

**SUBMISSION TO THE LABOUR PROGRAM OF
HUMAN RESOURCES AND SOCIAL
DEVELOPMENT CANADA**

**Review of the *Employment Equity Act*:
Into the Future**

October 2006



**Canadian Teachers' Federation
2490 Don Reid Drive
Ottawa, Ontario K1H 1E1**

TABLE OF CONTENTS

	page
Executive Summary	1
Introduction	2
Relevance and Need for the <i>Employment Equity Act</i>.....	3
Recommendations	5

Contacts:

John Staple, Director, Economic and Member Services
(613) 232-1505 ext. 132

Carmen Pickering, Researcher, Economic and Member Services
(613) 232-1505 ext. 129

Linda Hiles, Interim Director, Communication
(613) 232-1505 ext. 130

Winston Carter, President, Canadian Teachers' Federation
(613) 232-1505 ext. 155

EXECUTIVE SUMMARY

The Parliamentary review of the *Employment Equity Act* provides the Canadian Teachers' Federation with a welcome opportunity to provide input on a particularly timely topic—that of diversity and the representative nature of the workplace. Our submission provides brief commentary and recommendations as to the need for and continuity of the *Employment Equity Act*, as well as the form the *Act* should take into the future.

In general, it is the view of the Canadian Teachers' Federation that there continues to be relevance to and need for the *Employment Equity Act*. Women, visible minorities, Aboriginal people and persons with disabilities continue to be disadvantaged in employment opportunities, including those within the education sector.

Therefore, the Canadian Teachers' Federation recommends a number of items for consideration. The federal government should keep the *Act's* broad focus, insure continued consideration of groups that are representative and reflective of Canadian population realities, establish the federal jurisdiction as a leader in employment standards and, finally, collect data that is current and comprehensive enough to be reliable and relevant.

The Canadian Teachers' Federation is appreciative of the opportunity to give voice to an important issue not only within the education sector but among the national workforce as well. Maintaining a Canadian focus on employment equity through implementation of the *Act* benefits all Canadians and, importantly, embraces and celebrates diversity in the workplace.

INTRODUCTION

In July 2006, the Canadian Teachers' Federation (CTF) held its Annual General Meeting with a focus on "Celebrating Diversity" as its central theme. As the national voice for over 215,000 teachers across Canada and on behalf of its member organizations and affiliate member, the CTF is committed to advocating for equality and celebrating diversity throughout the Canadian elementary and secondary education systems. Although a majority of Canadian public school teachers are not directly governed by the *Employment Equity Act* (the *Act*), federal legislation sets the standard by which all employers ought to be measured and consequently, that standard should be above reproach. As such, the CTF is pleased to provide the following submission on the *Act's* degree of success in correcting the conditions of disadvantage in employment experienced by women, visible minorities, Aboriginal people and persons with disabilities.

RELEVANCE AND NEED FOR THE ACT

Although significant positive progress has been achieved in employment equity since the *Act* came into force in 1986, workplace representativeness continues to fall short of being truly reflective of the Canadian population at large. As the government's own paper highlights:

While for some designated groups in some sectors, the *overall* representation is positive, there still may exist gaps at the specific occupational group or category levels as well as in industrial sub-sectors. For example, visible minorities are frequently underrepresented in senior management as are women in most non-traditional jobs. In the private sector, Aboriginal people are better represented in the transportation and "other" sectors than in communication and banking¹.

As the largest professional group in the labour force in Canada in 1999/2000², teachers and the teaching profession itself, provide a compelling comparator unit for purposes of employment equity in the workplace. However, the teachers' component is atypical in that elementary and secondary teachers are mostly women, accounting for 65% of full-time teachers in 1999/2000³. Unfortunately, leadership positions held by women remain inequitable in the education sector, a situation that emphasizes the ongoing relevance and need for the *Act*. Indeed, female representation in school administrative positions remains well below the share of teaching positions held by women. Specifically, in 1999-2000, 45% of principal positions at the elementary level were held by women, compared to 27% at the secondary level. Similarly, although women accounted for just over half (54%) of vice-principal positions at the elementary level, they held only 35% of these positions at the secondary level⁴.

As a "typically-untypical" workforce in the Canadian employment context, prevailing underrepresentation of visible minorities and Aboriginal people in the education sector are also indicative of occupational conditions and inherent gaps in the system that must be further addressed by, and enforced through the *Act*. National 2001 Census data highlight that English was the ethnic origin most over-represented by teachers relative to the under 15 school-aged population among 28 ethnic origins examined, while teachers were most under-represented

¹ Government of Canada (2006). Ten Years of Experience: A Background Issues Paper on the Employment Equity Act and Federal Contractors Program in preparation for the Parliamentary Review 2006, p. 5.

² Government of Canada (2004). The People: Teachers, *Canada e-Book*. Retrieved from http://142.206.72.67/02/02c/02c_008_e.htm.

³ Ibid.

⁴ Canadian Teachers' Federation (November 2004). Women Still Under-Represented in School Administration in 1999-00, *CTF EMSN 2004-5*, pp.24-26. Restricted distribution.

relative to the under 15 school-aged population for the North American Indian, Chinese and East Indian ethnic origin groups with percentage point gaps of 3.8%, 3.7% and 2.9%, respectively⁵.

Aboriginal representation within the Canadian education system is also of equal concern. Accurate, current assessments are made even more difficult due to the fact that up-to-date figures are not readily available, data collection is reliant on aboriginals' self-identification and reporting, and educator or education sector-specific data is not consistently collected. In the 2001 Census, 5.2% of Canada's 5 to 19-year-old population reported an Aboriginal identity compared to 2.1% of employed elementary-secondary teachers. In addition, the share of 5 to 19-year-olds identifying themselves as Aboriginal ranged from 95% in Nunavut to 1% in Prince Edward Island, while the corresponding range for teachers was from 55% to 1% in these same jurisdictions⁶. By province, teacher under-representation was highest in Manitoba and Saskatchewan⁷. This is of particular cause for concern given Statistics Canada's recent projection that in 2017, Aboriginal children aged 0 to 14 years in Saskatchewan could account for 37% of this age group, while in Manitoba, 31% of children 0 to 14 years could be Aboriginal⁸. As these numbers and the preceding information clearly illustrates, employment equity remains elusive in the education sector and the *Act* serves as a tangible, highly-relevant and powerful balancing tool to achieve this aim. Due to the lack of available data, the CTF will not comment on the standing of persons with disability in the teaching profession. However, the status of the three groups previously identified could give some indication of the employment inequity that may persist for persons with a disability.

⁵ Canadian Teachers' Federation (August 2004). 2001 Census Data Analysis: Comparison of Teachers and School-Age Population on Selected Ethno-Cultural Characteristics, *CTF EMSN 2004-2*, pp. 24-27. Restricted distribution.

⁶ Ibid.

⁷ Ibid.

⁸ Statistics Canada (2005). Projections of the Aboriginal populations, Canada, provinces and territories 2001-2017. *Statistics Canada Demography Division, Catalogue No. 91-547-XIE*.

RECOMMENDATIONS

Although there has been tangible improvement in employment equity since the inception of the *Employment Equity Act* in 1986, it has not achieved its intended purpose—that of having a *significant* impact on closing gaps in representation. As the Public Service Human Resources Management Agency of Canada’s own data illustrates, in the majority of cases, workforce representation remains below workforce availability⁹. Furthermore, the *Act* has not served each of the four groups equally. A particular concern is the recently announced cuts to the Status of Women Canada portfolio, despite Minister Oda’s admission (among others) of the “nagging lack of women in upper management roles in Canadian business...”¹⁰. Consequently, the CTF provides the following recommendations with regard to the continuation of the *Employment Equity Act* for the foreseeable future.

Broad Focus

The *Act*’s strength continues to be its broad focus and to this end, the *Act* should maintain its emphasis from this perspective. Increasing regulation and requirements may only serve to restrict flexibility and freedom and diminish the potential comprehensiveness and far-reaching applicability of the *Act*.

Representative and Reflective

Women, visible minorities, Aboriginal people and persons with disabilities remain the primary groups to which the *Act* ought to apply. Statistics Canada’s population projections to 2017 for the Aboriginal and visible minority groups¹¹ illustrate the reality of significant increases in these groups among the Canadian population as a whole, and consequently, within the national workforce as well. A representative and reflective *Act* will capture the diversity and inclusiveness that the Canadian employment scene strives to achieve.

Federal Jurisdiction as Leader

The federal government must strive to establish its position as an employment leader especially in workplace standards, and will do so through ongoing efforts and initiatives driven by the *Employment Equity Act*. Employers, administrators and workers look upon federally regulated

⁹ Government of Canada (2006). Ten Years of Experience: A Background Issues Paper on the Employment Equity Act and Federal Contractors Program in preparation for the Parliamentary Review 2006, p. 5.

¹⁰ Status of Women minister defends cuts. *North Bay Nugget*, September 27, 2006.

¹¹ Statistics Canada (2005). Projections of the Aboriginal populations, Canada, provinces and territories 2001-2017. *Statistics Canada Demography Division, Catalogue No. 91-547-XIE* and Statistics Canada (2005). Population projections of visible minority groups, Canada, provinces and territories 2001-2017. *Statistics Canada Demography Division, Catalogue No.91-541-XIIE*.

workplaces to provide the guidepost, benchmarks and best practices that will also define the parameters of their worksites. The federal government's endeavours to attain success in correcting the conditions of disadvantage in employment experienced by women, visible minorities, Aboriginal people and persons with disabilities should be the leading example for all employment jurisdictions in Canada—whether private or public.

Data Collection

Accurate representation of the Canadian workforce can only be reflected by the data that is obtained. Appropriate future planning and consideration of issues, including measuring the success of legislation such as the *Employment Equity Act*, may only be assessed and analyzed through the availability of *current* figures. Oftentimes, such data is not available and this situation must be remedied. For example, the fact that the most current data available that is reflective of employment equity in the education sector and among Canada's largest professional group—teachers, dates from 1999/2000, is unacceptable and can scarcely be considered reliable, relevant or representative.