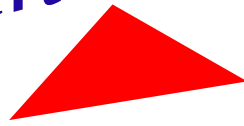




HUMAN

rights

in the



IAM



A manual for Canadian
Local and District Lodge Committees

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A *word about this manual*

Human rights in the IAM means the right of every member to be treated fairly both on the job and in the union. Today this concept is widely accepted and enforceable under the law. But it has not always been so. Until relatively recent times individuals were

routinely jobs, training, promotions, equal pay and even union membership for reasons that had nothing to do with character, ability or performance.

Over many generations, women, native people, those with disabilities and other groups have all felt the sting of rejection, the frustration of being segregated into stereotyped, low-paying jobs and the bitterness of being barred from training opportunities.

Discrimination on account of race, colour, creed, sex, national origin, age or physical handicap has a legacy of poverty and alienation among many in the nation. It is this legacy our human rights program seeks to overcome.

Opponents of fairness claim that it will cost more than we can afford. We should be aware that there are also heavy costs involved in allowing the present inequities to continue. Some of these costs can be clearly calculated, like welfare payments to victims of discrimination. But how do you measure shattered lives and wasted potential? In the end, fairness clearly costs less.

Since 1976, action taken by Grand Lodge Convention delegates has mandated a department at Grand Lodge to “coordinate, foster and develop,” union-wide action against discrimination. This includes a directive that standing committees be maintained “in local and district lodges to review union and employer practices on a regular basis.”

We have made a good start in recent years in combating the injustices and inequities of the past. But much remains to be done. Age-old habits, prejudices and patterns of thought cannot be changed without sustained effort. The poisons of past discrimination will not be dissipated by good wishes.

That is why we have prepared this manual. It is designed to show local and district lodges how to insure fair treatment for all members both on the job and within the union. It includes simple, non-technical explanations of (1) legal requirements in Canada, (2) official IAM policy, (3) suggestions for setting up local and district lodge human rights committees, (4) a review of the duties of such committees, and (5) discussions of specific kinds of human rights problems. A section of references has been added, including lists of helpful materials and a number of relevant model contract clauses relating to various kinds of discrimination.

A message of solidarity



Unions are built on solidarity, and true solidarity must transcend differences of gender, colour, ethnic background, religious and other beliefs.

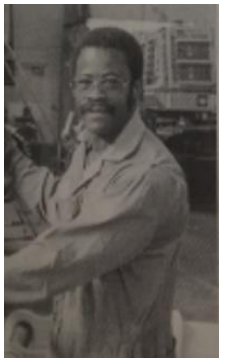


Things are changing. Laws are changing. Attitudes are changing. It seems that laws are often easier to change than attitudes. Changing attitudes is a long, slow and often painful process. Even learning to recognize our own attitudes and prejudices is not easy.



In the IAM, we are moving towards our goal of solidarity, a solidarity that takes the struggle of others as our own. A solidarity both within and outside our ranks to insist on just treatment for all.

We still have a long way to go. There remain many locals and districts without active human rights committees. More important, we have to admit that racism and sexism are far from eradicated from the hearts and minds of our union brothers and sisters.



Union members are not very different from other Canadians, for better or for worse. We can point the finger at others – employers, supervisors, managers – but we all have a responsibility.

Hard economic times make advances more difficult on the human rights front, as in other areas, but we cannot accept that as an excuse – from governments, employers, or ourselves.

There have been many changes in society and the workplace over the last few decades. Women have entered the workplace in unprecedented numbers.

But many things have not changed. Women still earn considerably less than men. They are still largely confined to female job ghettos.



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While attitudes have changed, women often still face harassment in the workplace and the threat of violence almost everywhere in society.

While organizing women workers in the most important thing we can do to improve their situation, there are many things that must be done before there is true equality and fairness for women.

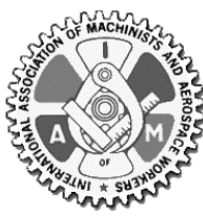
An essential ingredient is universally available and affordable quality care, because women are still the primary caregivers.

While adapting the workplace to the needs of women is important, changes present risks, not least for women workers. While employers might promote flexible schedules, job sharing or homework as panaceas for the problems of working women and family responsibilities, such schemes may provide the basis of exploitation, particularly in non-union settings, facilitating speed-ups and low-paid part-time work that is insufficient to support a family.

We will continue to face important changes in the future. Mandatory employment equity programmes will be legislated in the coming years.

The IAM is in favour of a mandated employment equity program, but we recognize that there are a number of thorny problems that arise in legislating employment equity.





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One is the role unions. Without effective union participation in the employment equity process, many historic union gains for all workers, particularly in the area of seniority, may be threatened.

Effective union action is also essential to ensure that affirmative action does not become, as it has in the U.S., a divisive racial and political battleground.

Effective union representation in employment equity is particularly important because unions may be faced with legal liability whether or not they have any real input in decisions.

Unions face another issue of growing concern – the legal liability unions may face for workplace violations of human rights statutes, even if they have worked actively to get rid of the discrimination in question.

The involvement of courts and human rights commissions with little understanding of union and the collective bargaining process is a good reason for unions to become more actively involved in affirmative action and other human rights policies.

Harassment of workers because of their sex or race is not new. What is new is the social and legal recognition that such harassment is unacceptable, and that we must all work actively to stop it.

Harassment cases can present difficult problems for unions, not only because they are complex and controversial, but also because they frequently pit union brothers and sisters against one another.

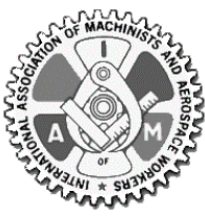
Sometimes discrimination is not the result for overt prejudice, but arises from systemic factors, things built into the system that do not take account of individual differences.

Sometimes even apparently neutral systemic discrimination arises from hidden prejudices. Perhaps a lack of flexibility in setting up schedules might betray a lack of respect for other religions or cultures. A lack of appreciation of the problems of AIDS victims might reflect homophobia.

We need good language in all of our collective agreements to protect our members from discrimination and harassment, but we also need active strategies to promote understanding and acceptance before we can ensure that no-one is victimized simply because of who they are.

The move towards mandatory workplace drug and alcohol testing is serious assault on the rights of many of our members. It is already being undertaken by many employers and may soon be a legislated requirement for certain positions.

Mandatory drug testing is wasteful and ineffective as a means of reducing addiction and improving safety, and it opens a veritable minefield of potential discrimination. Tests allow employers to pick out employees with disabilities that have no workplace impact but are felt to be undesirable or costly. Even some of the alternative forms of testing that have been proposed, like video-game-style coordination tests, may be used to unfairly discriminate against those with disabilities.



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Testing can be also used as a weapon against union activists or harassed workers who might dare to complain.

We have all seen enough of what employers can and will do if given weapons and mandatory testing is just another management weapon.

The new technologies with the potential for close electronic surveillance open the way for all kinds of harassment by management. Even the new teamwork work reorganizations espoused by many managements and their consultants have the potential to undermine disadvantage groups in the workplace.

Teamwork systems based on group pressure to propel work speed-ups create divisions among workers. They may drive those who cannot keep up out of the workplace and may remove the employer's responsibility to make reasonable accommodations to allow the disable their rightful place.

One of the areas of which the IAM is justly proud is our development of and support for the IAM CARES programme, which helps to integrate disable workers into the workforce.

It is a program whose importance an only increase as employment equity programs provide more opportunities for disable workers. Attitudes towards those with disabilities are changing, mostly in a positive way.

A greater emphasis on bringing people with disabilities into the workplace can also present dilemmas, as well. The accommodations required to allow disable workers a job may relatively disabled workers a job may relatively disadvantage other workers.

For example, a light duty job had always been filled on the basis of seniority, perhaps allowing an older worker a less demanding workload, might be required for much newer, but disable employee.

Another risk is that the push to bring disabled workers back on the job will be a ploy to simply reduce workers' compensation, disability pension or long-term disability costs by insisting that disable workers are able to work even if there is no long-term job available for them.

In this, as in many other areas of this complex field, there are few easy answers. The Charter of Rights and the Human Rights Codes are only the beginning. That is why, as union leaders, we need to work every day for Human Rights and Human Dignity.

H*uman rights and the law*

All Canadians should be treated fairly and equitably, without discrimination on the basis of sex, colour, ethnic origin, race, religion, or disability. Fair treatment is required by a range of laws.

The Charter of Rights and Freedoms in the Canadian Constitution guarantees equality before the law and therefore prohibits governments from enacting discriminatory legislation. Human Rights Codes in the federal and provincial jurisdictions forbid discrimination in employment or access to services and facilities. Other laws, for example pension benefit standards or affirmative action, also work to promote equality.

Human Rights Commissions in different jurisdictions are generally charged with the tasks of promoting and enforcing human rights legislation.

Ultimately, legislated prohibitions on discrimination can be through legal action in the Courts.

D*evelopment of IAM policy on human rights*

The IAM'S policy on the rights of members has evolved out of convention resolutions adopted over many years.

In 1956, for example, delegates to the Grand Lodge Convention directed that the IAM “continue to do everything possible to raise the economic, social and cultural standards of all members and their families, regardless of race, creed, colour or religion.”

The 1972 Grand Lodge Convention mandated an affirmative policy opposing discrimination by any officer or representative against any member in any way because of race, creed, colour or national origin. Women and minorities were urged “to participate more actively in positions of ... responsibility at the local ... level that will lead to broader opportunity for election and selection to positions of ... responsibility at higher levels.” Officers, from business representatives to the Executive Council, were directed to seek out, encourage and more fully utilize the talents of women and minorities in paid staff positions and elected offices.

In 1976 the Convention adopted a comprehensive resolution mandating an all -out, detailed commitment to equal opportunities and non-discrimination both in the work place and in the union. IAM representatives and bargaining committees were directed to negotiate non-discrimination clauses. Local and district lodges were instructed to establish civil rights committees and the Executive Council was requested to establish a Civil Rights Department at Grand Lodge to oversee an union – wide effort.

Official; Circular 682, issued in April 1977, instructed the field staff as well as al local and district lodges to carry out this convention action by (1) gathering information on employment practices; (2) negotiating non- discrimination clauses; (3) establishing local and district lodge civil rights committees; and (4) making regular progress reports to all appropriate meetings and conferences. The circular also announced training programs for

officers, members and staff on the law as well ads the establishment of a Civil Rights Department at Grand Lodge.

In January, 1978, International President Winpisinger issued a policy letter describing in some detail the duties of the Civil Rights Department, the General Vice Presidents, territorial civil rights representatives and local and district lodges.



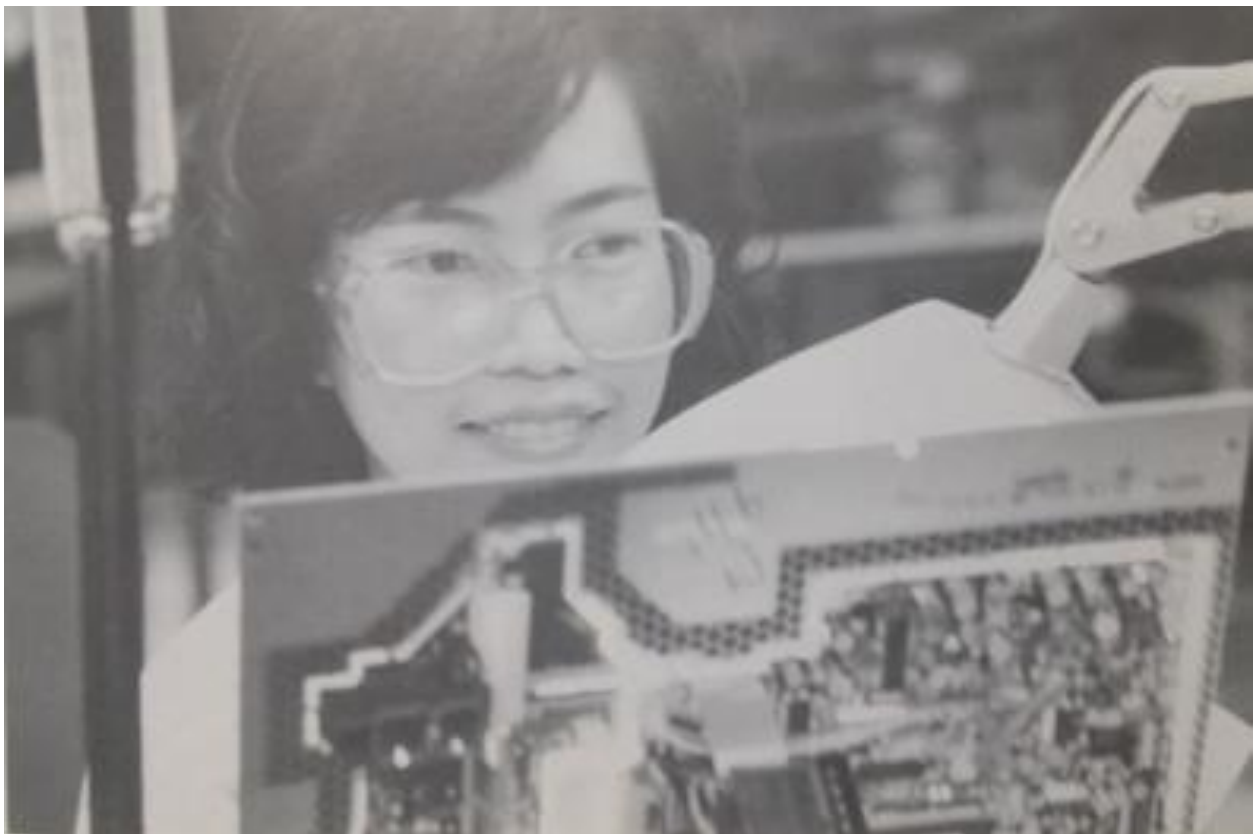
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In 1980 the report of the newly created Human Rights Committee at the Grand Lodge Convention in Cincinnati recommended that the Civil Rights Department be renamed the Human Rights Department to enable our membership to understand the broader aspects of the rights of all members.

The 1980 Convention called for alliances with-minded organizations in the fight for equality. Particular stress was placed on enhancing the role of women and minorities in the IAM. Leadership Schools were directed to include workshops on women workers.

In 1984, the Grand Lodge Convention endorsed the formation of a Canadian Human Rights Committee under the direction of the Canadian Vice President.

Canadian Human Rights Conference have held in 1986 and 1992.



Working for human rights: Services of the Canadian office

The IAM Canadian Office plays an active role in promoting human rights. In cooperation with the Canadian Labour Congress, it makes representations to governments on legislative issues like affirmative action and childcare.

It compiles legislative, legal and collective bargaining information on human rights issues and is able to provide support to local and district human rights committees.



Why human rights Committees?

I AM policy, as developed by Grand Lodge Conventions over many years, clearly prohibits any discrimination based on race, creed, colour, sex, national origin or age. The labour legislation that governs unions in Canada also requires that unions with bargaining rights must represent all employees in a bargaining unit fairly and equally, and in such a manner that no discrimination results.

Furthermore, federal and provincial human rights codes explicitly prohibit unions from discriminating against any member of a bargaining unit on one of the prohibited grounds. Beyond simply refraining from discriminatory acts, unions not actively seeking equality run the risk of facing liability for allowing discriminatory employment practices to take place.

Even apparently neutral rules can have a discriminatory effect. For example, a requirement that everyone work Saturday shifts discriminates against those whose religious beliefs do not allow them to work on their sabbath, Saturday. Court rulings are still developing the meaning of the law on this issue, but it is already clear that good intentions on the part of the union are not an adequate defense against a charge of discriminatory conduct.

Unions have been held jointly liable with employers in permitting discriminatory practices to take place, and have been required to make reasonable accommodations on the same basis as employers to overcome the impact of discriminatory contract provisions.

An active approach to ensuring that our workplaces are fair to all is essential. Local and district lodge support for human rights committees will reduce the risk of expensive and time-consuming legal actions against the union.

More important than any legal requirements, we must work for fairness, because fairness for all is the IAM's reason for existing.

Clearly local or district lodge human rights committees cannot be merely window dressing or a public relations gimmick. Every lodge has been directed, by convention mandate and order of the International President, to establish human rights committees because they serve a function vital to all IAM members. This includes lodges that may currently have no minority or female members.

In such lodges human rights committees can perform educational functions, maintain liaison with provincial federations of labour, local labour councils and human rights organizations and



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the community, and seek, within employment equity programmes, to open and expand employment opportunities for minorities and women in their workplace.

The Human Rights Committees in your local district should monitor collectively bargained contract clauses governing hiring, promotions, seniority, parental, child care, sexual harassment and other kinds of possible discrimination. They will also alert lodge officers and members to overt or subtle evidence of racism or sexism in the workplace, such as graffiti, ethnic “humour”, members or supervisors indulging in racial slurs or sexual innuendos. And it will try to reduce or eliminate the cost of administrative or judicial proceeding by counselling members within established grievance procedures.

How Should Members of Human Rights Committees Be Selected?

In early 1977 a grass roots meeting of women and minorities was held at Grand Lodge to draft guidelines for the human rights program that had been mandated by the Grand Lodge Convention in Hollywood the previous fall. Delegates to this meeting made a number of specific recommendations. For example, after thoughtful discuss of lion they advised that members of local or district human rights committees should be appointed rather that elected.

They noted that in many lodges minorities and women might not have enough votes to insure the kind of diversity needed by human rights committees. Appointment also reduces the possibility that this important program will be sabotaged by those seeking to stir up racial or sexual dissension. And, as these delegates further pointed out, selection by appointment gives elected lodge leaders needs flexibility in replacing appointees who might turn out to be less than conscientious in carrying out their duties.

Accordingly, a January, 1978 policy letter from the International President directs that members of human rights committees be appointed by the president of the local or district lodge.

Where possible the president should try to select a fair representation of women and minorities included in the membership. Moreover, the women’s workshop man dated by the 1980 Grand Lodge Convention directed that an additional number of district lodge.

Where possible the president should try to select a fair representation of women and minorities included in the membership. Moreover, the women’s workshop man dated by the 1980 Grand Lodge Convention directed that an additional number of women (proportionate to their number in the lodge) be added to present human rights committees. Human rights committees should no try to operate with less than three embers nor more than five.

Human rights committees serving amalgamated lodges which consist of units at more than one company or location must include at least one committee member from each of the companies or locations involved.



Important: Presidents of districts lodges, unaffiliated local lodges served by business representatives and amalgamated lodges should designate one business representative to serve with the committee. This is because business representatives, especially in amalgamated lodges, will have access to the various shops or units under contract. This means they can get at the facts and issues more easily when discrimination is charged. In unaffiliated lodges or amalgamated lodges without a full-time business representative the head of the shop committee should be automatically included on the human rights committee.

At the first organizational meeting, after the committee has been appointed, the members should elect one of their members to serve as chair. The chair should be authorized to call meetings and generally direct committee activities. This person should also select a secretary to keep records and help carry out the committee's mission. All committee members, including the chair, will serve at the pleasure of the local or district lodge president.

What are the Committee's Responsibilities?

For your human rights committee to be truly effective, members must clearly understand the purpose and importance of their mission. Obviously these committees are intended to stand watch against discriminatory practices of any kind, nature or degree, and to promote equality. It is no exaggeration to say that our human rights committees can put us in touch with the most basic of all union objectives. And that is the spirit of trade union solidarity. In the final analysis solidarity means unity of purpose. It means standing together. It is solidarity that transforms the puny individual strength of thousands of working men and women into a force capable of withstanding the vastly greater economic, political and social power of the employer class. Through solidarity working men and women have prevailed against blacklists, bayonets, Injunctions, scabs strikebreakers, yellow dog contracts, starvation on picket lines and every other weapon employers have used to keep labour down.

Over many generations we have learned that unions cannot achieve solidarity by embracing some and excluding others. In the past employers have encouraged and tried to deepen divisions between white and black, Protestants and Catholics, male and female, native born and foreign born. They did this by "keeping women in their





place”, by segregating certain ethnic groups into low-wage occupations, and by limiting almost half the work force to a narrow range of poorly paid jobs known as “women’s work,” – jobs which were undervalued and underpaid because they were done mostly by women.

By moving firmly to break down traditional barriers to women and minorities and to accommodate differences in the workplace, your lodge’s human rights committee will contribute to more than a deeper sense of solidarity among your members. It will also create a generally wider acceptance of the IAM among women and minorities. This is important because more women and minorities are expected to enter non- traditional occupations in the future. To protect our jurisdiction and increase membership we must develop better understanding and genuine concern for the special problems of women and minorities.

When Should Human Rights Committees Meet?

Frequency of meetings will be determined by the degree to which discrimination is or has been a problem for IAM members in the lodge. When the committee is getting acquainted and familiarizing itself with the problem, the chair might want to schedule meetings about once a week. This will hasten review of contracts and employment practices. The committee will probably meet more frequently at first to review contracts, draft recommendations, set up “sensitivity” training for stewards and officers and develop contacts with other organizations allied in the fight against discrimination, including local officials of Human Rights Commissions.

At some point in this early stage the membership as a whole should be invited to a well-publicized open meeting of the human rights committee in the lodge hall. The purpose should be to find out if unrealized or unrecognized discrimination is festering in the workplace or in the union. At this meeting members should be urged to suggest what the lodge could do through its meetings, publications, steward, system, contract negotiations or otherwise to lessen discrimination in the work place and increase minority and female interest and participation in union affairs.

It is important to hold meetings at a time and location which is convenient for all groups to attend. Some lodges may consider providing child care as a way of ensuring that all members have an equal opportunity to attend meetings. Setting up meetings that certain groups find awkward or impossible to attend can itself be an important form of discrimination.

Taking a strong stand against sexual or racial harassment, including a statement at the beginning of every union function that such behaviour will not be tolerated, will also serve to make everyone feel more welcome at union meetings.

D*uties of local and District Human Rights Committees?*

Promote Greater Unity Through Education and Understanding

In the early years of the labour movement employers regularly subverted union solidarity by pitting group against group, Irish against Italians, men against women, Protestants against Catholics, native-born against foreign-born, whites against non-whites. Over many years, time and assimilation have muted many of the differences that once divided one nationality, one religion, one race from another. Sexual and ethnic epithets, slurs and “humour” are no longer acceptable to most Canadians.

Unfortunately, however, more perverted and virulent forms of race and ethnic hatred linger on. Moral and mental defectives costumed in bed sheets or storm trooper jack boots are still among us. They are most likely to come out of the woodwork when racial tensions are aggravated by a scarcity of jobs. There are those who (even claiming to speak on behalf of women) would pit one sex against the other, who say that women should stay at home and not take “men’s jobs.”

Deep-seated hostility and suspicion is not always easy to identify, even within ourselves. Prejudice and discrimination can operate subtly, even imperceptibly, beneath a seemingly “civilized, tolerant” veneer, rising to the surface, if at all, only when the “crunch” comes.

There are only tiny steps between tolerating racial or sexual slurs, to reproaching some-one for being a “bad sport” for complaining about harassment, to going along with the dismissal of “trouble-making” women or minority group members.

These conflicts strain the bonds of union solidarity. Your human rights committee should work with officers and the education committee to plan and conduct programs promoting understanding and stressing the need for unity among all working men and women.

The human rights committee should, for example, arrange with the leadership to fit a human rights movie and discussion into the agenda for the lodge’s next steward training course. Or you might occasionally increase interest and attendance at regular lodge meetings by announcing that a timely human rights film * will be screened immediately following the regular meeting.



Increase Steward and Membership Understanding of Human Rights Issues

When local and district lodge business representatives or officers plan steward training session, time should be reserved for consideration of steward duties in relation to human rights. A designated member of the human rights committee should be prepared to conduct discussions which will increase steward understanding of:

- Their duty to enforce every employee's rights to work in an environment free from discrimination. This includes the rights to seek appropriate union remedies for actions which may not be specifically covered by the contract or formal grievance procedures such as sexual harassment or racial "humour," slurs or innuendoes.
- Clauses of your own contract which prohibit discrimination in hiring, promotions, seniority, maternity leave, pregnancy disability, wage equity, sexual harassment, etc.
- The general requirements of various laws governing equal rights in the work place. This should include the potential risks to all IAM members in terms both of money damage to the lodge and the collective agreement, of failing to vigorously and effectively combat discrimination in the lodge or workplace.

Union responsibility is a complex legal issue, which is still unfolding in our Courts. What is already clear is that the union cannot simply sit back and claim that its only role is to enforce the collective agreement.

The collective agreement may, perhaps inadvertently, contribute to illegal discrimination and the union may, along with the employer, be required by the Courts to make a "reasonable accommodation" in the collective agreement. Where legitimate conflicts arise, the balance between a union's duty to represent all members fairly and its legal need to accommodate the special requirements of individuals or groups, is still far from clear.

Some other ways in which human rights committees can increase membership understanding and awareness of these is (1) by periodically submitting relevant items to the lodge newsletter and (2) by scheduling weekend seminars in response to specific membership interest or demand. In some lodges, for example, women members have asked for and respond to an opportunity to meet together for in-depth discussions of some of the special problems they face, including sexual harassment.



Develop a Human Rights Profile of the Local or District

One of the first things a human rights committee should do is to collect basic information about the current state of affairs in the lodge. How many women and how many members of various minority groups are there in each job, classification or wage level, and in each location? How does this compare with their numbers in the whole community and the general labour force? How do their promotion and training records compare with other groups?

Such data is the basis of any affirmative action/employment equity programme. It creates a profile which will help lead the committee towards what needs to be done, and aid the union in its dealings with company on affirmative action/ employment equity.

It is also important to assess the roles of women and members of minority groups in the union? What positions do they fill? Do they participate fully?

Your human rights committee should carefully review existing employment practices and current agreements covering your members. In addition, all insurance coverages, pension plans and joint apprenticeship programs should be examined to see if they discriminate against women and minorities. Contract provisions relating to discrimination, equal pay for work of equal value. Maternity leave, parental leave, child care and sexual harassment should be compared to model provisions developed by the Grand Lodge Research Department for our manual of collective bargaining clauses. *Before any contract negotiations, when members are proposing needed changes in the old contract, the human rights committee should be prepared to make specific recommendations on problems that need correcting and contract clauses that need amending to insure full compliance with union policy and the law.

Investigate and Mediate Grievances Alleging Discrimination

Your stewards and/or grievance committees should be instructed to notify the human rights committee immediately when any member or group of members files a grievance alleging discrimination.

As directed by the President of the local or district lodge, the committee should be available to advise and assist the grievance committee.

Note: In carrying out their mandate local and district human rights committees must not usurp





or infringe on the jurisdiction of grievance committees or business representatives. The grievance procedure is the simplest, quickest and most effective way to handle discrimination problems. It should always be the first response.

The proper function of the human rights committee is to serve as a fact-finder and mediator. It is important to remember that every case of unfair or arbitrary treatment is not necessarily a “human rights” issue. It may be simply a matter of an individual being treated unjustly that can be dealt with as a normal grievance.

It is essential that the personal feelings about an individual or a group not cloud the judgement of shop stewards, local lodge officer or members of the human rights committee. Whether or not a person or group are likeable, everyone deserves a fair hearing and if they have a case, the full support of the union. We cannot pick and choose who deserves our support.

Encourage Greater Minority and Female Participation in Union Affairs

The surest way for women and minorities to increase their influence in the IAM is for them to participate more actively.



The road to leadership in the labour movement begins with enough interest to attend union meetings, enough commitment to serve as stewards, enough responsibility to accept the work that goes with election to local lodge offices and enough ability to inspire confidence and trust in others to be elected as business representative or appointed to the Grand Lodge staff.

There is no shortcut from the factory floor to the IAMs Executive Council. Every officer of the International, past and present, has travelled the same route – little by little, step by step, perfecting and polishing their skills as negotiators, organizers, arbitrators and administrators. In the past many women and minorities were not as interested in becoming active as they are today.

Many were discouraged by the negative attitudes of their union brothers. Women, often juggling work and home responsibilities, had little time left for union activities. Until recently, in fact, even lodges that had



a majority of women members tended to elect men as their business representatives.

But the times they are a-changing. In recent years more women and minorities are filling more of the volunteer jobs in local lodges. Evidence of the greater opportunities available is proven by the ever-increasing numbers of women who serve in the three major local union offices. However, we still have a long way to go before there is full involvement on all levels of the union.

Your human rights committee should use lodge-sponsored education programs and newsletters to urge women and minorities to share the satisfaction that goes with serving their local lodge. They should be informed of the ways in which the membership is helped and the lodge is strengthened by the legislative, community services, education and other committees. They should be informed when openings occur for stewards or officers in the lodge and encouraged to run.

There are a number of ways to encourage union activity by women and minorities:

- It must be made very clear that no harassment will be tolerated. Statements concerning the unacceptability of any form of harassment should be made regularly at union functions.
- Local and district lodge leaders must be careful to avoid any appearance of tokenism. Women and minorities must be urged into jobs in the unions that fit their own desires and abilities.
- The scheduling of meetings to allow everyone to attend is essential; for example, stewards' meetings could be scheduled immediately following each shift for the convenience of women and men with child-caring duties at home.
- Child care could be provided, or paid for, by the local, to help increase participation at meetings.

Promote Job Opportunities and Training for Minorities, Women and People with Disabilities

Until fairly recently women and minorities seeking to enter apprenticeship in most skilled trades faced enormous obstacles. Minority groups were generally screened out by prejudice, women by tradition. Since the late 1960's the labour movement has been making a special effort to help minorities and women overcome these barriers.

In 1988, IAM CARES CANADA was set up to help disable people to integrate into the workplace. Based on the experience of the extremely successful IAM CARES program in the



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U.S., IAM CARES CANADA, with federal government support, began operations in the Montreal and Vancouver areas.

For assistance on integrating the disabled into your workplace, see your local IAM CARES office. If there is no IAM CARES office in your area, perhaps your lodge could help to set one up.

Canadian human rights legislation now generally requires employers to make reasonable accommodations to do away with barriers to employment. For example, someone who is unable to stand cannot be denied a job simply because it has always been done in a standing position, if adjustments can be readily made so that the job can be handled from a seated position.

Inflated and unnecessary size and physical strength requirement, which have been used in the past to disqualify most women from some jobs, are no longer bona fide occupational qualifications, and have been found discriminatory and illegal.

The human rights committee should ensure that jobs are planned, not to screen out women and minorities, but to accommodate differences and to encourage access. The Canadian federal government provides temporary subsidies for training and job integration of disabled workers.

Local and district lodge human rights committees should be prepared to advise business representatives and negotiating committees that the union has a responsibility to see that women and minorities are fairly represented among apprentices and trainees. If they have historically been denied such training opportunities, “affirmative action” may be necessary to remedy the effects of past exclusion.

To open more training opportunities for women and minorities, your human rights committee may also have to go out and actively encourage minority groups and women to apply for new openings available. Although the percentage of minorities and women working in the skilled crafts has risen over the last two decades, many are still unaware of the advantages of working in the skilled trades.



Members of human rights committees should, for example, arrange with local school boards to ensure that representatives of these trades are included at presentations or demonstrations made on annual high school career days. You should also develop contacts with employment-oriented organizations to recruit in the community.



Keep Track of Legislation

Individual rights are guaranteed today by a complex web of intermeshing laws, regulations, court decisions, arbitration and human rights tribunal rulings. They extended beyond employment, to areas like housing and access to public facilities. We hope members of our local and district lodge human rights committees will become generally knowledgeable in laws and interpretations affecting human rights. They should be able to keep their officers and business representatives informed on major development in federal, provincial or local policies affecting such rights.

You can get some of this information from the Canadian Office – other sources are listed in the Appendix.

Serve as Union's Link to Other Organizations

Although organized labour has long been in the forefront of the never-ending struggle for a just and humane society, we do not stand alone. We need to make common cause with other groups in the community that share our goals. Not only do they offer us support in areas where we may lack direct experience, but as allies, they help to make us a potent political force to help us reach our legislative goals.

Participate in the Preparation of Affirmative Action/employment Equity Programmes

Canadian employers will in the next few years face increasing legal requirement to introduce affirmative action or employment equity programmes to correct the inequities arising from past discrimination in hiring, training, pay and promotion, of disadvantage groups.

It is essential that the union be closely involved in the development of such programmes and that their progress be carefully monitored. Some employment equity legislation will undoubtedly require consultation with the relevant bargaining agents.

Whether or not union participation is legally mandated, union members may be seriously affected by employment equity programmes, and the union will almost certainly face some responsibility and potential liability from their effects.

Human rights committees have a key role to play in ensuring that that employment equity programmes are real and effective, that they do not harm our members, and they are not used by employers as a tool to undermine solidarity and collective rights.

- Films available and other resources are listed in the Appendix.
- Some sample clauses are included in the Appendix.

H*uman rights and affirmative action*

First, there were laws prohibiting discrimination in hiring. Called anti-discrimination or equal opportunities legislation, this gave women and minorities a fair chance, based on their individual capabilities, of competing for a job.

But simply banishing discrimination from the workplace would not by itself bring true equality of opportunity for groups who had faced decades of discrimination in the past. If we look at two runners in a race with discrimination putting hurdles in the path of only one of them, equal opportunities laws would take away the hurdles, so that both runners could run on a flat track.

If, however, the race had already begun before the hurdles were removed, the other runner already had a chance to take a substantial lead, so that it is still not a fair race. To be fair, the leading runner would have to slow down or stop for some time to allow the discriminated-against runner to catch up. That is affirmative action or employment equity programmes (as they have become known in Canada in recent years). Employment equity is a broadbased positive plan to allow disadvantaged groups to catch up for the results of past discrimination.

In Canada, the target groups for affirmative action/employment equity are generally:

- Women
- Native People
- People with Disabilities
- Visible Minorities

Employment Equity includes three inter-related components:

- Abolishing discrimination
- Instituting temporary remedial action
- Setting up support systems

Ending Discrimination

Measures arising from legislation and collective bargaining include

- laws and contract clauses prohibiting discrimination
- the revision of application forms, aptitude and physical tests that screen out women and minorities
- equal pay for work value



- broadening seniority (for example, from classification seniority to seniority on a plant-wide basis) to allow access to non-traditional jobs
- protection against sexual and other kinds of harassment

Temporary Remedial Action

Anti-discrimination measures remove barriers, but they do not in themselves ensure fair representation of women and minorities in all kinds of employment and at all levels. This requires, at least temporarily, measures like special hiring and training practices to bring them into jobs they have not traditionally held.

For example, take a shop with no women mechanics. If an employer is planning to hire three mechanics in the coming year, special hiring and training practices could be put into effect to ensure that one of them is a woman. This would allow women to increasingly gain access to all positions without ruining men's chances for employment.

Such remedial action can apply to hiring, promotions and advancement, transfers, job training and re-training. It is of course essential that employment equity not be an excuse for lowering performance standards or compelling the hiring and retention of unqualified individuals. This will be counter-productive and guarantee the failure of the programme. All participants should be capable and qualified for the training and work required.

Support Systems

Often Overlooked are programmes which, while not actually of a job, are essential to ensure that everyone has a truly fair chance. For example, people with physical disabilities may not be able to get to work without special transport. Immigrants may need language training before they can even apply for jobs. True employment equity includes the provision of these services to meet special needs.

Equality between men and women in the labour market will not be complete until women no longer bear virtually full responsibility for the essential work in the family and the home. This requires a much improved provision of parental leave, available and affordable child care on a 24-hour basis, and in some cases, flexible hours to meet parents needs.

Local and District Human Rights Committees have an essential role in developing affirmative action programmes with employers. It is important to ensure that employers do not use affirmative action as an excuse to determine hard-won collective agreement rights.

We must be prepared with our own facts, and our own goals and timetables for improvement, as well as a willingness to be flexible to meet the goals of both employment equity and all our members.

In the future, external players, like human rights commissions and the courts, will increasingly gain authority to arbitrarily impose affirmative action programmes.



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We may find these inappropriate. As the momentum for affirmative action increases, it is all the more important that unions be at the forefront of programme development.



Human rights and the collective agreement

Collective agreements provide protection for workers from arbitrary and discriminatory action by employers and supervisors. They lay down a set of rules to provide fair and equitable treatment for everyone in the workplace.

To fight victimisation, favouritism or other unfair treatment, unions have fought for strict adherence to objective rules, such as seniority, to govern rights and obligations in the collective agreement.

From early days, seniority has been at the top of the union bargaining agenda. Seniority converts length of service into a property right. It puts things like lay-off, recall, transfers, promotions and training on an objective basis.

Unfortunately, in some instances, seemingly objective provisions of collective agreements have had clearly discriminatory results. For example, seniority systems or lines of progression may have locked women or minority groups out of higher paid or preferred jobs.

Such discrimination is unacceptable and flies in the face of the original goals of collective union action. One way of ensuring that all jobs are open to all qualified workers on a non-discriminatory basis is to shift from departmental or classification seniority to a plant-wide or office-wide system

While changing the rules affecting current and future may be relatively straight-forward, dealing with the historical results of past discriminatory situations while trying to balance everyone's rights and interests can be very difficult.

Do you displace workers from their current positions to make room for those who have historically been the victims of discrimination?

Another problem arises where a collective agreement may not have discriminatory elements, but the requirements of employment equity conflict with the current practice.

For example, a light-work job has historically been filled on the basis of seniority. It may, however, be the only job with can be filled by a person with a physical disability. It may be necessary to offer the position to a disabled worker with lower or no seniority over a higher seniority worker.

The union task is further complicated by the fact that human rights commissions and the courts have shown little understanding of the importance of seniority and other elements of collective



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agreements in ensuring workplace fairness, and the relative positions of unions and management in the workplace.

Unions are not equal partners in the making of workplace decisions. It is the rights of management to manage the workplace, within the limits of the law and the collective agreement. Unions have argued, with limited success so far, that it is management's duty to accommodate the requirements of non-discrimination and employment equity, within the collective agreement, if that is possible without major cost or dislocation.

Only if such management accommodation is not possible should the union be required to amend the collective agreement. The courts have not been sympathetic to this view, and have treated the union as jointly responsible for workplace accommodation, and jointly liable for damages, should these arise.

This can put the union in the difficult position of having to accept changes to the collective agreement, even though management could deal with the situation within the terms of the collective agreement.

It is therefore essential that the union be an active participant in cases involving accommodation, offering, as far as possible, solutions which maintain the integrity of the collective agreement.

D*ealing with member complaints: a guide*

When a union member complains that a working condition in the collective agreement or other work rules discriminate against him or her:

Assess clearly the member's demands

1. Assess clearly the member's demands and discuss potential solutions.
2. Identify what the member feels are fair solutions. The member cannot expect a perfect solution.
3. The member is obliged to help in the process to reach a suitable compromise. This does not mean that the member has to propose a solution.

If the matter cannot be resolved in a straightforward way within the terms of the collective agreement, it is usually a good idea to.

Hold an executive meeting without delay

The executive discussion should consider the following principles:

1. The union has an obligation to accommodate and should be able to propose feasible ways to accommodate.
2. Evaluate the consequences of such accommodation on the other members. The obligation to eliminate the discrimination against the member should not create significant disadvantage to other members. If accommodation would affect the rights of others in an important manner, the union will be justified in refusing to allow a measure to be taken.
3. The criteria of undue hardship applies to the union. Proving this means showing that the adoption of the member's proposed accommodation measures will cause prejudice to other members. The union should consider the impact of the accommodation on the rights of other members compared to the impact on the member seeking accommodation. The union must be able to demonstrate a real and quantifiable prejudice.
4. The union must, jointly with the employer, try to reach an agreement with the member. If nothing is done, they are both equally responsible means to accommodate the member.



5. It is possible that the most effective means to accommodate the member will require changes to the collective agreement. The union cannot withhold its consent to such an amendment without reasonable cause. Examples of measures to accommodate for work hours:

- establish a shift specific to the accommodation needs
- ask other members if they would agree to switch shifts with the member seeking accommodation
- solicit volunteers who are willing to give up rights under the agreement. The union may have to do this to demonstrate that they have done everything possible to accommodate the member.
- The outcome of the executive meeting and further action should be discussed with the member.

Meet with the employer

1. Remember that discrimination is everyone's business, and that the employer has an obligation to accommodate, particularly if the rule objected to has been unilaterally imposed.
2. The employer may initiate the process because is in a better position to suggest compromises. If the employer does not do so, the union, must initiate negotiation with the employer.
3. The union and the employer must work together to find measures to accommodate which are least expensive and disruptive to the employer, the union, the employee and the membership in general.

If there is no agreement between union and employer

1. Meet with the member seeking accommodation.
2. Put the matter before a general membership meeting
3. If the union can demonstrate that its suggested accommodation measures are more appropriate, the union should tell the employer to proceed as he or she wishes, on the understanding that the union has the right to call upon the appropriate tribunal. The union will then have to prove that the measure taken by the employer is more disruptive than the union proposal.

In general, negotiate anti-discrimination clauses in the collective agreement and establish a grievance mechanism to specifically allow the arbitrator to render a decision on the accommodation, bearing in mind all the circumstances.



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Use this guide with flexibility. Keep a detailed record of everything that happens and insure that your union rep+ is involved from the beginning.



Human rights and pay equity

Women have historically earned less than men. Even with dramatic increase over the last couple of decades of female participation in the paid labour force, the average working women still earns around two-thirds as much as the average working man. Taking into account factors like skills and experience, women still earn significantly less than men simply because of discrimination.

For a long time, unions, and more recently legislation, have tried to redress this injustice by insuring, either through collective bargaining or human rights laws, that men and women doing the same, or similar, work receive the same wage and benefits. This, however, had a limited impact on wage discrepancies. Legislation providing for equal pay for based on men and women doing different jobs.

To deal with this problem, the concept of equal pay for work of equal value, or pay equity, has been developed. It is now a legal requirement in the federal and some provincial jurisdictions.

While legislation initially depended on a spotty and piecemeal process of individual complaints and investigations, with limited impact on the workforce as a whole, newer legislation, most prominently in Ontario, has made the process more active and comprehensive.

In Ontario, all firms over a particular size must go through a process, in cooperation with their unions if the workplace is organized, to analyzed whether female jobs are undervalued compared to male jobs.

Using factors like required education and skills, effort, responsibility and working conditions, different jobs are compared. If the jobs performed predominately by women re underpaid in relation to their value compared to the jobs performed predominately by men, employers must correct the imbalance by raising the rates of pay of the female dominated jobs.

Pay equity legislation is a rather blunt instrument for bringing equality to the workplace Job evaluations are far from perfect and objective devices. In fact, job evaluations have historically been used to justify just the kind of discrimination pay equity is supposed to attack.

While legislation is important, it is not the whole answer. For example, the comparisons by law can normally be done only within a single employer (and in some cases within a single plant or location), so that inequalities between employers cannot be dealt with,

The pay equity process, even if it is a legislated requirement, has much in common with collective bargaining. It is crucial for the union to be directly involved at every stage in the process. A job evaluation scheme bought “off-the shelf” from a management consulting firm may well serve the purposes of management, but it is unlikely to serve either workers or equity,



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so developing or adapting the scheme to meet the particular requirements of the situation is essential.

It is important to remember that pay equity can be achieved through collective bargaining, without either legislated requirements or an arbitrary job evaluation scheme. It has always been one of the basic tenets of the unionism that we must put an end to inequities. Fair wages for all must be our goal, regardless of legislation.

In negotiating for pay equity, remember that wage inequities may come in a variety of forms – lower entry or top rates for classifications employing mostly women or minorities, for example, or a longer progression period to the top rate in such classifications. Two-tier wage schemes which discriminate against new hires also contribute to inequities, and may also undermine employment equity programmes.

It may not be possible to move in one step to full pay equity. A programme of gradual catch-up may be necessary – eliminating excess progression steps in one year or contract, equalizing top and entry rates in the next. Flat “across-the-board” wage increases (rather than percentage increases) also tend to compress wage scales, and serve to reduce inequities when wage spreads between classifications have become too great.

It is important to remember that pay equity must not only be attained, it must be maintained. It does little good to bring wages into line, only to have inequities creep back in at the next round of negotiations.

One of the important factors contributing to women’s lower average wage is their lower rate of unionization than men. Perhaps the most effective way of bringing about equal pay for women is to extend the benefits of unionization to more women by organizing unorganized female workers.

Equal pay for women is essential. More women are in the labour force now because they have to be – they are the main support of their families, or they must work to bring family income above the poverty line. Fair pay for working women is equally important to working men, so that their bargaining strength is not undermined.

H*uman rights and sexual, racial and personal harassment*

Every worker has the right to be free from harassment in the workplace. No one should have to face jokes, taunts or worse because of their gender, racial or ethnic background or sexual preference.

No one should have to put up with behaviour, words or actions that undermine their sense of worth and dignity.

It is everyone's duty to confront harassment when it happens. Harassment will not go away if we ignore it. By not speaking out or acting against harassment when we see it, we encourage the perpetrator to believe that his or her actions are acceptable, and leave the victim, who is usually in a vulnerable position, without support.

Harassment is not an easy issue for a union to deal with, since the offender is as likely to be a fellow union member as a supervisor, but it is all the more important that the union take a strong and positive role in dealing with harassment.

While there is continuum of harassment, from relatively subtle forms, like suggestive remarks or "jokes", all the way to physical assault, it is always important to see events through the eyes of the victim, on whom even seemingly aggressive acts.

While any form of harassment is damaging and must be dealt with, it is useful to recognize that people can be harassed for many reasons. People can be harassed because of their race, their ethnic background, a disability, their beliefs or sexual orientation. None of these are acceptable.

The sexual harassment of women takes on a particular edge because of the pervasiveness of violence towards women and the threat of violence faced by all women throughout our society. Assault is only a short step further down the road of harassment.

Sexual Harassment

Sexual harassment is any sexual advance that threatens a worker's job or well-being. It can be anything from apparently thoughtless teasing to outright intimidation or job blackmail, and can be expressed in a number of ways:

- Unnecessary touching or patting
- Suggestive remarks or other verbal abuse



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- The displaying of pornographic or other offensive material
- Leering at a person's body
- Demands for sexual favours
- Compromising invitations
- Physical assault

All of these may be accompanied by direct or implied threats to the victim's jobs or career. Sexual harassment means being treated as a sex object rather than a worker. It means being judged on physical attributes rather than skills and qualifications when seeking a job, a promotion, a raise, or training.

Sexual harassment should not be confused with workplace flirtation, which is generally based on mutual consent and attraction.

Harassment is not fun and it is harmless. It can affect a victim's personal and working life. Some of its effects are:

- **Health** – Victims suffer tension, anger, fear and frustration, which may result in headaches, ulcers, etc. The negative effects can carry over into the victim's home life.
- **Job Performance** – A victim's work can suffer as a result of the above – mentioned health Problems.
- **Employment Security** – Many incidents occur between an employee and supervisor. If the victim reports the incident, or refuses to comply, the harasser often has the power to affect the employee's working conditions, promotions and job security.

Until fairly recently, few IAM members were likely to think of sexual harassment as a problem, much less a union problem. But changes in society have altered our perception of, and response to, this kind of behaviour.

Over the past few decades, as millions of women have entered the workforce in both traditional and non-traditional fields, they have increasingly liberated themselves from age-old attitudes equating femininity with passivity and submissiveness. In the IAM, as our female membership has grown, we have felt the effect of this liberating wave. Sexual harassment is no longer perceived as a condition which women must accept.

Sexual harassment is not only illegal under human rights legislation, but the Canada Labour Code also prohibits workplace sexual harassment, which is defined as "any conduct, comment, gesture or contact of a sexual nature that is likely to cause offense or humiliation to any employee, or that might, on reasonable grounds, be perceived by that employee of placing a condition of a sexual nature on employment or any opportunity for training or promotion.

Every employer is responsible to make a reasonable effort to ensure that no employee is subject to sexual harassment, and to publicize a policy prohibiting sexual harassment.

With assurance of the law's protection, women are becoming increasingly resistant to unwanted sexual attention. And it should be understood that such attentions have not been trivial or isolated.



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In surveys of Canadian working women, 8—90% report having experienced sexual harassment at some point in their working lives.

Unions that have sponsored sexual harassment workshops for members or prospective members report that this issue generates intense interest among women. In fact, seminars on sexual harassment usually outdraw presentations on career ladders.

Obviously, although recognition of this issue is fairly recent, the problem is not. In dealing with it IAM local or district lodge human rights committees can take a number of specific steps.

(1) schedule and publicize seminars for all women on all shifts to explore the nature, extent and source (i.e., management, fellow employees, customers) of any sexual harassment.

(2) sponsor special seminars for men officers, stewards and other interested members aimed at raising the consciousness of male members of the lodge. Lodge bylaws should prohibit sexual harassment. (You can get programme materials for such seminars and sessions from the Canadian Office.) Articles in local and district newsletters can also help spread understanding.

(3) Urge business representatives and negotiating committees to negotiate an anti-sexual harassment clause in every contract. *Every workplace should have a written anti-harassment policy, which, clearly lays out what is unacceptable behaviour, explain procedures to deal with problems, and outlines the remedies and penalties. Counselling for both the victim and the harasser can be an important part of the answer to the problem.

(4) Inform all stewards that physical or sexual harassment is a prohibited form of discrimination that must be taken seriously and vigorously processed on its merits the same as any other grievance.

(5) Inform all employers with whom the local has contracts that they may be legally responsible for any sexual harassment by their supervisor or agents, by an employee's own co-workers if the employer knew or should have known, or even, in some cases, by employees of outside employers.

(6) Consider adapting the grievance procedure for harassment cases, to take account of the special circumstances. Victims are often reluctant to pursue a case, due to embarrassment, fears of disbelief, ridicule or reprisals. Guarantees of confidentiality may encourage victims to come forward.

It is important for the victim (and shop stewards, when they become involved) to keep a thorough record of the time, place and form of any incident involving harassment, including any implied or expressed threat of retaliation, as well as copies of any written evidence, including letters sent to the harasser or the employer.

* Model clause included in Appendix.

V *iolence against women*

The next step beyond harassment is physical violence. Society has for a long time condoned and even supported the battering of women, particularly by their spouses. Assault is no longer acceptable or legal.

Women are often still trapped in abusive relationship – by economic necessity, by fears for their selves or their children, by their sense of responsibility and irrational guilt, or by the lack of alternatives.

It is important to speak out against violence, but the patterns of violence against women are deeply imbedded, in society and in individuals, and will be with use for some time to come. We need to support the individual being abused, and help build a system which will offer support and offer alternatives.

What Can You Do to Support a Co-Worker Who is being Abused?

- Believe her
- Encourage, but don't pressure to talk about the abuse
- Listen to her. Support her feelings without judging her
- Let her know that she is not alone. Wife assault happens to many women
- Reassure her that the abuse is not her fault. She is not to blame
- Give her clear messages that:
She can't change her partner's behaviour
Apologies and promises will not end the violence
Violence is never justifiable
- Her physical safety is the first priority: discuss her options and help her make plans for her and her children's safety.
- Respect her need for confidentiality
- Give her time she needs to make her own decisions
- If she is not ready to make major changes in her life, do not take away your support. Your support may be what will make it possible for her to act at a later date.
- Give her a list of key community resources that support and work with assaulted women.
- Battered women need our support and encouragement. Some forms of advice can be harmful or dangerous.
Don't tell her what to do, when to leave, or not to leave.
Don't tell her to go back and try a little harder



Don't rescue her by trying to make her decisions for her
Don't offer to try and talk to her partner to try to straighten things out.
Don't tell her she should stay because of the children.

What Can Do to Combat the problem of abuse?

1. Make abuse an issue. Invite speakers, run films, have lunch-hour workshops or educationals at regular meetings. Create an environment in your local in which honest, open discussion about abuse is possible.
2. Make links with the local transition house, helpline or women's centre working in the community. Begin actively supporting these essential resources. If they don't exist in your community, get them started.
3. Negotiate employer-paid legal assistance for use by abused women.
4. Adopt a family education program so that union members and spouses can discuss relationships and family stress.
5. In steward's education programmes, include information on where members can be referred.
6. Establish a union counsellor programme, so that you have individuals with counselling skills and knowledge of local services for abused women and abusers.
7. Run articles in local newsletters on the issue of abuse and the work of community-based organizations.
8. Display in the local and at the workplace information from local helplines and transition houses.
9. Lobby governments for increased funding for transition houses and shelters.

Violence in the Workplace

Women (and men) may be subject to abuse and violence in their workplace, particularly those working in the health care and penal systems. This is a basic issue of workplace safety. Every employer has a responsibility to provide a safe workplace.

Where such problems arise:

1. Negotiate procedures to deal with incidents of violence. Clarify the responsibilities of management and co-workers. Clarify who will call the police, notify the union, who will look after the medical needs of the individual, what reports will be filed and by whom.
2. Negotiate employer-paid training to deal with violent situations, and emergency response plans. Negotiate reasonable staffing levels to deal with aggressive clients, and an end to working alone in dangerous situations.



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3. Conduct a safety audit of your workplace, examining work procedures, building design and scheduling patterns to uncover situation that put workers at risk.
4. Educate members to the issue. Encourage them to recognize the problem, report their experiences and know their legal rights. Ensure the availability of long-term counselling for those affected by violence.
5. Meet with local police. Encourage workers to press charges, and make the issue known in the community through public presentations to local and provincial **GOVERNMENT BODIES**, Lobby for changes to health and safety legislation to provide for the right to refuse unsafe work, to demand minimum staffing levels, and make the employer's responsibility clear.



*C*hecklist for local Human *Rights Committees*

1. Have you developed a human rights profile of your local or district?
2. Have you analyzed your collective agreement(s) and benefit plans for clauses which discriminate against women or minority groups?
3. Does your employer discriminate in hiring against women or minorities?
4. Does your seniority system discriminate against certain groups of employees? Have changes been considered to make them fairer?
5. Do(es) your agreement(s) provide for a jointly-negotiated affirmative action/employment equity programme? Is such a programme being developed?
6. Does your agreement have a clause forbidding sexual harassment?
7. Do your lodge by-laws prohibit sexual, racial or other forms of harassment?
8. Do(es) your agreement(s) have clause providing for equal pay for work of equal value? If not, is pay equitable?
9. Do(es) your agreement(s) have a human rights clause?
10. Have human rights cases in your local or district gone to the human rights commission without having gone through your grievance procedure?
11. Are you doing educational work on human rights in your local, district and community?
12. Are you maintaining contacts with local labour councils, provincial federations and other groups working for human rights in your community?
13. Have you encouraged participation by women and minority groups in your union local or district?
14. Have you looked for organizing opportunities among women?

A *final word*

Before the American civil rights leader, Martin Luther King, was killed he said that “Negroes are almost entirely a working people whose needs are identical with labour’s needs.”

The same can be said for most women, and most other minorities. Their needs are identical with labour’s needs.

Those of us who were held down and held back the longest in the past still have the furthest to go.

This must be stressed because the issues concerning your local and district lodge human rights committees will often be divisive. The mission of our human rights committees must be to lessen these divisions, not aggravate them. As members of such committees you will be working to end discrimination in your workplace and advance equality in your union. But in carrying this duty you must work with your business representatives and officers, not against them.

At all times remember that you can’t weaken the union without hurting yourself. But conversely you can’t strengthen the union without helping every working man and woman in Canada.

IAM *policy on* *human rights*

Resolution Adopted by 1956 Grand Lodge Convention

WHEREAS, the issues of integration and segregation in so far as the law of the land is concerned, cannot be solved by this convention; and

WHEREAS, the International Association of Machinists, as a labor organization, has recognized its great responsibility and obligation to all of its members, and will continue to do so; therefore be it

RESOLVED: That the International Association of Machinists continue to do everything possible to raise the economic, social and cultural standards of all of its members and their families, regardless of the area in which they live or regardless of race, creed, color or religion; and be it further

RESOLVED: That these attainments shall be accomplished through the application and use of trade union principles without becoming involved in any of the current controversy regarding the integration decision of the Supreme Court.

Resolution Adopted by 1972 Grand Lodge Convention

WHEREAS, the IAM is committed to the principle that every IAM member is entitled to an equal opportunity to advance to staff and leadership positions within our Organization.

WHEREAS, the number of women and minority groups in such positions is not proportionate with their numbers in our organization.

THEREFORE BE IT RESOLVED, that it will be the affirmative policy of the IAM that NO Local or District Lodge Officer, Business Representative, Special or Grand Lodge Representative or Executive Council member shall discriminate against any member in any way on the basis of sex, race, creed, color or national origin, and be it further.

RESOLVED: That women and minority group members be urged and encouraged to participate more actively in positions of trust and responsibility at the local and district lodge level that will lead to broader opportunity for election and selection to positions of trust and responsibility at higher levels, and be it finally



RESOLVED: That all officers of this organization – from Business Representatives to members of the Executive Council – endeavor in good faith to seek out, encourage and more fully utilize the talents of women and minority group members in the paid staff positions and elected offices of the IAM.

Resolution Adopted by 1962 Grand Lodge Convention

BE IT RESOLVED, that the Executive Council issue a national policy statement reaffirming IAM support for an adherence to equal opportunities and non-discrimination both in the work place and in the Union.

That the Grand lodge provide leadership and assistance to local and district lodges in gathering and evaluating information on employment practices on a regular basis.

That all IAM representatives and bargaining committees be specifically directed to negotiate non-discrimination contract clauses which make compliance grievable through the grievance procedure.

That civil rights committees be establishes in local and district lodges to review Union and employer practices on a regular basis.

That progress reports in the area of non-discrimination and affirmative action be made at all staff meetings and other appropriate conferences.

That training on requirements of the law and methods of insuring compliance be provided officers, members, and staff, and finally,

That the Executive Council shall established a civil rights department at Grand Lodge, under the direction of a person qualified to coordinate, foster and develop the implementation of these objectives.

Resolution Adopted by 1980 Grand Lodge Convention

WHEREAS, the IAM stands for the right of all people to enjoy economic, political and social equality regardless or race, color, age, sex or national origin. The IAM recognizes that “an injury to one is an injury to all;” and

WHEREAS, employers have used their ability to hold blacks and other minorities to low wages and poor working conditions as a weapon which to undermine the wages and working conditions of all working people. An employer who can discriminate against a group of minority workers then has all he machinery needed to discriminate against other workers. When blacks and other minority groups win a fight against discrimination, it inevitably opens up opportunities for other groups of workers; and

WHEREAS, no section of the working population, white or black, can be insulated from the effects of forty percent unemployment among black youth; the inequality in earnings, education,



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housing and health care which prevails among the minorities; the fact that social and economic problems arising from such conditions cannot be answered by the use of force; growing attacks on the rights of minority workers is a continuing matter of grave concern to the IAM; and

WHEREAS, the IAM supports Affirmative Action Programs, covering women and minority workers, in which special efforts are made to repair some of the damage done by past employer discrimination; it is important that the entire labor movement pursue a consistent approach to seniority, guaranteeing that there will be no discrimination in hiring or in the application of seniority provisions in collective bargaining agreements; and

WHEREAS, we recognized that Affirmative Action is not just a matter of dealings with employers. Affirmative Action is needed to guarantee that minorities and women play a full role in the life of our Union. This involves seeking out and encouraging these groups and minorities feel at home in all levels of the Union. Only in this way can we gain the full measure of support that comes from complete unity between all members of the IAM – a unity that is urgently needed in the difficult times ahead. Racism, sexism and discrimination are weapons of the boss – weapons used to pry workers apart and weaken our ranks. We gain strength when these weapons are destroyed.

THEREFORE BE IT RESOLVED:

1. That the IAM continue to strengthen its commitment to and its work support of the civil rights and human rights of all Americans, and the name of the IAMAW Civil Rights Department be changed to the Human Rights Department.
2. That the IAM continue to support the right of all minorities and women to enjoy effective and nondiscriminatory national, state and local programs relating to unemployment, education, job training, adequate housing, effective schools which recognize the language and cultural needs of minorities, and comprehensive health care. We must also resist all legislative and judicial attacks on these programs.
3. That as a Union, the IAM must continue fighting company discrimination against women, blacks, Hispanics, Native Americans and many other minorities with respect to hiring, up-grading and access to skilled.
4. That the IAM continues its support of organizations such as the AA. Philip Randolph Institute, Labor Council for Latin American Advancement, The Coalition of Labor Union Women (CLUW), and other similar organizations which join in the fight for equality.
5. That the IAM must continue to assure equal opportunity for full integration of all minority workers and women in our Union at every level of the life and leadership of this organization.
6. That the Executive Council call a meeting of selected IAMAW field staff, all female Business Representatives, The Human Rights Liaison from each General VicePresident's territory, and women from selected lodges to develop a program on "Women in the IAMAW."



Human rights in the IM

7. That the topic of “Women in the IAMAW” and in the Economy.’ Be incorporated in as many programs as possible which are sponsored by the IAMAW to give visibility to the IAMAW’s program for women.
8. That the IAMAW Leadership Schools include a workshop on woman workers.
9. That specialized “Women Workers Regional Institutes” be developed utilizing IAMAW staff and other specialist in the field. The program can also be implemented in selected states, or District Lodges, if requested.
10. That the leadership and t he membership of the IAM maintain full support for the IAM Human Rights Department in its vigorous pursuit of the goals of this Resolution.

Resolution Adopted by 1984 Grand Lodge Convention

WHEREAS the IAM has a very active and successful
Human Rights Department, and

WHEREAS part of this department has been expanded and strengthened in programs which address women’s concerns, and

WHEREAS at the 19i80 IAM Convention a resolution to expand this department to include Canada was rejected by the Human Rights Committee and the Convention on the grounds that due to Canadian law this resolution would be difficult to implement,

THEREFORE, BE IT RESOLVED: That a national Human Rights Committee be set up in Canada.

BE IT RESOLVED: That this committee be under the direction of the Canadian VicePresident.

WHEREAS the IAM&AW stands for the right of all people to enjoy economic, political and social equality regardless of raced, color, age, sex, or national origin, and

WHEREAS THIS Union recognizes the increase in discrimination and harassment, in sexism, racism, and national oppression in the past four years as evidenced by the attacks on affirmative action, by legal and illegal abuse and discrimination against immigrant and minority workers and against women and by the increasing hostility towards these workers on the part of many Americans, including elements of our own membership, and

WHEREAS the IAM sees that these differences among workers enhances the ability of the government and the corporations to break our unions, and sees that it is in the interest of our membership, individual and as a group, to fight discrimination in all forms, whether subtle or overt.



Human rights in the IM

THEREFORE BE IT RESOLVED:

1. That this Grand Lodge Convention Of 1984 reaffirms its commitment to Human Rights and equality and reaffirms the Civil Rights Resolution of 1976 \and the Human Rights Resolution of the 1980 Convention.
2. That the Grand Lodge and Human Rights Department will ascertain and ensure that the measures previously adopted by Grand Lodge Conventions are being aggressively carried out.
3. That district lodge and local Human Rights representatives are mandated to aid shop stewards, grievance committees, and business representatives at all stages in the grievance process, assessing and resolving problems arising from charges of discrimination and/or harassment.
4. That all district lodges and local lodges in their collective bargaining seek recognition of Human Rights committee and/or representatives, to enable their active investigation on company premises into complaints lodge by union members.

H *uman rights and the law*

Constitution Act, 1982

CANADIAN CHARTER OF RIGHTS AND FREEDOMS EQUALITY RIGHTS

Equality before and under law and equal protection and benefit of law

15(1) every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Affirmative action programs

15(2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantage individuals or groups including those that are disadvantage because of race, national or ethnic origin, colour, religion, sex, age, or physical, disability.

Selected Sections of the Canadian Human Rights Act

Purpose

2 The purpose of this Act is to extend the present laws in Callada to give effect, within the purview of matters coming within the legislative authority of the Parliament of Canada, to the following principles:

(a) every individual should have an equal opportunity with other individuals to make for himself or herself the life that he or she is able and wishes to have, consistent with his or her duties and obligations as a member of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability or conviction for an offence for which a pardon has been granted;

Proscribed grounds of discrimination

3 (1) For all purposes of this Act, race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability or conviction for an offence for which a pardon has been granted are prohibited grounds of discrimination



(2) Where the ground of discrimination is pregnancy or child-birth, the discrimination shall be deemed to be on the ground of sex.

DISCRIMINATION PRACTICES

Denial of goods, service, facility or accommodation

5 It is a discriminatory practice in the provision of goods, services, facilities or accommodation customarily available to the general public.

(a) to deny, or to deny access to, any such good, service facility or accommodation to any individual, or

(b) to differentiate adversely in relation to any individual, on a prohibited ground of discrimination.

Denial of commercial premises or residential accommodation

6 It is a discriminatory practice in the provision of commercial premises or residential accommodation

(a) to deny occupancy of such premises or accommodation to any individual, or (b) to differentiate adversely in relation to any individual, on a prohibited ground of discrimination.

Employment

7 It is a discriminatory practice, directly or indirectly

(a) to refuse to employ or continue to employ any individual, or

(b) in the course of employment, to differentiate adversely in relation to an employee on a prohibited ground of discrimination.

Employment application, advertisements

8 It is a discriminatory practice

(a) to use or circulate any form of application for employment, or

(b) in connection with employment or prospective employment.

(i) to publish any advertisement, or

(ii) to make any written or oral inquiry that expresses or implies any limitation, specification or preference based on a prohibited ground of discrimination.

Employee organizations

9(1) It is a discriminatory practice for an employee organization on a prohibited ground of discrimination



- (a) to exclude an individual from full membership in the organization;
- (b) to expel or suspend a member of the organization, or
- (c) top limit, segregate, classify or otherwise act in relation to an individual in a way that would
 - (i) deprive the individual of employment opportunities, or
 - (ii) limit employment opportunities or otherwise adversely affect the status of the individual where the individual is a member of the organization or where any of the obligations of the organization pursuant to a collective agreement relate to the individual.

Exception

9(2) Notwithstanding subsection (1), it is not a discriminatory practice for an employee organization to exclude, expel or suspend an individual from membership in the organization because that individual has reached the normal age of retirement for individuals working in positions similar to the position of that individual.

Discriminatory policy practice

10 It is a discriminatory practice for an employer, employee organization or organization of employers

- (a) To establish or pursue a policy or practice or
- (b) to enter into an agreement affecting recruitment, referral, hiring, promotion, training, apprenticeship, transfer or any other matter relating to employment or prospective employment, that deprives or tends to deprive an individual or class of individuals of any employment opportunities on a prohibited ground of discrimination.

Equal wages

11(1) It is a discriminatory practice for an employer to establish or maintain differences in wages between male and female employees employed in the same establishment who are performing work of equal value.

Assessment of value of work

11(2) In assessing the value of work performed by employees employed in the same establishment, the criterion to be applied is the composite of the skill, effort and responsibility required in the performance of the work and the conditions under which the work is performed.

Separate establishments

11(2.1) Separate establishments established or maintained by an employer solely or principally for the purpose of establishing or maintaining differences in wages between male and female employees shall be deemed for the purposes of this section to be a single establishment.



Different wages based on prescribed reasonable factors

11(3) Notwithstanding subsection (1), it is not a discriminatory practice to pay to male and female employees different wages if the difference is based on a factor prescribed by guidelines issued by the Canadian Human Rights Commission pursuant to subsection 22(2) to be a reasonable factor that justifies the difference.

Idem

11(4) For greater certainty, sex does not constitute a reasonable factor justifying a difference in wages.

“Wages” defined

11(6) For the purpose of this section, “wages” means any form of remuneration payable for work performed by an individual and includes salaries, commissions, vacation pay, dismissal wages, bonuses, reasonable value for board, rent, housing, lodging, payments in kind, employer contributions to pension funds or plans, long-term disability plans and any other advantage received directly or indirectly from the individual’s employer.

Publication of discrimination notices, etc.

12 It is a discriminatory practice to publish or display before the public or to cause to be published or displayed before the public any notice, sign, symbol, emblem or other representation that (a) express or implies discrimination of an intention to discriminate or (b) incites or is calculated to incite others to discriminate if the discrimination expressed or implied, intended to be expressed or implied or incited or calculated to be incited would otherwise, if engaged in, be a discriminatory practice described in any of sections 5 to 11 or in section 13.1.

Hate messages

13(1) It is a discriminatory practice for a person or a group of person acting in concert to communicate telephonically or to cause to be so communicated, repeatedly, in whole or in part by means of the facilities of a telecommunication undertaking within the legislative authority of Parliament, any matter that is likely to expose a person or persons to hatred or contempt by reason of the fact that that person or those persons are identifiable on the basis of a prohibited ground of discrimination.

Harassment

13.1(1) It is a discriminatory practice

- (a) in the provision of goods, services, facilities or accommodation customarily available to the general public,
- (b) in the provision of commercial premises or residential accommodation, or
- (c) in matters related to employment,



to harass an individual on a prohibited ground of discrimination.

Sexual harassment

13.1(2) Without limiting the generality of subsection (1), sexual harassment shall, for the purposes of that subsection, be deemed to be harassment on a prohibited ground of discrimination.

Exceptions

14 It is not a discriminatory practice if

- (a) any refusal, exclusion, expulsion, suspension, limitation, specification or preference in relation to any employment is established by an employer to be based on a bona fide occupational requirement;
- (b) employment of an individual is refused or terminated because that individual
 - (i) has not reached the minimum age, or
 - (ii) has reached the maximum age that applies to that employment by law or under regulations, which may be made by the governor in Council for the purposes of this paragraph;
- (c) an individual's employment is terminated because that individual has reached the normal age of retirement for employees working in positions similar to the position of that individual;
- (d) the terms and conditions of any pension fund or plan established by an employer provide for the compulsory vesting or locking-in of pension contributions at a fixed or determinable age in accordance with section 10 of the Pension Benefits Standards Act;
- (e) an individual is discriminated against on a prohibited ground of discrimination in a manner that is prescribed by guidelines issued by the Canadian Human Rights Commission pursuant to subsection 22(2) to be reasonable;
- (f) an employer grants a female employee special leave or benefits in connection with pregnancy or child-birth or grants employees special leave or benefits to assist them in the care of their children; or
- (g) in the circumstances described in section 5 or 6, an individual is denied any goods, services, facilities or accommodation or access thereto or occupancy of any commercial premises or residential accommodation or is victim of any adverse differentiation and there is bona fide justification for that denial or differentiation.

Special programs

15 (1) It is not a discriminatory practice for a person to adopt or carry out a special program, plan or arrangement designed to prevent disadvantages that are likely to be suffered by, or to eliminate or reduce disadvantages that are suffered by, any group of individuals when those



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disadvantages would be or are based on or related to the race, national or ethnic origin, colour, religion, age, sex, marital status, family status or disability of members of that group, by improving opportunities respecting goods, services, facilities, accommodation or employment in relation to that group.

*Prohibited grounds of discrimination when providing goods, services, facilities and accommodation to the public ***

This chart is for reference only. For interpretation or further details, call the appropriate commission.

Jurisdiction	Federal	British Columbia	Alberta	Saskatchewan	Manitoba	Ontario	Quebec	New Brunswick	PEI	Nova Scotia	Newfoundland	NWT	Yukon
Race
National or ethnic origin
Ancestry
Nationality ³
Based on association ⁵
Place of origin
Colour
Religion
Creed ¹
Age
Sex ²
Pregnancy or childbirth ²
Marital status [*]
Family status [*]
Pardoned offence
Physical handicap or disability
Mental handicap or disability
Dependence on alcohol or drug ⁴
Political belief
Source of income
Social condition
Language
Social origin
Sexual orientation
Harassment (all grounds)

1 Creed usually means religious beliefs.
 2 Sex includes ground of pregnancy. Pregnancy or childbirth is included within ground of sex. Based on policy for B.C., N.B., P.E.I., N.S., Nfld., N.W.T., Supreme Court of Canada has held that sex includes sexual harassment.
 3 Ontario's Code includes "citizenship".
 4 Based on policy for B.C., Sask., Man., and P.E.I.
 5 Association with individuals determined by prohibited grounds of discrimination

* Quebec uses the term "civil status".
 ** Any limitation, specification, exclusion, denial or preference may be permitted if a bonafide justification can be demonstrate.
 *** Ontario bans discrimination in accommodation on the grounds of source of Income.
 **** Only for occupancy or accommodation.
 ***** Includes political activity and political association.
 ***** Includes gender determined characteristics.
 ***** Ontario does not ban harassment on the ground of sexual orientation with Regard to accommodation.



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Canadian Human Rights Commission, April 1991

This chart is for reference only. For interpretation or further details, call the appropriate commission.

Prohibited grounds of discrimination in employment**

Jurisdiction	Federal	British Columbia	Alberta	Saskatchewan	Manitoba	Ontario	Quebec	New Brunswick	PEI	Nova Scotia	Newfoundland	NWT	Yukon
Race	•	•	•	•	•	•	•	•	•	•	•	•	•
National or ethnic origin ¹	•	•	•	•	•	•	•	•	•	•	•	•	•
Ancestry	•	•	•	•	•	•	•	•	•	•	•	•	•
Nationality ⁷	•	•	•	•	•	•	•	•	•	•	•	•	•
Based on association ⁸	•	•	•	•	•	•	•	•	•	•	•	•	•
Place of origin	•	•	•	•	•	•	•	•	•	•	•	•	•
Colour	•	•	•	•	•	•	•	•	•	•	•	•	•
Religion.	•	•	•	•	•	•	•	•	•	•	•	•	•
Creed ²	•	•	•	•	•	•	•	•	•	•	•	•	•
Age	•	•	•	•	•	•	•	•	•	•	•	•	•
Sex ⁶	•	•	•	•	•	•	•	•	•	•	•	•	•
Pregnancy or childbirth ⁶	•	•	•	•	•	•	•	•	•	•	•	•	•
Marital status ³	•	•	•	•	•	•	•	•	•	•	•	•	•
Family status ³	•	•	•	•	•	•	•	•	•	•	•	•	•
Pardoned offence	•	•	•	•	•	•	•	•	•	•	•	•	•
Record of criminal conviction	•	•	•	•	•	•	•	•	•	•	•	•	•
Physical handicap or disability	•	•	•	•	•	•	•	•	•	•	•	•	•
Mental handicap or disability	•	•	•	•	•	•	•	•	•	•	•	•	•
Dependence on alcohol or drug	•	•	•	•	•	•	•	•	•	•	•	•	•
Place of residence	•	•	•	•	•	•	•	•	•	•	•	•	•
Political belief	•	•	•	•	•	•	•	•	•	•	•	•	•
Assignment, attachment or seizure of pay ⁴	•	•	•	•	•	•	•	•	•	•	•	•	•
Source of income	•	•	•	•	•	•	•	•	•	•	•	•	•
Social condition	•	•	•	•	•	•	•	•	•	•	•	•	•
Language	•	•	•	•	•	•	•	•	•	•	•	•	•
Social origin ⁴	•	•	•	•	•	•	•	•	•	•	•	•	•
Sexual orientation ⁵	•	•	•	•	•	•	•	•	•	•	•	•	•
Harassment ⁵	•	•	•	•	•	•	•	•	•	•	•	•	•

1 New Brunswick includes only "national origin".
 2 Creed usually means religious beliefs.
 3 Quebec uses the term "civil status".
 4 In Quebec's charter, "social condition" may include assignment, attachment or seizure of pay and social origin.
 5 The federal, Ontario, Quebec and Yukon statutes ban sexual solicitation.
 6 Sex includes ground of pregnancy. Pregnancy or childbirth is included within ground of sex. Based on policy for B.C., N.B., P.E.I., Nova Scotia, Newfoundland, Northwest Territories, Supreme Court of Canada has held that sex includes sexual harassment.
 7 Ontario's Code includes only "citizenship".

8 Association with individuals determined by prohibited grounds of discrimination.
 9 Based on the policy for British Columbia, Saskatchewan, Manitoba and P.E.I.

* Includes linguistic background
 ** Any limitation, exclusion, denial or preference may be permitted if a bona fide occupational requirement can be demonstrated
 *** Includes political activity or political association
 **** Does not include sexual orientation.
 ***** Includes gender-determined characteristics.

Publications and videos

Publications

Sources:

Canadian Human Rights Commission Labour
Canada

Provincial Human Rights Commissions Canadian
Advisory Council on the Status of
Women

Federal and Provincial Pay Equity and
Employment Equity *Commissions*

Canadian Advisory Council on the Status of
Women, 110 O'Connor Street, 9th Floor,
Ottawa, Ontario K1P 5R5

Canadian Council on Social Development, 55
Parkade Avenue, Ottawa, Ontario K1Y
4G1

Ontario Women's Directorate, 2 Carlton
Street, 12th Floor, Toronto, Ontario M5B
2M9

Union Publications (Just a Sample)

Canadian Labour Congress

*"No Quick Fix, A Constructive Approach
to Drug Dependency"*

*"National Policy statement on AIDS in the
Workplace"*

Ontario Federation of Labour

8 Facts Sheets on Racism

*"Steps to Resolving Racial Conflict in the
Workplace"*

*"A Human Rights Glossary for the
Workplace"*

"Making it Happen: Employment Equity

*For persons With Disabilities – a Guide –
book for shop Stewards and Union
Personnel"*

*"Challenging Harassment": Document 2
from the OFL 1991 Convention*

B.C. Federation of Labour

*"Taking Action: A Union Guide to Ending
Violence Against Women"*

Ontario Public Service Employees Union

*"Unlearning Racism: White Privilege:
Unpacking the invisible Knapsack"*

National Union of Provincial Government
Employees

"Sexual Harassment at Work"

United Steelworkers of America

*"Anti-Racism Education in the workplace:
Taking on Racism"*

Coalition of Labour Women

*Bargaining for Family Benefits: A Union
Member's Guide"*

International Association of Machinists and
Aerospace Workers

*"AIDS in the Workplace: A Steward's
Manual"*

Ontario Provincial Council of Machinists

*"Sexual Assault and Harassment: Their
Problem is Our Problem"*



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Videos

Available from the CLC Education Department
2841 Riverside Drive, Ottawa, Ontario and some
CLC Regional Offices (***Indicates also available
in French**)

AIDS: The workplace Facts*

*A documentary on acquired Immune
Deficiency Syndrome (AIDS), particularly
in the workplace, produced by CLC &
CPHA. 19:30 min*

Affirmative Action at work

*The Canada Employment and Immigration
Commission speaks about its Affirmative
Action Strategy to stop systemic discrimination
against the disabled, natives and women.
Produced by the Canadian Government.
10:25 min.*

Affirmative Action Update

*Four case studies of the effect of
affirmative action programmes on
Ontario business.*

Produced by Atlantis Film. 19:38 min.

Affirmative Action: What It's All About!

*A speech by Peter Robertson, a
Washington lawyer, discussing equal
employment opportunity, the situation of
minorities and women, and the
discrimination against women in the
workplace. Produced by CEIC. 26:06
min.*

All Things Being Equal*

*A better understanding for pay equity and
equal pay for work of equal value is the
main focus of this production.*

*Produced by the Canadian Human Rights
Commission. 8:30 min.*

All Things Being Equal*

*Discusses the development of a plan for
equal pay for work of equal value by a
joint union/management committee in the
federal public service.*

Produced by PSAC. 7:45 min

The Aryan Nation

*This documentary exposes the racist group
known as the Aryan Nation. Who believe
in exterminating blacks and jews in North
America.*

*Produced by American Artists Ltd. 42.45
Min*

Backward, Forward and Upside Down

*Women in unions discuss their problems in
the workforce.*

*Produced by the National Film Board.
27.50 min*

Basic Human Rights by Ovide Mercredi

*The National Chief of the Assembly of
First*

*Nations speaks at the CLC's first Human
Rights Conference, January 26, 1992 in
Toronto.*

Produced by the CLC. 49:00 min

Breaking Ground

*Produced for the 1985 Conference
"Making Affirmative Action Work", this
program outlines the Affirmative action
constitutional amendments which were
enacted by the CLC and the provincial
federations of Labour between 1983 and
the summer of 1985.*

Produced by the CLC. 16:12 min

Bridging the River of Silence*

*A community's effort to curtail and control
violence against women is the subject of
this documentary.*

Produced by Michael Ostroff. 64:00 min

Call Me Sister, Call Me Brother*

*CAW's programme to help victims of
harassment within their union is the focus
of this production.*

Produced by the CAW, 21:00 min

CLC Composite Resolution on Sexual Harassment – 1980

*Speakers from the floor of the 1980 CLC
Convention speaking on the resolution on
sexual harassment.*

Produced by the CL, 12:00 min



The Childcare Mosaic

This programme examines the childcare system as it exists today. Explains that capital funding for daycare is a rare commodity and suggests that the future childcare system needs to be a non-profit system.

*Produced by Action Daycare/CUPE.
29:35 min.*

Childcare: The Price of Profit

This production discusses the most fundamental disagreement between non-profit and profit advocates of daycare centres – the quality of care. Action Daycare maintains that there should be no room for profiteering in the provision of human services.

*Production by Action Daycare/CUPE.
22:38 min.*

Childcare: Your Choice – Sharing the Caring (Six Parts)

A six-Part series hosted by Roy Bonisteel, exploring different child care options. Special emphasis is placed on identifying the elements of high quality care parents should look for: 1) A Question of Quality; 2) Neighbourhood Care; 3) Daycare Centres; 4) Nanny Care 5) Other Options; 6) Sharing the Caring.

Produced by TVOntario/Ryerson Polytechnical Institute. 25:50 min.; 25:55 min.; 25:50 min.; 25:45 min.; 25:50 min.; 25:98 min.

The Crown Prince

This production looks at the struggle of a boy on the verge of adulthood and the choices he is forced to make. On one hand, he has to look closely at what it has meant to be a witness and victim of assault. On the other, he realizes that he wants very much to be “just like dad”.

Produced by Health and Welfare Canada & the NFB. 37:43 min

A Different Approach

A production promoting employment for the handicapped and showing the prejudices handicapped people endure in the workplace.

Produced by South Bay Mayor’s Committee. 20:43 min.

Don’t Call Me Baby

Women in CUPE discuss the problems of working women and possible solutions to the discrimination against women in the workplace.

Produced by CUPE. 30:00 min

L’egalite: Source de Changements (French only)

This video focuses on the consultation campaign undertaken by the QFL in September and October of 1984 on equal employment opportunity for women and shows women and men who participated in the campaign. It can be used by the Labour movement to raise awareness, identify problems women face in the workplace and review new solutions such as affirmative action programs.

Produced by the Quebec Federation of Labour. 28:27 min.

Employment Equity: Not Just a Foot in the Door*

“Equal opportunity and advancement for all employees within the workplace, including visible minorities, people with disabilities, women and aboriginal peoples” is the definition of employment equity as discussed in this production.

Produced by the Ontario Federation of Labour. 17:48 min.

Equal Pay, Equal Partners

Concerns the issue of equal pay for work of equal value.

Produced by the CLC. 5:45 min.



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Equal Pay for Work of Equal Value

This production describes some of the activities of the Public Service Alliance of Canada in support of the equal pay for work of equal value provision of the Canadian Human Rights Act.

Produced by PSAC. 7:50 min

Facing Racism

Personal attitudes often contradict the goal of solidarity. In this video, the OFL and some of its members discuss strategies for combating racism.

Produced by the OFL. 16:50 min

The Fine Line

Three Canadian women's stories about their struggles with poverty. They are the invisible poor in our churches and our communities. The video considers the fine line between economic security and poverty.

Produced by Ecumenical T.F.; Feminine Face of Poverty/ W.I.-CCC. 35:40 min

Good Monday Morning

A personal documentary in which the women share their experiences, frustrations and hopes for the future. It portrays a good cross-section of working conditions and a personal perspective on worklife

Produced by NUPGE. 31;35 min

The Hangman

An animated production apathy, fear, repression and racism.

Produced by the UAW. 10:50 min

Harassment at work*

A discussion of discrimination and harassment at work.

Produced by the Public Service Alliance of Canada. 15:37 min.

Hate Propaganda

A debate on hate propaganda with Alan Borovoy, General Counsel to the Canadian Civil Liberties Association and

Mark Sandler, National Legal Chairman of the B'nai Brith League of Human Rights Produced by Rogers Cable and Canadian Civil Liberties Association. 58:30 min.

Hey, There Are Women In Your Union

This slide transfer illustrates how women, as members of the United Food and Commercial Workers, have gained a voice on their own working conditions, job security, dignity in the workplace, plus other benefits which did not exist before.

Produced by UFCW. 12:25 min

The Hidden Message

The problem of sexual stereotyping as evident in Manitoba's primary school readers, is addressed. Sexual stereotyping are discussed.

Produced by the Manitoba Department of Education. 14:30 min.

The Hidden Price

Deals with Sexual Harassment Produced by the B.C. Federation of Labour. 12:50 min.

Human Rights: Working Together

Some of the effects of the violation of human rights in other countries and our own are shown in this production. The role of trade unionists is discussed, suggesting ways to work together to help bring and end to such unfair practices.

Produced by the B.C. Federation of Labour. 8:05 min

It's Not Your Imagination

A documentary on violence against and sexual harassment in the workplace.

Produced by Vancouver Women in Focus. 21:02 min.

Judy Rebick Speaks Out: 1991 OFL Convention

A speech by Judy Rebick, NAC President, about violence in the workplace and violence against women.

Produced by CLC. 26:45 min.



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Killing Us Softly

A program about how women are used in the advertising industry as sex symbols, beauty stereotypes, etc. in a \$40 billion a year marketplace.

Produced by Cambridge Documentary Productions. 29:50 min.

The Life and Times of Rosie the Riveter

A documentary on women war workers who came to the rescue of war factories. When the war ended and the men took back their jobs, the women felt they were no longer comrades in arms but competitors.

Produced by Clarity Productions. 64:40 min.

Lindsay's Story

A video designed to stimulate discussion about date issues. It portrays a young couple's date which goes terribly wrong and ends in sexual assault.

Produced by the Mississauga Hospital; Sexual Assault Team. 14:00 min

Moving Mountains*

Focuses on the daily work of 80 women steelworkers at the Fording Coal Mine in Elkford, B.C. Describes the obstacles the women faced, having to prove themselves to both the company and to co-workers.

Produced by USWA. 24:31 min

One Step Forward, Two Steps Back?*

A video production of a panel discussion of the committee for Advancement of Women in Scholarship held in memory of the 14 women, slain at Ecole Polytechnique de Montreal in 1989.

Produced by the Royal Society of Canada. 110:54 min

Our Children, Our Selves*

This production discusses the financial difficulties single parents and families experience despite the government subsidy they receive for daycare.

Produced by CUPE. 32:28 min.

People at Work – An Equal Opportunity

This drama deals with the problems facing women with respect to fair hiring practices and training for advancement.

Produced by the CLC, 12:41 min.

Pornography

A debate on pornography, with Louise Arbour of Osgoode Hall Law School and Jane Papineau, a lawyer for the Metro Toronto Police Commission.

Produced by Rogers Cable and the Canadian Civil Liberties Association. 59:10 min.

Prejudice

A Bill Cosby monologue on the generalizations, myths and misconceptions related to prejudice against different people, races and regions.

Produced by Pyramid Films. 22:57 min.

Rising Up Strong: Women in the 80's

A documentary on the problems of women in the workplace, such as equal pay, legal rights, discrimination, child care, sexual harassment, etc.

Produced by Rogers Cable. 29:30 min

A Rose is Not Enough

The production explains how many women, of necessity, are in the workforce, and the inequalities, and injustices which they are made to endure are all the more unfair. The reward of a rose for good work is not enough.

Produced by OPSEU. 22:51 min.

Sexual Harassment in the Workplace*

The Canada Labour Code requires that employers must develop a policy on sexual harassment. This production illustrates examples of sexual harassment where such a policy was used to help resolve the situation.

Produced by Labour Canada, 21:05 min.

Sexual Harassment – That's Not in My Job Description

This program dramatizes a number of examples of sexual harassment on the job which affect both male and female employees.



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Produced by Philip Office Associates 18:40 min.

Sisters and Brothers: Working Together

Gender equality should be the first priority of the union movement. "Equality is automatically a uniting reality therefore the whole workplace benefits."

Produced by USWA/ Ontario Women's Directorate. 16:30 min

Still Killing Us Softly

A 1987 sequel to the 1979 production about advertising's continuing assault on the self-image of women, men and children.

Produced by Jean Kilbourne/Columbia Documentary Films, 31:30 min

Stress/Angst: Can I Help You?/Puis-je Vous Aider?

The Theatre group "Passionate Balance" presented a play on "Women's Equality" at the CLC National Women's Conference in November 1990. The play, mostly in English but with some parts in French, ends with members of the audience joining in the role playing with the actors.

Produced by the CLC. 42:31 min.

Talking About Women Workers

Discussions about the treatment of women in the workplace and misconceptions about why women work.

Produced by Wayne State University. 29:20 Min.

Union Maids

Interviews with three women who were part of the rank and file labour movement in Chicago during the 1930's.

Shows how they rose to the demands of their time and became militant organizers for their class.

Produced by the DEC Films. 53:20 min.

We Care*

A look at the IAM CARES disabled workers programme in Canada.

Produced by the IAM. 27:00 min. (Available from the IAM Canadian Office)

What About You*

Profiles of six women working in non-traditional occupations.

Produced by Labour Canada. 19:00 min.

What Happens to Women in Tradesland?*

This program was produced to address a primarily male audience on the subject of integrating women into the trades and technology workforce. It covers the reasons why women want to work in the trades, the good aspects of the work and the problems and myths that women are faced with when entering these non-traditional sectors.

Produced by Women in Trades, Kootenay Council, B.C., 15:00 min.

Who Killed Vincent Chin (Two Parts)

This documentary discusses the killing of Vincent Chin in 1982, which involved a Detroit autoworker. Racial hatred, related to the success of the Japanese auto industry and the decline of the U.S. industry, was considered a possible motive.

Produced by Film News Now Foundation. 42:35 min. & 43:47 min.

Who Remembers Mama?

Explores the economic and emotional devastation experienced by many women when they go through a divorce.

Produced by Mondell Film. 59:10 min.

Why Not a Woman?

This program portrays a number of women doing jobs traditionally performed by men. In various interviews, supervisors conclude that women are just as capable as men in performing most job functions.

Produced by Pennsylvania Commission for Women. 26:05 min

With Babies and Banners

Documents the story of the Women's Emergency Brigade, the women involved in the



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sit-down strike at the GM plant in Flint, Michigan, 1936-37.

They organized strike kitchens, daycare centres, picket lines and family aid.

Explores the changes that occurred in the lives of these women as they organized themselves in support of the strike.

Produced by New Day Films. 45:02 min

Women At Work in Canada

A slide/tape transfer of a production discussing the work experience of women in Canada.

Produced by Labour Canada/National Film Board. 17:25 min.

Women in Canada (Two Parts)

These films speak of great Canadian women; beginning when they were sent from France to Canada as brides in the mid-sixteen hundreds, to the pioneer women who worked in the fields in the eighteen hundreds, to the mothers and career women of today, all having a common bond-determination. This determination gave women the right to vote.

Produced by Prentice Hall Media. 25:18 min.; 26:26 min.

Women in Ontario

A slide/tape format is used in this introduction to the Ontario Women's Directorate, founded in 1983. An advocacy organization working within the provincial government, its commitment is to help the government achieve equality – economic, social and legal – for all of Ontario's women.

Produced by the Ontario Women's Directorate. 13:00 min.

Women on the Line

The problems facing working women in Canada and the Third World are examined. Issues such as long working hours, low pay, poor working conditions, health problems, factory/assembly line work, clerical work and labour's organizing attempts are discussed.

Produced by the CLC.

Women, Protest and Power – Judy Rebick

Speech by Judy Rebick, President of the National Action Committee on the Status of Women, to the CLC National Women's Conference in November 1990.

Produced by the CLC. 42:52 min.

Women's Roles in Canada: Yesterday and Today (Five Parts)

1. Pioneer Women
2. Emerging Contributors
3. Sex Role Stereotyping and Family Relationships
4. Managing Your Options
5. New Career Perspectives

This production provides a unique opportunity to explore the lifestyles of women of the past, and then to examine the far-reaching questions, potential careers and life options of women in contemporary Canadian society.

Produced by Prentice Hall Media. 50:44 min.

The Workplace Hustle

Hosted by Ed Asner. Discusses the book "Sexual Shakedown" by Lynne Farley, who coined the expression "sexual harassment". Emphasizes the office as the hunting ground and promotions as the bait offered women.

Produced by Clark Communications Ltd. 33:38 min.

The World of One In Seven

Handicapped Canadians discuss public and employer attitudes towards them. They also want to participate on the bodies established to decide on the "needs of the handicapped".

Produced by the National Film Board and Quarry Films. 17:25 min

Would You Let Someone Do This to Your Sister

A documentary production telling what sexual harassment is, why it happens, and how to stop it.

Produced by the UAW. 33:30

Yes You Can

Women in CUPE discuss their roles in the workplace and in the Union.



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Produced by CUPE. 29:00 min.

You've Come A Long Way...Maybe?

A documentary outlining many of the problems women face in the workplace such as discrimination and unequal wages.

Produced by Indiana State University 53:35 min.

S*uggested*

Contract Language

The suggested contract clauses propodes below offer some general guidance for the issues covered in this booklet. IOt is important to remembewr that the clauses are not always attainable, or even suitable. Make sure that language you propose meets the needs of your situation.

Discrimination

The Company agrees that it will not discriminate against any applicant for employment, or any present employee, in the payment of wagwes, assignment to jobs, seniority, promotion, demotions, training, transfer, layoff, recall, discipline, discharge, pension benefits, working hours, physical facilities, retirement age, insurance coverage, job classification, recruiotment, testiung, or any other term, condition or privilege of employment, because of race, colour, religion, sex. National origin, maital or familyb status, age (prior to normal retirement age), sexual orientation, criminal record, or occupationally irrelevant disabilities.

The Company further agrees that any violation of the (Human Rights Code which is in force) will be deemed to be a violation of this agreement and subject to the grievance and arbitration provisions embodied in this agreement.

Equal Pay for Work of Equal Value

The Company shall not discriminate in the payment of wages because of sex, or pay any female employee a salary or wage rate less than the salary or wage rate paid to male employees for work of equal vale, where value is measured in terms of skill, effort and responsibility.

Nothing in his article shall prohibit a variation in rates of pay based upon a difference in seniority, experience, or the shift, or time of day worked.

The Company shall not, in order to comply with the provisions of this section, reduce the wage rate of any employee.

Parental Leave

The Company shall upon request of an employee and receipt of a certificate by a legally qualified medical practitioner stating that the employee named therein is pregnant and specifying



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the date upon which delivery is likely to occur, grant a leave of absence of twenty continuous weeks commencing and ending at the employee's discretion.

Employees who qualify for maternity leave and unemployment insurance benefits shall receive for the first twenty weeks of such leave 95% of their normal rate of pay less their unemployment insurance benefits. If the employee is not eligible for unemployment insurance benefits, the employee shall receive 100% of their normal rate of pay for the same term.

All employees qualifying for maternity benefits, and those adopting children, may receive, at the employee's discretion, an additional six months leave of absence without pay.

The Company agrees to pay the employer's share of premiums for medical, extended health, dental, group life and long-term disability coverage, if the employee chooses to maintain coverage in one or more of these programmes.

An employee who returns to work after maternity or adoption leave shall resume his/her former position and wage level, with no loss of accrued benefits and with full credit for seniority for the period of time covered by leave.

An employee whose spouse gives birth is entitled to a leave with pay up to a maximum duration of five working days, between the beginning of the delivery process and the seventh day following the return home of the mother and the child.

Child Care

A Committee shall be appointed to research, develop, establish and oversee, a suitable program of child care services for the Company's employees.

The Committee shall be composed of no fewer than five members. There shall be an equal number of employee and employers representatives. The fifth member of the Committee shall be selected from the community at large by the other members of the Committee. Provisions will be made for members to perform their functions during working hours without loss of pay or privileges. The Company shall be responsible for all Committee expenses.

The program shall be designed so as to qualify for and optimize the advantages available under federal and provincial child care assistance programs insofar as this is consistent with the maintenance of a quality program. Should child care facilities be established they shall meet minimum provincial or federal licensing requirements.

The Committee's research and development work shall be completed within six(6) months of the effective date of this agreement. The Committee recommended child care program shall become operational not less than one(1) year from the effective date of this agreement.

The Company agrees to contribute up to \$ weekly/monthly per enrolled child toward the cost of the program of child services. Should this amount prove to be less than one-half the cost of the



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Committee recommended program, the employer's contribution will be increased to and thereafter maintained at a level sufficient to provided said one-half of the cost.

Sexual Harassment

The Union and the Company recognize the right of employees to work in an environment free from sexual harassment, and the Company shall take such actions as are necessary respecting an employee engaging in sexual harassment in the work place.

A statement of commitment to the principle of a work place free from sexual harassment shall be posted in all work areas.

Sexual harassment is defined as engaging in a course of vexatious conduct or conduct of a sexual nature that is known or ought reasonably to be known to be unwelcome and shall include, but not be limited to

- Sexual solicitation or advance or inappropriate touching and sexual assault;
- A reprisal or threat of reprisal, which might reasonably be perceived as placing a condition of a sexual nature on employment by a person in authority after such sexual solicitation or advance or inappropriate touching is rejected.

In the case of such harassment, an employee may pursue the grievance procedure for redress. Grievances under this article will be processed in a confidential and expedited manner. The employee lodging the complaint has the right to discontinue contact with the alleged harasser without incurring any penalty pending determination of the grievance.

If, after the grievance is settled, the employee feels unable to return to his/her job, the employee shall be entitled to transfer to an equivalent position at the same rate of pay as soon as a vacancy exists for which he/she is qualified.

Affirmative Action

The Company and the Union agree to cooperate in formulating and implementing an Affirmative Action programme. To this end, a joint Affirmative Action Committee shall be established to review all levels of employment for evidence of differential participation by race, sex, physical handicap and other reasons and recommend the necessary Affirmative Action measures.

The Committee shall consist of three nominees from each party and shall meet on Company time and at Company expense, with no loss of pay to any of the participants.

The implementation of the recommendations of the Committee shall become the subject of collective bargaining between the parties

