

October 7, 2005

PSAC wins pay equity adjustments for Canada Post workers

OTTAWA - A Public Service Alliance of Canada (PSAC) pay equity complaint has resulted in a Canadian Human Rights Tribunal awarding pay equity adjustments and interest worth at least \$150-million to about 6,000 current and former clerical workers employed by Canada Post Corporation.

"It has taken the union and its members at Canada Post over 22 years to reach this day," says PSAC National President Nycole Turmel. "While it has been a long haul, the union's complaint that Canada Post was not paying equal pay for work of equal value has been upheld."

The Tribunal has awarded pay equity adjustments to clerical workers retroactive to August 24, 1982. It has also awarded simple interest, retroactive to the same date, based on Canada Savings Bonds rates. Any interest that accumulates from October 7, 2005 will be calculated at the Court of Justice rate. In addition, the adjustments will apply to benefits such as pensions, overtime and acting pay.

"If there is a downside to this decision, it is that Canada Post has benefited from its lack of cooperation with the complaint investigation process," says Turmel. "While the Tribunal has supported our pay equity claim, concerns were raised over the quality of the job data, a direct result of Canada Post's total failure to proactively investigate and deal with the complaint and to cooperate with the investigation process. These concerns led the Tribunal to award 50% of what the union and the Canadian Human Rights Commission calculated was owed to our members."

According to Turmel, "There is clearly an incentive for employers not to cooperate in the current process if it means they can cut their losses. It is also further proof, if any more was needed, that a new proactive pay equity law is needed now."

While the case has already taken over 22 years, it is not over yet. Canada Post has 30 days in which to file an appeal.

"Women should not have to fight for decades for economic equality," says Turmel. "The Liberal government can take two big steps to address this situation. Canada Post Corporation can announce that they will not appeal the Tribunal's decision. The government can give us a date for the introduction during this session of Parliament of a new proactive pay equity law based on the Report of the government's own Pay Equity Task Force. I call on them both to do so without delay."

PSAC filed its complaint in 1983, comparing the female-dominated clerical group with the male dominated Postal Operations (PO) group. It took almost 10 years for the Canadian Human Rights Commission to investigate the complaint and refer it to a Human Rights Tribunal.

The Tribunal was finally set up in 1992. It took eleven years, 415 days of hearings, 1,000 exhibits and over 44,000 pages of testimony before the hearing process concluded in August 2003. The Tribunal has been preparing its decision since then.

This decision follows other large PSAC pay equity gains. A 1999 settlement with the federal government provided over \$4-billion in pay equity and interest payments to over 200,000 current and former PSAC members. In 2000, PSAC members employed by the Government of the Northwest Territories received about \$50-million as a result of their pay equity complaint.