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EQUAL PAY FOR WOMEN

A Brief to the Ontario Minister of Labour

By the Ontario Committee on the Status of Women

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### A. BACKGROUND

#### 1. Purpose of Brief

The Ontario Committee on the Status of Women (OCSW) is a voluntary organisation representing more than 400 individual women and a number of affiliated organisations all over Ontario. The OCSW is affiliated with the National Action Committee on the Status of Women, an umbrella organisation representing 165 organisations from all parts of the country.

One of the OCSW's main concerns is the status of the more than 1½ million women in this province who work outside the home: their job access, compensation and working conditions. On numerous occasions in the past the OCSW has presented briefs and held meetings with elected representatives and government officials to make known our views on government policy as it affects the status of women. This brief, on the key issue of equal pay, is prompted by our concern at the growing pay and earnings gap between men and women and the lack of appropriate corrective action on the part of the Ontario government.

#### 2. Unequal Pay - The Scope of the Problem

In the words of economist Dr. Gail C.A. Cook, "Women contribute massively to the Canadian economy, both in, and out of, the labour force." 1. Despite their massive and growing contribution, however, Canadian women continue to be disproportionately Canada's poor and indications are that their economic position is getting worse. For example, the most recent survey of Consumer Finances (1976) places the average earnings of women at \$8,114 a year, or 53.5% of men's average, down from 55.3% in 1974. A number of economists, including Ostry, Holmes and Gunderson,<sup>2</sup> have studied male-female pay differentials and their causes, and have arrived at figures suggesting that from 8% to 44% of the overall differential can be attributed to pay discrimination. Whatever the exact figure, the total amount owing to women is staggering.

Data which looks specifically at Ontario also presents a bleak picture. Perhaps the best research on the wage gap and pay differentials between the sexes in

this province is to be found in studies done by Morley Gunderson. His study of wage differentials and the impact of equal pay legislation in Ontario placed average intra-occupational, intra-establishment wage differentials at 22% and concluded that this was a conservative figure since it did not allow for the effects of sex discrimination on productivity factors.<sup>3</sup>

### 3. Government Action to Date

Ontario was the first jurisdiction in Canada to pass equal pay legislation for women back in 1951. Since then government Ministers and publications have devoted an inordinate amount of time and space to lauding this province for its leadership, so much time in fact that Ontario has fallen behind both within Canada and internationally. The federal government, Quebec, the U.K. and New Zealand can all lay claim to equal pay legislation that is more progressive than ours.

The last amendment to the equal pay section of the Employment Standards Act was made in 1975, when this section was broadened to require equal pay for work that was "substantially the same" rather than requiring that work be "the same". No subsequent changes have been made in either the provisions of the statute which relate to equal pay or enforcement provisions or procedures, despite the fact that the wage gap has been widening.

In 1975, when the Ministry of Labour appointed a sub-committee on "equal pay for work of equal value", which included 1 of our members, it appeared that Ontario was contemplating more progressive legislation. Although a "Toronto Star" editorial stated that the sub-committee's report was favourable to equal value, the report was never made public.<sup>4</sup> Instead, in October 1976, women in Ontario were treated to a government "discussion paper"<sup>5</sup>, which proclaimed its intention to "improve the quality of the current debate" on equal pay for work of equal value.<sup>6</sup> In carrying out its intention, the discussion paper quoted from Webster's New Collegiate Dictionary on "value"<sup>7</sup> and devoted a great deal of space to attempting to minimize the potential utility of equal value as a means of narrowing the male-female wage gap. Based on the data which was used to arrive at the discussion paper's conclusion that equal value would have a distinctly modest impact on the wage gap, we are not surprised that this conclusion was reached. We do not accept, however, this

finding of the discussion paper, nor do we accept that the paper itself represented a sincere attempt to come to grips with the issue of equal value.<sup>8</sup> The discussion paper also talked at length about the many difficulties thought to be associated with implementing equal value without suggesting how these could be overcome, and discussed the costs associated with equal value without also discussing the benefits or the high price that women currently pay to subsidize the economy with their undervalued labour.

Nothing further was heard from the Ministry of Labour on equal pay until the January 1978 conference on equal pay and equal opportunity. This conference brought together many knowledgeable people from Canada, the U.S. and the U.K. and the conference publication is excellent.<sup>9</sup> However, since that conference the Ministry of Labour has continued its deafening silence and lack of action on the subject of equal pay.

The only bright spot the OCSW can point to at this time is some of the recent speeches by the Honourable Dr. Robert Elgie on the subject of equality for women as well as the Minister's remarks during the Ministry of Labour's estimates debates.<sup>10</sup>

The OCSW presents this brief in the hope that the Labour Minister was serious when he spoke about his dissatisfaction with the wage gap and his determination to do something about it. In the sections which follow we have outlined our concerns about current provisions for equal pay in Ontario as well as about how these provisions are enforced. We have also recommended changes to the legislation and enforcement mechanisms, changes that we are convinced would make the legislation both a more effective and appropriate tool to redress the male-female wage imbalance.

## B. DEFICIENCIES IN CURRENT LEGISLATION

### 1. Substantive Provisions

The most frequent criticism of the current provisions for equal pay in Ontario (Employment Standards Act, Section 33 (1) ) is that the standard is so narrowly defined that very few women can avail themselves of its provisions. Section 33 (1) requires equal pay where men and women perform work that is substantially the same in skill, effort, responsibility and working conditions and is performed in the same establishment.

In addition to its very narrow framing, the act provides a full array of exceptions to its provisions. Exceptions are allowed for seniority, merit, a system that measures quantity or quality of production, or "any factor other than sex".

It is the position of the OCSW that there are at least 5 major problems with the coverage this section provides.

(i) No Provision for Composite of Factors

Equal pay is required only where work is substantially similar in each criterion of skill, effort, responsibility and working conditions. The difficulty of proving that each factor individually is substantially the same is obvious. More seriously, the unfairness of requiring substantial similarity in each criterion, rather than on a composite of factors, has been amply illustrated by cases such as Daisy Morant and the Oshawa Times.<sup>11</sup>

(ii) Definition of Establishment

The limitation of the equal pay requirement to a single establishment enables employers to routinely avoid compliance by the simple expedient of not employing men and women in the same job in the same establishment. It is common knowledge that this loophole is widely used by employers with multiple premises, even in the same geographic location.

(iii) Exceptions to Requirement for Equal Pay

The numerous exceptions, especially the blanket exception for "any factor other than sex", facilitate, indeed virtually invite, avoidance of the requirements of the legislation. Moreover, the exceptions themselves may have the effect of discriminating against women. Seniority is one example of an exception which clearly has an adverse impact on women. In terms of the exception for "any factor other than sex", it is difficult to understand why this broad exception is in the legislation at all, except as a means of seeing how creative employers can be in devising ways to discriminate against women.

(iv) Consecutive Filling of Positions

The equal pay section does not cover situations where males and females consecutively fill the same position. Thus, employers may, and do, legally pay women less than men when they succeed a man in a job. The omission

of a consecutive employment clause in the Employment Standards Act provides another easy way to avoid paying women equally with men.

(v) Requirement that Work Be Substantially the Same Kind

The equal pay section as currently framed turns a blind eye to the fact that the vast majority of women do not work in jobs similar to those of men and cannot compare their work with that done by a man. The occupational and industrial segregation of women is well known and documented. The latest figures on the workforce show that the clerical, sales and service sectors of the economy continue to employ over 62% of Canada's working women.<sup>12</sup> Moreover, the concentration of women in these sectors is growing. At the level of occupations, more than one-half of the top occupations for women are more than 80% female in composition.<sup>13</sup>

We do not propose in this paper to go into our perceptions of the reasons for sex segregation in the labour force, although it is the OCSW's position that the inadequacy of current equal opportunity provisions is central to the problem. We believe that, since women are many years away from occupational parity with men, there is no trade off to be made between amending equal pay legislation, to extend its coverage to women in female occupational ghettos, and strengthening equal opportunity requirements. It is the position of the OCSW that women in Ontario need both equal pay for work of equal value and Affirmative Action in order to achieve equality. We would go so far as to say that without equal value legislation the achievement of occupational redistribution between the sexes is doomed because men will not be attracted to low paying "women's jobs", unless the economy becomes so depressed that they have no choice.

We also believe that an equal pay standard which effectively ignores the remedial nature and spirit of equal pay legislation is seriously deficient. As the Women's Policy Committee of the Canadian Association of Administrators of Labour Legislation has pointed out, equal pay legislation represents "... an attempt to change instilled social values on all levels of society and is not merely a mechanism to permit the collection of past wages owing".<sup>14</sup> Equal pay for work of equal value is essentially a call for pay which is equitable, that is, based on the demands of the job rather than determined by means which are quite arbitrary.

Equality for women should not amount to merely dividing each slice of the economic pie equally between men and women. It must surely mean that the slices themselves take on a different shape, one that reflects a greater, fairer value placed on the traditional work and skills of women.

In response to the concerns we have expressed in this section of our brief the OCSW makes the following recommendations:

RECOMMENDATIONS

1. That the Employment Standards Act be amended to require equal pay for work of equal value for males and females employed by the same employer.
2. That the criteria for determining equal value be a composite of the factors of skill, effort, responsibility and working conditions.
3. That the only exception to the requirement for equal pay for work of equal value be for a merit pay system, where the employer can demonstrate that the application of this system is not having an adverse impact on women.
4. That employers be required to pay males and females equally when they consecutively fill the same position.
5. That the government establish and distribute widely the minimum criteria that it will apply in assessing employers' methods of establishing the value of work.
6. That the requirement for equal pay for work of equal value be phased in over a 2 year period, during which time the Ministry of Labour conduct an awareness campaign to inform employers, employees and their representatives about equal value and provide a consulting service to employers, employees and their representatives, so that they may have some direction and guidance in amending their methods of establishing the value of work.
7. That the government develop and distribute widely guidelines for the establishment of non-sexist methods of determining the value of work.

## 2. Enforcement of Equal Pay

Ontario's equal pay law is enforced through the laying of individual complaints and their investigation by an Employment Standards Officer. Although these officers are also empowered to initiate routine investigations on equal pay, it would be incorrect to describe this as an enforcement mechanism, except in an academic sense, since we understand that this power is not currently being used. Enforcement procedures in Ontario follow an investigation, conciliation, confidentiality model and there are rights of appeal for both employers and employees, although these rights are different.

The provisions and procedures for enforcing equal pay in Ontario have been the subject of considerable criticism, based on their failure to impact on the wage gap, the small number of complaints laid and the even smaller number which succeed, and the insignificant amount of back pay collected for successful complainants.

The statistics which we were able to obtain verify that there have been few successful equal pay complaints and relatively little money collected for complainants. In Ontario in roughly a 6 year period, from April 1973 to December 31, 1978, total back pay in the amount of \$1,169,054.37 was collected on behalf of 1098 employees from 104 employers.<sup>15</sup> This amounts to 78¢ for each woman currently in the labour force, a truly unimpressive figure given the scale of wage differentials and the magnitude of the overall wage gap. If the years 1973-74, when \$547,191.72 was collected, and 1976-77, when \$535,966.02 was collected, are taken away, the total for the other 4 years comes out to less than \$86,000.00 and the total number of employees benefitted shrinks to 237.

If we reject the idea, as Professor Mary Eberts did, that women do not need equal pay legislation,<sup>16</sup> as well as the notion that they do not wish to be paid equally, we can only conclude that the provisions and mechanisms for enforcing equal pay are as deficient as the legislation itself.

The section which follows outlines the faults the OCSW sees with current provisions and procedures for enforcing equal pay as well as our recommendations for improving these.

(i) Vagueness of Employment Standards Act

The Employment Standards Act is vague in at least 2 key areas. These are in delineating complaint procedures and in providing for class actions.

Ontario's Employment Standards Act fails to specify complaint laying procedures. It is, in fact, the only equal pay or human rights statute in Canada which fails in this respect. While it may be assumed that complaint laying procedures are well defined from past experience with the legislation, it is preferable to have them spelled out. In the absence of defined procedures, the act is open to arbitrary enforcement.

The Employment Standards Act does not clearly spell out the right to initiate a complaint on a class basis. Although there have been cases, such as the Greenacres case, which were a form of class action, the current provisions are so unclear as to be unsatisfactory given the importance we attach to the class action approach.

(ii) Individual Complaint Emphasis

The Employment Standards Act and its monitoring and enforcing Branch emphasize an individual complaint approach to resolving problems of unequal pay. As previously stated, we understand that the routine investigatory powers of the branch are not currently being employed where equal pay is concerned.

Professor Eberts has pointed out that the individual complaint route is "oddly suited" to redressing a wage imbalance which is class based.<sup>17</sup> The evidence is that unequal pay is overwhelmingly a woman's problem. It is not, however, as the individual complaint approach suggests, a case of isolated employers paying individual women less, but of employers paying women in general less than they pay men.

It is also evident that an individual approach is economically inefficient. Equal pay investigations are both complex and time consuming, and therefore costly. The use of an individual complaint model shortchanges not only the vast majority of working women whose situation of underpayment is never investigated, but also the taxpaying public which foots the bill for the equal pay investigations that are done.

The investigations which are currently done are costly, yet they do not begin to scratch the surface of the problem. The use of routine investigations to uncover violations, coupled with clear provisions for class actions, would enable the Employment Standards Act to be of benefit to a far greater number of women at a cost that would be proportionately less than is presently the case.

An individual complaint model also effectively sets up complainants for victimization. Complainants are at an extreme disadvantage due to their isolation and the disparity between their resources and those of the employer. Although the current Employment Standards Act does contain provisions prohibiting the victimization of complainants, these have proven woefully inadequate to the task at hand, as the case of Janet Crook demonstrated.<sup>18</sup> The threat of reprisals from employers is certainly a major factor in discouraging victims of unfair pay from asserting their rights.

Lastly, as we have pointed out earlier, current equal pay legislation in Ontario places the onus for identifying situations of unequal pay and seeking redress on employees. It would seem that there would be many advantages to adopting mechanisms, such as those that were used by the Anti-Inflation Board, which require employers to identify how they are complying with equal pay requirements and what progress they have made in closing the pay gap between men and women. If employers were required to submit this kind of information they might feel more compunction to abide by equal pay requirements. The information submitted could also be very useful to the Ministry of Labour for research purposes and for identifying industries and employers which appear to discriminate.

(iii) Resources of the Employment Standards Branch

It is our understanding that the main reason that the initiatory powers of the Employment Standards Branch are not currently being used is a lack of resources, both human and financial. As an enforcement mechanism routine investigations would be much more effective than relying on individual complaints. In addition to alleviating the problems of victimization, routine investigations would allow the Employment Standards Branch to investigate, on a priority basis, employers and industries known to be discriminatory.

Because of the importance we place on adopting an investigatory route for policing compliance with equal pay, the OCSW regards the underresourcing of the Employment Standards Branch as a serious problem. Although the OCSW has been critical of the Employment Standards Branch on many occasions, we wish to make it clear that we are strongly of the opinion that this branch has never had the resources necessary to do the job required of it.

We understand that there are currently some 70 Employment Standards Officers in Ontario, a figure that has not changed for the past few years. It is obvious that this is an insufficient number of people to carry out the branch mandate, given the complexity of the Ontario economy and the sheer physical size of the province. Moreover, we understand that the officers investigate complaints of all types and that there is among them only 1 equal pay specialist. In view of the complexity and time demands of equal pay investigations, it would seem a better use of public money to employ equal pay specialists. It is clear that this will have to be done in any event when the Ontario government adopts the principle of equal pay for work of equal value because of the detailed knowledge of job evaluation which that standard would require.

(iv) Civil Action

There is currently no clear provision for an equal pay complainant to choose to pursue a civil remedy rather than going through the Employment Standards Branch. The OCSW would argue that there could be considerable benefit in bringing equal pay cases into court rather than always investigating privately. Thus, we feel that a right of civil action is an option that should be available to complainants.

(v) Rights of Appeal

Under Section 50(3) of the Employment Standards Act, an employer who wishes to appeal the decision of an Employment Standards Officer may do so to a referee. The appeal of an employee, however, is referred to another Employment Standards Officer (Section 49 (2)). Aside from the basic inequity in this arrangement, it is difficult to see how an Employment Standards Officer can be expected to be as impartial regarding the decision of a colleague as an independent referee. The current situation places Employment Standards Officers in the position of being investigator, judge and court of appeal where the complaints of employees are concerned, a situation which inevitably involves problems of both

real and perceived inequity as well as potential conflict of interest.

(vi) Penalties for Non-Compliance

The penalties for non-compliance with equal pay requirements in Ontario are so low as to amount to a licence fee to discriminate rather than a deterrent. The current maximum fine of \$10,000 is insufficient to instill a "healthy fear" of discriminating in employers, particularly when coupled with the knowledge that most employers will never be investigated. The experience of American companies such as A.T.&T. should be conclusive proof of the motivational effects of meaningful sanctions on employer behaviour.<sup>19</sup>

Ontario also places an upper limit of \$4,000 on an employee's recovery of lost wages. Such a limitation is indefensible given the economic loss and psychological damage sustained by victims of unequal pay.

In response to the concerns we have expressed in this section of our brief the OCSW makes the following recommendations:

RECOMMENDATIONS

8. That procedures for laying a complaint be specified in the Employment Standards Act.
9. That the equal pay section of the Employment Standards Act specifically provide for the initiation of a class action.
10. That the Employment Standards Branch make wide use of its powers to conduct routine audits as a means of enforcing compliance with equal pay requirements. Further, that these audits be conducted, on a priority basis, of employers and industries which are known to discriminate.
11. That employers be required to file information with the Ministry of Labour on a regular basis indicating what their efforts have been to comply with equal pay legislation and the degree of success they have had in closing the male-female wage gap. Further, that this information also be used to identify employers and industries where non-compliance seems to be a problem, so that they may be investigated.

12. That a "reverse onus" clause be added to the Employment Standards Act to protect complainants from reprisals for pursuing their rights.
13. That the Employment Standards Branch be provided with additional staff, in the form of equal pay specialists, in order to carry out its responsibility for enforcing equal pay requirements.
14. That there be clear provision for the initiation of a civil action for equal pay. Further, that this option be available as a first resort rather than only after exhausting Employment Standards Branch channels.
15. That comparable rights of appeal be accorded to employees and employers under the Employment Standards Act.
16. That the \$10,000 maximum fine for violations of equal pay legislation be substantially increased.
17. That the \$4,000 ceiling on recovery of wages owed to an employee because of pay discrimination be removed. Further, that provision be made for the payment of damages to successful equal pay complainants.

C. EVALUATION OF SUCCESS IN ACHIEVING EQUAL PAY

The OCSW has pointed out in the foregoing sections of this brief the deficiencies we see in equal pay legislation and its enforcement in Ontario. The legislation has been of direct benefit to a very limited number of women who have collected an insignificant amount of back pay. The legislation has made no impact on the overall male-female wage differential. By anyone's standards, except those who support discrimination, the current legislation is an abysmal failure.

The OCSW believes it is imperative not only to overhaul Ontario's equal pay statute and related enforcement mechanisms, as outlined in this brief, but also to ensure that the changes made are effectively implemented and their impact monitored. In order to do this, we believe it is important to break away from process-oriented measurement criteria.

To this end we make the following recommendation:

RECOMMENDATION

18. That the Ontario government evaluate success in enforcing equal pay requirements by:

- the amount of back pay collected
- the degree to which the male-female wage gap closes

Further, that the Ontario government establish a final target date and a stepped series of interim goals, with clearly defined criteria for evaluation, for the achievement of equal pay between men and women.

## FOOTNOTES

1. Gail C.A. Cook, "Achieving Equal Pay and Equal Opportunity" in Ontario Ministry of Labour, Issues and Options: Equal Pay/Equal Opportunity (1978) p. 57.
2. The main Canadian studies on pay and earnings differentials include the following:  
  
Morley Gunderson, Male-female Wage Differentials and the Impact of Equal Pay Legislation, Faculty of Management Studies, University of Toronto (1974).  
  
R.A. Holmes, "Male-female earnings differentials in Canada" in "Journal of Human Resources", (Madison, 1976) pp. 109-117.  
  
Sylvia Ostry, The Female Worker in Canada, Dominion Bureau of Statistics (1968).
3. Morley Gunderson, *ibid.*, p. 13.
4. "Make equal pay for women a reality" in "Toronto Star", (August 27, 1976).
5. Ontario Ministry of Labour, Equal Pay for Work of Equal Value: A Discussion Paper (1976).
6. *Ibid.*, p.4.
7. *Ibid.*, p.31.
8. The main problems with the data used as a basis for the conclusions presented in the discussion paper are:
  - No account is taken of the effect of sex discrimination on productivity factors.
  - Inferences about the potential utility of equal value were drawn based on data on broad occupational groups. Even where adjustments were made for occupational distribution, salaries within each occupation remained as they were.
  - Data used to look at pay differentials within narrowly defined occupations did not represent the real world of employment. The data effectively eliminated the most entrenched female and male occupational areas. For example, data used to assess differentials within narrowly defined occupations across establishments included only occupations with at least 20 male and 20 female incumbents. Data used for narrowly defined occupations within establishments included only occupations with 5 males and 5 females in the occupation in the establishment, and occupations where females made up not less than 20% or more than 90% of the incumbents.

9. Ontario Ministry of Labour, Issues and Options: Equal Pay/Equal Opportunity (1978).
10. Speeches by the Honourable Dr. Robert Elgie on March 8, 1979 to the International Women's Day Rally and to the Confectionery Manufacturers Association of Canada.  
  
Legislature of Ontario Debates, Resources Development Committee Estimates, Ministry of Labour, Thursday November 23, 1978, p. R-1265.
11. In the case of Daisy Morant and The Oshawa Times, Ms. Morant was unsuccessful in her equal pay complaint, although she was found to exercise more skill and the same effort as the sports editor, but the sports editor was deemed to have more responsibility.
12. Ontario Ministry of Labour, Women's Bureau, "Basic Facts" (1979).
13. Morley Gunderson, "Work Patterns" in Gail C.A. Cook (editor) Opportunity for Choice: A Goal for Women in Canada, C.D. Howe Research Institute (Ottawa, 1976) p. 113.
14. Women's Policy Committee, Canadian Association of Administrators of Labour Legislation, Equal Pay in Canada (1976).
15. Summary of Back Pay Collections:

<u>Year</u>	<u>Amnt. Collected</u>	<u># of Employees</u>	<u># of Employers</u>
1973-74	547,191.72	409	18
1974-75	40,211.19	114	15
1975-76	31,248.88	76	17
1976-77	535,966.02	452	39
1977-78	6,672.37	20	9
To Dec. 31/78	7,764,19	27	6
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TOTALS	1,169,054.37	1,098	104

## SUMMARY OF RECOMMENDATIONS

1. That the Employment Standards Act be amended to require equal pay for work of equal value for males and females employed by the same employer.
2. That the criteria for determining equal value be a composite of the factors of skill, effort, responsibility and working conditions.
3. That the only exception to the requirement for equal pay for work of equal value be for a merit pay system, where the employer can demonstrate that the application of this system is not having an adverse impact on women.
4. That employers be required to pay males and females equally when they consecutively fill the same position.
5. That the government establish and distribute widely the minimum criteria that it will apply in assessing employers methods of establishing the value of work.
6. That the requirement for equal pay for work of equal value be phased in over a 2 year period, during which time the Ministry of Labour conduct an awareness campaign to inform employers, employees and their representatives about equal value and provide a consulting service, so that they may have some direction in amending their methods of establishing the value of work.
7. That the government develop and distribute widely guidelines for the establishment of non-sexist methods of determining the value of work.
8. That the procedures for laying a complaint be specified in the Employment Standards Act.
9. That the equal pay section of the Employment Standards Act specifically provide for the initiation of a class action.
10. That the Employment Standards Branch make wide use of its powers to conduct routine audits as a means of enforcing compliance with equal pay requirements. Further, that these audits be conducted, on a priority basis, of employers and industries which are known to discriminate.

11. That employers be required to file information with the Ministry of Labour on a regular basis indicating what their efforts have been to comply with equal pay legislation and the degree of success they have had in closing the male-female wage gap. Further, that this information also be used to identify employers and industries where non-compliance seems to be a problem, so that they may be investigated.
12. That a "reverse onus" clause be added to the Employment Standards Act to protect complainants from reprisals for pursuing their rights.
13. That the Employment Standards Branch be provided with additional staff, in the form of equal pay specialists, in order to carry out its responsibility for enforcing equal pay requirements.
14. That there be clear provision for the initiation of a civil action for equal pay. Further, that this option be available as a first resort rather than only after exhausting Employment Standards Branch channels.
15. That comparable rights of appeal be accorded to employees and employers under the Employment Standards Act.
16. That the \$10,000 maximum fine for violations of equal pay legislation be substantially increased.
17. That the \$4,000 ceiling on recovery of wages owed to an employee because of pay discrimination be removed. Further, that provision be made for the payment of damages to successful equal pay complainants.
18. That the Ontario government evaluate success in enforcing equal pay requirements by:
  - the amount of back pay collected
  - the degree to which the male-female wage gap closes

Further, that the Ontario government establish a final target date and a stepped series of interim goals, with clearly defined criteria for evaluation, for the achievement of equal pay between men and women.

16. Mary Eberts, "Enforcing Equal Pay and Equal Opportunity Legislation: Mission Impossible?" in Ontario Ministry of Labour, Issues and Options: Equal Pay/Equal Opportunity (1978) p. 61.
17. Ibid., pp. 64-72.
18. Ms. Crook eventually succeeded in obtaining some back pay from the regional municipality of Haldimand-Norfolk. However, she suffered severe reprisals for instituting her equal pay complaint, including changes to her job duties to put them at a lower level than those she had been performing.
- 19 The results of A.T.&T's accomplishments while operating under a compliance order are reported in the January, 1979 edition of "Fortune" magazine.