CUPE Ontario website at [www.cupe.on.ca](http://www.cupe.on.ca)*

## The Opening Plenary

Delegates to the 2009 Human Rights Conference received Solidarity greetings from Brother Fred Hahn who has since gone on to become CUPE Ontario's President. Brother Fred spoke to delegates about his commitment to equality and his own story as a gay activist within CUPE. He urged delegates to elect as broad and diverse a range of members to the Equality Committees as possible.



Greetings were also brought by Elder Elize Hartley and Bill Hickey, President of the Hamilton District Council.

Our guest speaker for the evening was Karl Flecker, Director of Anti-Racism and Human Rights for the Canadian Labour Congress. Brother Flecker's presentation entitled "The Canadian Workforce – A Changing Canvas", focussed on the changing demographics of the Canadian workforce and the impact these changes will have on the labour movement. His stated objective was "to be frank and to provoke change" in the struggle to advance the notion of a representative workforce.

Through a slideshow presentation, Brother Flecker spoke to delegates about an increasingly aging population, highly educated immigrants who are under-employed, and the persistent inequality based on gender and race. Women working full-time, all year still earn only 70.5% of what men earn. That percentage plummets to 64% for racialized women and an appalling 46% for aboriginal women.

Three sources of new workers were identified – aboriginal communities, immigrants and newcomers and Generation X and Y'ers. Brother Flecker provided delegates with some statistics about these populations and posed a number of questions for the labour movement to consider, including our relationship to these groups, issues that are of interest to them and what is working and what is not.

He provided several suggestions, including the need to identify what barriers these groups are facing and making the achievement of representative workforces a strategic priority, with real buy-in from the movement's leadership.



Delegates were very appreciative of Brother Flecker's provocative and engaging presentation.

## Bargaining Employment Equity

Our guest speaker on the second day of the Conference was Mary Cornish, a partner with the law firm of Cavaluzzo Hayes Shilton McIntyre and Cornish.

Mary's presentation, "Securing Employment Equity by Enforcing Human Rights Laws", sought to correct the belief by many that the repeal of the provincial Employment Equity Act ended the obligations of Employers and Unions to establish and maintain workplace employment equity programs.



Echoing Brother Flecker's points about the changing demographics, Sister Cornish also talked about the rise of contingent and precarious employment, particularly among disadvantaged and marginalized groups, including women, racialized and aboriginal communities, and people with disabilities who are often systemically excluded from the workforce

Sister Cornish provided delegates with an overview of Supreme Court and Human Rights Tribunal decisions that underscore the argument that there are ongoing employment equity obligations and that these obligations to address systemic discrimination go

beyond the standard four groups to also include age, ethnicity, sexual orientation and creed. She also identified several Ontario laws, including the Human Rights Code, Labour Relations Act, Pay Equity Act, and Ontarians with Disabilities Act that also contribute to these obligations.

She also provided delegates with a planning overview, examples of employment equity measures and a checklist of what to ask for when approaching your Employer to negotiate employment equity. She also outlined ways to enforce this process through grievances, labour board complaints and human rights complaints.

Sister Cornish's presentation provides a very persuasive and compelling case to our Locals that they "must take action to ensure that any collective agreement they negotiate does not discriminate but rather promotes the equality of disadvantaged groups and that their representational responsibilities do not directly or through disparate impact discriminate against disadvantaged group members".

Workshops provided delegates with a hands-on opportunity to take a look at their own workplaces, Locals and collective agreements within the context of employment equity as well as thinking about strategies to build support for this work.

Joanne Martin, Equality Representative in Ontario, provided an overview of developing an Employment Equity Plan. Don Moran, Senior Office responsible for Aboriginal Issues, spoke to delegates about CUPE's experience in Saskatchewan negotiating representative workforce agreements for aboriginal communities in the health care sector through tripartite partnerships

including government, Employer organizations and CUPE. Brother Moran's presentation provided delegates with some real-life experiences and strategies to draw upon.

## **Anne and Friends**

After an informative and busy day, our hard-working delegates were ready to party! Just a few blocks away from our Conference venue. The Workers, Arts and Heritage Centre was readied to provide members, staff and guests with just the right setting. A local Thai restaurant provided a terrific spread of food and Bill Hickey did a great job tending bar.

CUPE Staffer Anne Healy gathered some of her friends together to provide us with an energizing and uplifting evening of entertainment. Juno Award dub poet Lillian Allen, Aboriginal singer Brenda McIntyre, Altimon Amazing and of course Anne herself had everyone dancing and swaying to the music!

Many thanks to everyone who helped bring the evening together and a special thanks to Joanne Webb, Bill Hickey and Anne Healy who made it a special evening that fit so perfectly with the theme of our Conference.



## **Moving Forward**

The Closing Plenary started off with Boonaa Mohammed, an award winning spoken word artist and activist who performed one of his poems on labour and equality, a highlight of the Conference for many delegates.

Ryerson Professor Dr. Grace Edward-Galabuzi spoke to delegates about the importance of pursuing employment equity in order to address the structural causes of poverty, particularly racialized poverty, calling employment equity a “transformative idea”, Dr. Edward-Galabuzi urged delegates to recognize it as integral to an anti-poverty strategy.

Delegates engaged in wide-ranging discussions on how best to advance an employment equity agenda. It is hoped that the ideas and recommendations put forward at this Conference will form the basis of a Division Campaign developed by our Human Rights Committee.

An important part of our biennial Conference is the election of our Equality Committees - with the exception of the Women's Committee that is elected at their Conference held in alternating years.

### **The 2009-2011 Committee Members Elected by Conference Delegates:**

Aboriginal Council: Judy Moreau (L966), Vince Musson (L831), Fred Loft (L5167), Angela Connors (L4308)

International Solidarity: Ilian Burbano (L3393), Bodia Machuria (L3902), Edgar Godoy (L2191), Suby Kerr (L4400), Logan Sellathurai (L1)

Pink Triangle: Sean Iovacchini (L855), Marlon Pickens (L4800), Jane Walsh (L2316), Bill Hanna (L4400), Dianah Smith (L1281)

Racial Justice: Joyne Lavides (L3906), Ajamu Nangwaya (L3902/3907), Gigi Goary (L3223), Amar Bajwa (L2191), Sanjit Rehal (L4400)

Workers with Disabilities: Jayne Warner (L4400), Ray Smith (L1750), Teresa Colangelo (L2191), Lori Guest (L1281), Andy MacDonald (L4800)

Young Workers: Dayn Grey (L4207), Lara Widdifield (L1115), Teison Sammy (L2191), Teresa Yeh (L2484), Osmel Maynes (L1281)

Our Conference was appropriately closed by an aboriginal drumming circle that included Joanne Webb our Diversity Vice-President for Aboriginal workers.

Our thanks goes out to our staff and member facilitators, our Human Rights Committee, our Diversity Vice-Presidents Joanne Webb, Yolanda McClean and to the support staff in the Division and Regional offices whose assistance is so essential to the success of our work.

