

FIIQ

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Special Federal Council
On negotiations (pay equity)
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For real EQUALITY



It was with great joy that Lina Bonamie, President of the Federation, announced to the delegates that pay equity had finally been achieved. *“We have obtained a settlement. Finally, it is recognized officially that salary discrimination against women was a reality. This is a historic victory for care professionals and for all Quebec women.”*



A hundred years ago, the first feminists demanded the right to obtain equal pay with men. Over the course of time and struggles, the demands evolved into the right to obtain equivalent pay for work of equal value. Starting in 1989, the FIIQ was part of the Coalition on Pay Equity and signed the brief tabled at the Parliamentary Committee on Social Affairs, mandated to study the draft bill that became the Pay Equity Act.

“This battle to obtain recognition of the right to an equal salary for equivalent work has lasted a long time,” the President reminded the delegates. *“Even though the Pay Equity Act came into force on November 21, 1997, it took us nearly 10 years to obtain a settlement. This was a difficult struggle and the past five years of work were particularly busy. Time and energy were deployed to obtain the result we are presenting to you today. After preparing an evaluation plan, conducting thousands of surveys and evaluating hundreds of job classes, we can congratulate ourselves.”*

“The delays were certainly long, and on many occasions a settlement appeared to be imminent without materializing. This caused some FIIQ members to lose hope that pay equity would bring them anything. Today, we can rejoice, because the long-awaited settlement is a done deal. In addition to the cor-

rections, all the job classes we represent have seen their evaluation increased by two rankings and sometimes even more. We thus have been able to enhance the characteristics specific to care professional jobs.”

“The agreement we have reached at the Intersyndicale and with the government represents a major breakthrough for Quebec woman and for our organization’s members. In all, 327,000 individuals, grouped in 140 predominantly female job groups, are covered by corrections. The average salary adjustment of the job classes that will receive a correction is around 6.25%. Clearly, the pay equity issue will not solve all the questions related to remuneration. Only gender-based salary discrimination has been taken into account. The corrections obtained for our job groups are not all of the same order. This situation is explained by their position in relation to the male job curve.”

In conclusion, Ms. Bonamie pointed out that *“this historic agreement is a victory for all Quebecers but it is also a fine example of solidarity. When we all work together in the same direction for a common goal, there will always be positive results, sooner or later. We can strongly affirm today that we have taken a major step towards the recognition of the value of women’s work.”*

Pay Equity
Pay Equity
Pay Equity



EQUITY, COMPLETE EQUITY, a historic victory

Sylvie Savard, 4th Vice-President responsible for the Negotiation Sector and for the Pay Equity issue, and Sophie Fontaine and Francine Roberge, consultants assigned to this issue, proposed to review the question with delegates once again by presenting a review of the events that led to this important historical victory before presenting the results of the settlement.

A little history

The coming into force of proactive pay equity legislation on November 21, 1997 restored the hope of Quebec women and FIIQ members that they would finally achieve pay equity. The *Pay Equity Act* essentially seeks to eliminate gender-based salary discrimination through a job evaluation process that must value the characteristics of male and female jobs.

Even though it is subject to the *Pay Equity Act*, the *Conseil du trésor* has sought to exempt itself by every means, claiming that the pay relativity plan it had implemented with other union organizations in the late 1980s and early 1990s could substitute for a pay equity plan. In February 1999, the FIIQ presented a brief to the *Commission de l'équité salariale* to contest this argument and to request that a real pay equity plan be established in the public sector.

OBSTACLES AND CONTESTATIONS

In the late 1980s, the FIIQ obtained, through negotiations, a 9.2% adjustment of the salary scale for CEGEP-trained nurses. In that period, pay relativity work was in progress with other union organizations and the Government of Quebec then claimed that this 9.2% adjustment was due to the relativity approach, to which the FIIQ had never agreed. In 1999, a committee mandated to begin work on the evaluation of nurse and baccalaureate nurse jobs was set up. The objective of the committee was to develop a new evaluation plan.

During the year 2000, the government delayed the work for several reasons. Among other reasons, it appeared obvious that the *Conseil du trésor* did not want to move ahead on the work as long as the *Commission de l'équité salariale* had not rendered its decision on the compliance of the government pay relativity plan. Finally, in January 2001, the *Commission de l'équité salariale* rendered its decision: it endorsed the pay relativity plan, subject to the method of estimating differences. Despite this decision favourable to the government, it maintained the job evaluation work with the FIIQ. In March, the FIIQ, like several other union organizations, filed a motion in evocation before the Superior Court to contest the constitutionality of Chapter IX of this Act.

THE CREATION OF THE INTERSYNDICALE ON PAY EQUITY

On April 9, 2001, the *Conseil du trésor*, with the agreement of the union representatives, set up a *Pay Equity Committee*, which would work on the fringes of the Act, bringing together the CSN, CSQ, FTQ, SFPQ and FIIQ. The *Intersyndicale équité* was born. Intensive work was then conducted throughout 2001, with the objective of developing a job evaluation tool, jointly with the *Conseil du trésor*, taking into account the characteristics of the predominantly female and male job classes. Thus, in addition to the traditional factors, other factors were introduced that measured the female characteristics of jobs. In February 2002, the parties agreed on an evaluation plan with 17 sub-factors (see Page 4 for a description of the sub-factors).

DATA GATHERING AND ANALYSIS

In spring 2002, joint work began for the purpose of developing an information gathering tool regarding the jobs covered by the approach. Between June and October 2002, over 10,000 people from all the predominantly female and male categories and from different union organizations (CSN, CSQ, FTQ, SFPQ and FIIQ), responded to the survey questionnaire throughout Quebec. In the FIIQ, 10 union reps met with nearly 550 nurses of all categories.

In February 2003, the job evaluation stage began, first at the *Intersyndicale* and then with government representatives. In the meantime, Quebec had a general election and the Liberal Party led by Jean Charest won. A neoliberal wind blew over the province. In June 2003, a first evaluation of all job classes was tabled by the *Intersyndicale équité*.

AN IMPORTANT DECISION

On January 5, 2004, an eagerly expected decision declared Chapter IX of the *Pay Equity Act* unconstitutional. Judge Julien's decision expedited the pay equity plan for Quebec public sector employees. Thus, the general plan prescribed in the *Pay Equity Act* henceforth applied to government employees. Parallel to this, in September 2004, the FIIQ added a nursing assistant and a respiratory therapist to its team of union reps.

In January 2005, the *Pay Equity Committee* proceeded to post the programme. During the spring, sustained discussions were held between the representatives of the *Conseil du trésor* and the *Intersyndicale*. However, these exchanges did not achieve the expected results. The employer party sometimes said it was very sensitive to the arguments presented by the *Intersyndicale* but refused to change its mind officially.

CALLING THE GOVERNMENT TO ACCOUNT

Starting in mid-August 2005, the Minister responsible for the issue, Monique Jérôme-Forget and the Minister of Finance, Michel Audet, constantly repeated that Quebec's public finances were in peril. Faced with these public statements, which were provocative, to say the least, the Chair of the *Commission de l'équité salariale*, Rosette Côté, intervened publicly to call the government to account.

In December 2005, the *Conseil du trésor* presented an exploratory proposal regarding the evaluation of jobs as well as the mode of estimation of wage differences. Intensive work ensued, but on December 15, with the decree on the collective agreements, the work ceased abruptly. It was only at the end of January 2006 that discussions really resumed to get back on track with this issue.

THE PACE PICKED UP

Finally, this April 12, the *Conseil du trésor* announced to the *Intersyndicale* that it intended to accelerate the pace with the goal of settling this important issue by summer, targeting June 15 as the possible settlement date. The work intensified, both on the job evaluations and on the method of calculating the adjustments payable to the female job groups (estimate of differences).

On April 28, legislative amendments to the *Pay Equity Act* led to the creation of two distinct enterprises in the public sector: the public service enterprise and the parapublic sector enterprise. Thus, the *Alliance du personnel professionnel et technique de la santé et des services sociaux (APTS)*, the *Centrale des syndicats démocratiques (CSD)* and the *Fédération indépendante des syndicats autonomes (FISA)* joined the ranks of the *Intersyndicale*. From June 6 to August 4, 2006, the first posting prescribed in the *Pay Equity Act* was repeated. Over the last few days, intensive discussions took place on the question of evaluations and on the calculation method used to compare the female job groups with the male job groups, and thus on the salary adjustments payable, if applicable, to the predominantly-female job groups.

The government and the *Intersyndicale* had a very clear intention to reach a settlement for June 15. The union side deployed all the energies required to this end... A settlement was finally reached on June 20, 2006!



The results of the Pay Equity settlement

The long-awaited for moment finally arrived when the results of the settlement were presented to delegates. The Vice-President Sylvie Savard, revealed with great enthusiasm the percentages of adjustment for each job group represented by the Federation. Delegates applauded warmly and many came to the mikes to express their satisfaction.

Overview of salary corrections for job categories represented by the FIIQ+

| | | |
|---|---------|--------|
| Assistant Head Nurse | Rank 20 | 12.53% |
| Baccalaureate Assistant Head Nurse | Rank 23 | 4.21% |
| Assistant Head Respiratory Therapist | Rank 19 | 14.53% |
| Nurse | Rank 18 | 9.39% |
| Nursing Assistant | Rank 12 | 8.50% |
| Nursing Assistant Team Leader | Rank 13 | 12.41% |
| Baccalaureate Nurse | Rank 21 | n/a |
| Nurse Team Leader | Rank 19 | 10.30% |
| Outpost/Northern clinic nurse | Rank 22 | 14.81% |
| Nurse instructor | Rank 19 | 8.48% |
| Respiratory Therapist | Rank 17 | 10.17% |
| Respiratory Therapy Clinical Instructor | Rank 18 | 9.74% |
| Respiratory Therapy Technical Coordinator | Rank 18 | 9.39% |
| Perfusionist | N/A | |
| Child Nurse | Rank 12 | 8.50% |

Estimating the differences

To arrive at these results, a "comprehensive" method was used to measure the differences between the value of the predominantly female jobs and the value of the predominantly male jobs. The jobs thus were not compared with a single comparator (such as the Information Systems Technician) but with a curve representing the structure of the male salaries currently paid in the parapublic sector (health-care and education). The comprehensive method is the one recommended by the *Commission de l'équité salariale* and constitutes the most appropriate mean when there are many categories within a plan. With this method, which involves plotting a benchmark curve to identify the new benchmark rates of pay for each interval or job group within which the jobs will be considered equivalent, certain jobs will be under the curve, others will be over it and still others will be directly on the curve.

Male jobs, wherever they happen to be located, do not receive an adjustment in a pay equity exercise. The female jobs under the curve are adjusted to the curve in a given job group. The female jobs on or above the curve do not obtain an adjustment because their salary is already equal to or greater than the pay equity rate fixed by the curve. In such an exercise, no person's salary is reduced, even if the value of the job is already above the male job curve. The graphics hereunder illustrates the salary curve for male jobs.

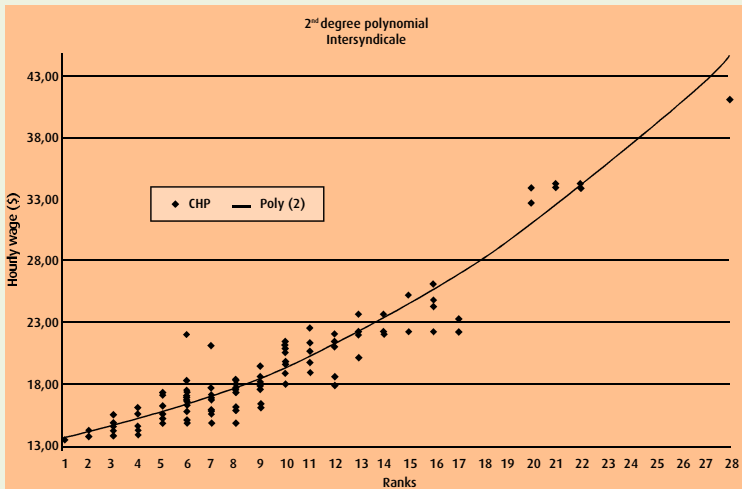
Regarding job groups that require university education, it can be observed that discrimination is much less flagrant than in the case of job groups that require vocational training (high school level) or those that require CEGEP-level training. This is what justifies nonexistent

differences with the male job curve for several female jobs that require university training, or sometimes corrections that, while interesting, are less than what is found in the other segments of the curve. Also, now that all the categories have been evaluated with a new job evaluation system, the female job groups of the professional category are divided into at least four job groups, which generate four different salary scales.

Amounts already paid

it is important to remember that after repositioning of their salary scale, Baccalaureate nurses received an adjustment of 7.8% of the top of their scale upon conclusion of the 1998-2002 collective agreement. The Baccalaureate nurses then joined the job groups requiring university training for which only two salary scales were in force at that time. CEGEP-educated nurses saw their scale increased by 2.6% at the 12th echelon to reach the average salary paid for Rank 15, the job group awarded by the *Conseil du trésor* in the 1990s relativity exercise. These amounts, according to the government, represented an advance on the work to be performed on the pay equity issue. The respiratory therapists also obtained an increase in their salary to reach the average of Rank 14 in the 1998-2000 negotiations.

In 2003, following the decision of the *Commission de l'équité salariale* regarding the compliance of the pay relativity plan, the government proceeded to adjust the predominantly female job groups with the objective of concluding its government pay relativity plan. The job classes now represented in the FIIQ thus saw their remuneration increase as follows: Baccalaureate Nurse, no adjustment and confirmation of Rank 19; Nurse, adjustment of 1.06% and confirmation of Rank 15; Respiratory Therapist, adjustment of 0.29% and confirmation of Rank 14; Nursing Assistant, adjustment of 3.01% and confirmation of Rank 10.



Source : Secrétariat du Conseil du trésor, June 2006.

SPECIAL THANKS

Vice-President Sylvie Savard closed the Federal Council by warmly thanking all the women who served in succession on the Pay Equity Committee of the Federation. "You are women of conviction, who were able to defend the value of the jobs of women in general and women care professionals in particular. I salute your determination, commitment and rigorous approach. I would also like to thank the FIIQ staff for their dedication and good work, as well as Sophie Fontaine, consultant responsible for the equity issue, who worked relentlessly for 8 years for our members to obtain what was owed to them."

... thanks to the union reps

Many union reps participated in the long process of achieving pay equity (debates, surveys, evaluation of job classes, etc.):

- Ginette Bédard
- Angèle Carpentier
- Hélène Bergeron
- Carole Duchesnay
- Micheline Bessette
- Gaëtanne Riendeau
- Hélène Massicotte
- Annie Aspireault
- Renée Amyot
- Lorraine Laforge
- Diane Desrosiers
- Isabelle Pouliot
- Vicky Levesque
- Chantal Marois
- Brigitte Fautoux
- Guylaine Desmeules

... and thanks to the members of the FIIQ+ Pay Equity Committee

They invested all their energy, put their hearts into their work and lived the final hours of intense negotiations:

- Renée Gouin (2004-2006)
- Renée Coulombe (2004-2006)
- Céline Chénard (2004-2006)
- Hélène Fournier (2002-2006)



The Pay Equity Committee, from left to right : Céline Chénard, respiratory therapist, Renée Gouin, nursing assistant, Sylvie Savard, 4th Vice-President in charge of the negotiations and pay equity, Sophie Fontaine, consultant for the Negotiation Sector and responsible for pay equity, Hélène Fournier, nurse, Renée Coulombe, Baccalaureate nurse and Francine Roberge, consultant for pay equity.

The terms of payment of the equity adjustments

On this question, the Government of Quebec announced very affirmatively that it intended to ask the *Commission de l'équité salariale* to allow it to spread the corrections over a seven-year period (eight equal corrections). The *Pay Equity Act* is very clear and provides that the salary adjustments are owed and bear interest as of **November 21, 2001**. Subject to a favourable decision of the *Commission de l'équité salariale* regarding the eight equal payments, they would be spread out between November 21, 2001 and November 21, 2008. The **retroactive pay would be given in a single payment** after the end of the 2nd posting stipulated in the *Pay Equity Act*, that is, no later than the end of the current fiscal year (**March 31, 2007**). However, **your salary scale would be adjusted** by the total amount of the correction to which you are entitled by **November 21, 2006**. When the *Commission de l'équité salariale* renders its decision on the spreading out of the wage corrections, the Federation will post examples of salary adjustments on its web site.

Specific cases

Just like delegates, many of you probably still have many questions pertaining to your personal situation. The Federation unfortunately does not yet have all the answers, but we will post additional explanations on the web site in the section *Questions and answers*. We hope that these will be helpful.

What are the job evaluation factors?

The new 17 sub-factor (SF) job evaluation system corrects several deficiencies denounced in the old system. The characteristics specific to predominantly-female jobs, such as skills in interpersonal relations, simultaneity, knowledge updating and constraining psychological conditions are now considered. The inclusion of these sub-factors allows a fairer and more accurate evaluation of predominantly-female jobs. An overall presentation of the evaluation system was made at the March 2002 Federal Council. (*FIIQ en Action*, Vol. 15, No 1).

EFFORT Factor

- SF 1 – Autonomy
- SF 2 – Reasoning
- SF 3 – Creativity
- SF 4 – Concentration and sensory attention
- SF 5 – Physical Exertion

RESPONSIBILITY Factor

- SF 6 – Responsibility for a program or an activity and financial or material resources
- SF 7 – Responsibility for persons
- SF 8 – Responsibility for communications
- SF 9 – Responsibility for supervision and coordination of persons

QUALIFICATIONS Factor

- SF 10 – Professional training
- SF 11 – Experience and Initiation
- SF 12 – Knowledge updating
- SF 13 – Skills in interpersonal relations
- SF 14 – Physical skills and manual dexterity

WORKING CONDITIONS Factor

- SF 15 – Psychological conditions
- SF 16 – Material conditions
- SF 17 – Inherent hazards

What is a pay equity programme?

The aim of a pay equity programme is to put an end to gender-based salary discrimination of which women are victims. This involves an evaluation of jobs according to criteria which are free of sexist bias and it necessitates a change in the traditional job evaluation rules to give them more neutrality. In enterprises with over 100 employees, as in our case, the employer must set up a pay equity committee on which the predominantly female and male job groups are represented. This committee is responsible for the preparation of the pay equity plan, which must include identification of the job groups and their predominance, the method adopted, the job evaluation tools, the evaluation as such and, finally, the method used to measure the wage differences.

We are currently reorganizing our central database following the votes in order to include all the new members. During this period, you may receive more than one copy of *FIIQ En Action*. If this is your case, please let us know so that we may make the needed corrections.
Do not forget to notify us if you are moving!
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