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PSAC waiting for Court dates in pay equity complaint against Canada Post

After filing a pay equity complaint against Canada Post Corporation in September 1983, PSAC finally won its case before a Canadian Human Rights Tribunal. But almost a year after the Tribunal's decision, our members are still waiting for their money.

On October 7, 2005, the Tribunal substantiated our complaint and found Canada Post guilty of wage discrimination against the workers in the clerical group. Canada Post immediately appealed the Tribunal's decision. PSAC subsequently filed an appeal on the grounds that the Tribunal had cut the amount of the estimated award by 50 percent. The union considers this decision by the Tribunal to be legally unjustified as there was no evidence presented during the hearings that showed the wage gap was being overestimated by PSAC's witnesses.

Canada Post's grounds for the appeal are essentially all the old arguments they had raised before the Tribunal. Over a ten-year period, the Tribunal had carefully considered these arguments and rejected them. However, it seems Canada Post prefers to keep fighting the case instead of paying what they owe.

At this time, PSAC is waiting for the Federal Court (Trial Division) to set hearing dates. Both Canada Post and the PSAC's appeals will be heard at the same time. It is probable that the appeals will not be heard by the Court until mid-2007. We expect that the hearings will take several weeks but it is too early to confirm this or to estimate how long the Court may take to issue its decision. Once the Federal Court (Trial Division) decision is issued, both parties have the right to appeal the decision to the Federal Court of Appeal.

Unfortunately, after waiting 23 years for economic justice, our members must wait even longer, thanks to an employer that refuses to acknowledge their right to pay equity.

Updates will be posted on the PSAC web site as information becomes available.