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November 12, 2008

Hon Peter Fonseca
Minister of Labour
Ministry of Labour
400 University Avenue, 14th Floor
Toronto ON M7A 1T7

Dear Minister Fonseca:

Re: Framework for Action - Contributing to Ontario's Future

Further to our letter to you dated October 17, 2008, as promised, I am writing to provide you with a copy of our new Framework for Action released on November 5, 2008. This Framework calls on the Ontario Government, working with employers and trade unions to institute a province-wide Ontario Closing the Gender Pay Gap Plan. This Plan should include targets for closing Ontario's 29% gender pay gap over a realistic time frame and strategies for meeting those targets. The Plan should be coordinated with the Province's Poverty Reduction Plan.

Step 1 of the Coalition's Framework for Action calls for immediate policy shifts. This will signal to the people of Ontario that the Government is shifting the direction of the past decade and will concretely support an end to pay discrimination. Step 2 will take gender mainstreaming steps so that closing Ontario's gender pay gap becomes enshrined in all public laws, policies and practices and workplace practices. This two step approach will help to ensure that women's pay equity rights are not a victim of the fiscal crisis but rather a measure to protect Ontario's disadvantaged and to leverage the value of the contribution of women's work as Ontario rebuilds its economy.

Like the current financial crisis, the pay gap crisis will continue to erode Ontario's economy and impair its future prosperity unless pro-active interventionist measures are taken to bring gender equality to the pay systems of Ontario's labour market. The ILO, World Bank and World Economic Forum all recognize that closing the gap is a key component of sustainable global productivity and equitable and secure development and governance. It is also well-established internationally that poverty reduction goals will not be met without addressing women's pay inequalities in all poverty reduction planning. (See attached paper: "Closing the Global Gender Pay Gap: Securing Justice for Women's Work" and Powerpoint, "Solving the Global Gender Pay Gap Crisis- Learning from International Human Rights Perspectives"). In 1984, the Royal Commission on Equality in Employment warned of the hugely negative impact on women of perpetuating discriminatory low wages:

The cost of the wage gap to women is staggering. And the sacrifice is not in aid of any demonstrably justifiable social goal. To argue, as some have, that we cannot afford the cost of equal pay to women is to imply that women somehow have a duty to be paid less until other financial priorities are accommodated. This reasoning is specious and it is based on an unacceptable premise that the acceptance of arbitrary distinctions based on gender is a legitimate basis for imposing negative consequences, particularly when the economy is faltering. (Justice Rosalie Abella, Report of the Commission on Equality in Employment (Ottawa, 1984) at 233-239 at 234)

The current financial crisis provides even stronger reasons for making the issue a priority given that Ontario's women workers, many of whom are low-paid and poor - are struggling to cope in this volatile economy. Scrambling every month to make ends meet, losing almost a quarter for every dollar a man is paid is devastating to a family budget. Over a lifetime, this pay gap adds up to astonishing financial losses for women—ranging between \$700,000 and \$2 million depending on the level of education the woman has completed. (US Working Women Report)

Disadvantaged groups are repeatedly faced with the argument that redressing equality is too expensive. This argument fails to acknowledge that the cost of achieving equality – the cost of redress – is proportional to and reflective of the extent of the discrimination experienced. When governments use the cost of redress this effectively penalizes the most vulnerable doubly.

The Coalition's 20th Anniversary campaign and Framework for Action has widespread support. To give you an idea of the range of support across Ontario's regions, I am enclosing a sample selection of the over 8,000 postcards which were signed by Ontarians calling on the Government to take effective action to close Ontario's pay gap.

The Coalition's Framework for Action provides concrete proposals for how to move forward to address at the same time the human rights and fiscal crisis which Ontario is facing. Equality is not a luxury for times of prosperity. It is a fundamental human right. Securing such right can help women steer themselves and their families through the current financial uncertainty.

Step 1: Immediate Policy Shifts

1. Bringing in (emergency legislation to increase the minimum wage to \$10 per hour effective immediately as a pay equity down payment for women workers;
2. Fully funding the pay equity adjustments owing to women providing important public services to Ontarians;
3. Fully funding the Pay Equity Commission and Pay Equity Hearings Tribunal so that the *Pay Equity Act* can be vigilantly enforced; and
4. Restoring funding to the Pay Equity Legal Clinic to provide support for women filing pay discrimination complaints.

Step 2: Mainstreaming Non-Discriminatory Pay into Ontario's Economic Life

Step 2 of the Plan highlights the many different considerations which should be taken into account in

building a culture of non-discriminatory pay including:

- Central focus – Enable Women to Realize their Human Rights;
- Recognize the Equality Role of the Government;
- Need for Planned, Integrated and Multi-Faceted Approach;
- Ensure Pro-Active, Preventative and Results-Based Approach;
- Build Equality into Government Public Policies;
- Map Women`s Work and its Pay Constraints;
- Address the Diversity of Women and their Disadvantages;
- Ensure Women`s Empowerment as both a Strategy and Goal;
- Promotion of Capacity Building and Training;
- Reconciling Work and Women`s Unequal Family/Home Life;
- Develop Mechanisms for Precarious Work;
- Enhance Complementary Role of other Rights;
- Focus also on Employment Equity Measures;
- Ensure Effective Complaint Mechanisms to Enforce the Right;
- Role of Employers and Business; and
- Role of Trade Unions and other Women`s Voice Organizations;

This Report draws on the Coalition`s over 30 years of experience and includes the input provided in response to our October 17, 2008 letter by the Ontario Federation of Labour, the Pay Equity Commission and the Minister of Labour.

The Equal Pay Coalition is calling upon each Ministry to develop its own Closing the Gender Pay Gap Plan to contribute to the province-wide plan. This way each Ministry will ensure that plans are in place to monitor Ministry-related laws, policies and practices ensure that they contribute to closing rather than widening the gender pay gap. The Coalition looks forward to working with your Ministry to reach our common goal - ending gender-based pay discrimination. We are requesting a meeting with senior Ministry officials to discuss concretely the steps your Ministry can take to develop its Closing the Gender Pay Gap Plan. Would you please arrange for someone to contact me to arrange this meeting as soon as possible. If you have questions, I may be reached by phone at 416-964-5524; email at mcornish@cavaluzzo.com or faxed to 416-964-5895.

Securing the human rights of those who live within a country or province is an essential feature of democratic governance. But in the end, preventing and remedying pay discrimination is a matter of values - ensuring that hard work is honoured and rewarded in Ontario regardless of the sex of person who performs it.

Yours truly

Mary Cornish, Chair
Ontario Equal Pay Coalition