

MEETING OF THE PREMIER, MINISTERS OF THE CABINET AND REPRESENTATIVES
OF THE ONTARIO COMMITTEE ON THE STATUS OF WOMEN April 17, 1975.

S O M E R E M A R K S O N E Q U A L B E N E F I T S L E G I S L A T I O N

April 1, 1975 has come and gone - the date recommended by the Task Force on Section 4 (1) (g) of the Ontario Human Rights Code, as a deadline for provincial regulations dealing with equal benefits for women.

We hope now that the final report of the Task Force will be published by May of this year, with the regulations following shortly after.

We feel that the proclamation date (the basic effective date for compliance) must follow immediately upon the publication and circulation of such regulations to insurance companies, corporations, and unions.

There is no excuse for an October date, as has been suggested in various press articles.

If the Provincial Government intends to demonstrate to the women of this province that the long-promised legislation is in fact a priority, then it will arrange for the procedures and personnel to ensure a more reasonable proclamation date.

There are 4 points we would like to stress, keeping in mind that legislation compelling employers and insurance companies to give women the same pension and insurance benefits as men was necessary because it was clear it would not happen, uniformly and quickly, on a voluntary basis. We are concerned that the Government not retreat from the basic philosophies of the original Task Force report in the face of opposition from these same corporations and insurance companies.

1. Chief among the supposed "obstacles" to non-discrimination are the different mortality rates of males and females. Our previous brief to this Government condemns that form of argument.

Robert Johnson, who chaired the Task Force on Section 4 (1) (g) had this to say (Human Rights, Ontario Human Rights Commission, Dec., 1974, p. 12):

"The Task Force Report adopts the general principle that, though these group differences in mortality and morbidity should be allowed for in the over-all costing of the benefit plans, they should not be applied to individual employees' costs or benefits. In other words, equal benefit levels and equal employee costs are recommended as the usual criteria of fairness. In general, therefore,

any additional actuarial costs due to sex and age that are required to produce equal benefit schedules should be shared by all employees or else borne by the employer.

"In general, the Task Force proposes that increased costs or administrative difficulties should not be considered a justifiable barrier to the equalization of employee benefit plans."

We disagree with the practice of charging males and females different rates for the same benefit coverage, or different coverage for the same rates.

2. There has been some controversy raised as to the forms that "equalization" will take. Just as the Employment Standards Act Section 33 (2) on Equal Pay for Equal Work states that "No employer shall reduce the rate of pay of an employee in order to comply with subsection 1", we insist that benefits be equalized to the higher benefit provisions.

We cannot allow employers to arbitrarily choose the lowest common denominator by way of benefits.

While organized workers may have some protection from a sabotage of the benefit schemes they have fought for over the years, the roughly 2/3 of working people who are not presently organized will have no protection at all.

If this Government does in fact agree that unequal benefits for women has constituted an injustice, then it must also agree that the injustice would be compounded by extending it to men through lowering benefit provisions.

3. We are alarmed at the possibility of unreasonable time schedules for full compliance with regulations.

The provisions of 'lead times' should be for the barest essentials of administrative change. Once the principle has been accepted and proclaimed there is no good excuse for any party to maintain the old forms of discrimination.

There should be no 'lead time' beyond one year.

And here we are speaking of trade unions as well as insurance companies and employers. We would not want to see a collective agreement signed in May, 1975 be immune from such legislation for a possible year or more.

If one year was considered a reasonable time allowance back in 1972, the year in which the Human Rights Code was amended in recognition of the principle of equal benefits for women, surely in 1975 the allowance of one year is more than generous and should be the absolute limit.

4. When "head of family" and similar language is eliminated from a description of benefits, it should be replaced by language which will continue to provide protection where needed.

We applaud the intentions of the original Task Force report on this matter, but we cannot simply drop the old discriminatory terminology. We must substitute a new terminology.

For example, where there are 2 rates of life insurance, one, the higher rate (e.g. \$5,000) could be payable on death of the "highest wage/salary earner" in a family. The second, or lower rate (e.g. \$3,000) could be payable on death of any other member of a family or of a single person, "all other persons".

It is understood that , as under OHIP regulations now, "family" applies to common law situations.

THERE MUST BE NO FURTHER DELAYS IN BRINGING SECTION 4 (1) (g) INTO FULL EFFECT.

WE ARE CONFIDENT THAT OUR PRESENTATION ON EQUAL BENEFITS SPEAKS TO THE IMPLEMENTATION OF LEGISLATION THAT IS FAIR TO ALL - MALE AND FEMALE, UNION MEMBERS AND UNORGANIZED WORKERS, YOUNG AND OLD.

The Ontario Committee on the
Status of Women.

Wendy Lawrence
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CHILD CARE SERVICES
IN ONTARIO

THE NEED

No issue is more basic to the women of Ontario than child care.

- In 1973, 40% of Ontario mothers of children under 16 were in the labour force.
- Over $\frac{1}{4}$ of mothers (aged 20/54) of children under 2 in Ontario were working.

THE AVAILABILITY

The need for child care assistance to families has far outpaced the availability of service.

- Only 7% of working mothers of children 'not in school' had made formal day care arrangements in 1973 (Canada).
- Only 3% of working mothers with children in school part time had access to licensed services (Canada).
- Altogether, in 1972/73, less than 2% of the children of working mothers in Canada had access to licensed (all) day care and to supervised lunch and after school programmes in group care centres.

CONSUMER COST

Even where programmes are available, the cost to a family of placing a child in care can be prohibitive.

- In Toronto, in 1975, the average cost of placing one child in day care for one year is approaching \$2,000.

ONTARIO GOVERNMENT OUTLAY (1974/75)

- Day Nurseries Allocation: \$29 million
- Primary and Secondary Education: \$1.5 billion (or, very roughly, \$107 million for each age-grade level from kindergarden through grade thirteen)

PRIORITY CONCERNS

SERVICE QUALITY

- Volunteer participation in child-care services should be encouraged--but not as an alternative to trained staff.
- Regulations and funding arrangements must ensure
 - i) that child care staff be well qualified, and
 - ii) that enough trained staff be immediately available to the children in care to achieve program objectives.

QUESTION

The Ontario Committee on the Status of Women seeks assurance from the Government of Ontario that the present Regulations concerning staff qualifications and ratios will be retained until such time as objective evidence can be produced to support any revisions.

SERVICE ACCESSIBILITY

- It is clear that Ontario's children need an expanded network of services at a price their parents can afford to pay.
- Can we reasonably expect private enterprise and voluntary and non-profit groups to take the major initiatives in establishing child care services, in view of the lessons learned from the Queen's Park day nursery?

QUESTION

Last year's \$15 million allocation for capital assistance grants was a good first step. What developmental assistance will the Province make available to communities and non-profit groups this year?

- Government statistics show that the relative lack of organized child care programmes in Canada has not prevented mothers from seeking employment. Instead, the result of inadequate service has meant that up to 10% of the children of working mothers have had to survive with no regular arrangements made for their care. Under the present circumstances well over 90% of the children of working mothers have no access to licensed programmes.
- Concern has been expressed by some that the wider proliferation of services to children would merely encourage women to flood into the labour market (at a time of high unemployment). *Clearly, the main effect of an expanded day nursery programme would simply be better care for our children, whose pressing needs remain unmet.*

(Source of data: Statistics Canada; Health and Welfare, Canada)

Prepared by: The Ontario Committee on the Status of Women

15 April 1975

Wendy Lawrence

SUBMISSION BY THE ONTARIO COMMITTEE ON THE STATUS OF WOMEN
RESPECTING
O.L.R.C. FAMILY LAW REPORT PART IV, FAMILY PROPERTY LAW

The Ontario Committee on the Status of Women submits that the laws by which we are governed should reflect the values of our society, and that there can be no doubt of the need for reform in Family Property legislation.

The expectations of men and women with respect to the partnership created by marriage is at variance with the existing law. Reform that recognizes marriage as an economic as well as a social partnership is long overdue.

If, in fact as well as prevailing belief, marriage is to be regarded as a partnership between equals, this must be explicitly stated in the law with respect to both rights and responsibilities.

Recognition of contributions other than those of a direct financial nature is necessary. A spouse who by mutual agreement is non-income earning, should not be deprived of an equity in the assets accumulated during the marriage.

Provision in the law for sharing during the marriage as well as at termination is an ideal which deserves attention.

A detailed Brief of our recommendations was submitted to The Honourable John T. Clement, Q.C., Provincial Secretary of Justice and Attorney General, on March 11, 1975, and we recommend it to your attention.

Respectfully submitted,

The Ontario Committee on the Status of Women

Wendy Lawrence

SUBMISSION RE: Birth control and family planning

Key issues dealt with in this brief and which will be discussed with the Ministry of Health include the following recommendations:

1. That adequate, province-wide services be defined as to include a complete clinical, educational, counselling and promotional program.
2. That a monitoring and evaluation system be operated by the Ministry of Health on every conception control and family planning service program put into operation by local Boards of Health.
3. That all Boards of Health be required to provide programs in birth control and family planning in order to continue to receive funding of their other local health services.

Wendy Lawrence

April 17, 1975

EQUAL OPPORTUNITY AND POST-SECONDARY EDUCATION

The question of equal pay for work of equal value is closely tied to programmes of training and higher education in the province. In connection with the discussion of equal pay, we note two aspects of the situation which especially mitigate against equality for women:

- 1) the pay differential created by the fact that few women reach the higher paying jobs
- 2) the creation and maintenance of "sex ghettos"

Both these barriers to equality for working women are directly tied to the present structure of higher education. In addition, the direct and indirect benefits of post-secondary education for women in their role as worker, parent, citizen and wife are part of our concern with the current status of Ontario women. However, today we are emphasizing the relationship between the structure of education and the position of women with respect to the economy.

Goals

Specifically, we have two goals in mind in today's discussion: equality of access to all programmes of post-secondary education for women; and the reduction and eventual abolition of sex-stereotyping in training and education programmes, especially in community colleges.

Equality of Access

There are three immediate concerns in connection with access:

1. that all applicants for post-secondary programmes be considered on the basis of merit rather than ascribed characteristics
2. that post-secondary institutions demonstrate their commitment and willingness to implement the first point above, specifically by the publication of data on applicants and admissions by sex and marital status
3. that financial support programmes be implemented which recognize the special financial needs of men and women with young children. Such support might be direct by supplemental awards for the purposes of childcare, or indirect by the establishment of adequate childcare centres

Equality of Opportunity

There are three immediate concerns in connection with opportunity:

1. that counselling and encouragement in the secondary school system and in post-secondary institutions be monitored to ensure that men and women are guided to take those courses which open up for them the full range of opportunities in the labour market
2. that post-secondary institutions show their commitment to the notion of equality by recruiting and training men in traditionally female fields and women in traditionally male fields
3. that MCU tie grants to post-secondary institutions to some evidence of the implementation of equality