

# *It's a Balancing Act*

## **A STEELWORKER GUIDE TO NEGOTIATING THE BALANCE OF WORK-LIFE RESPONSIBILITIES**



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*Updated and revised 2004*

# IT'S A BALANCING ACT

## **It's a balancing act**

She has to work until eight.  
The babysitter won't wait.  
The grievor's irate.  
And she just wants a break.

## **It's a balancing act**

A waiting list at the Home,  
Her disability requires she not be  
alone  
Now that the kids moved away  
Mom's here to stay

## **It's a balancing act**

They think the benefit plan is ok  
They don't know that he's gay  
He's afraid to come out  
Risking his job to defend  
Human rights – what it's all about

## **It's a balancing act**

They say they want her to get active  
Take a course and run for office  
But will they help her to succeed  
And adopt a child care policy to  
meet her needs?

## **It's a balancing act**

He works days, she works nights  
Who will pick up the kids  
Who is cleaning the house  
Who's shopping and cooking  
When will they get it right

## **It's a balancing act**

The school calls ahead to say  
They had to send your sick child  
home  
Do you take one of your vacation  
days,  
Or leave her home alone?

## **It's a balancing act**

He wants to be active in the union  
But they choose weekdays to meet  
When the kids' soccer teams all  
compete  
Is his commitment measured by his  
choice?  
Or will the union find a way to give  
him a voice

## **It's a balancing act**

They want to adopt a child  
And take some time  
But do the maternity, paternity and  
parental benefits apply?

## **It's a balancing act**

It's time again to negotiate  
Hours of work and vacation dates.  
We have a duty to accommodate  
Cultural and religious traditions  
Time for new agreement provisions?

## **It's a balancing act**

It's a matter of fact.

**It's a Balancing Act.** That's why we have policies to help workers balance work, family and union activity. Through contract language, local union by-laws and political action we can address the diverse needs of workers and make it clear that our union is, indeed, ***Everybody's Union.***

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# PUTTING CHILDREN AND FAMILIES FIRST

In May 2002, the United Nations held a special session on children. Canada, together with countries around the world, signed the Declaration: **A World Fit for Children**. The Declaration commits Canada to:

Put children's needs first

- \* Eradicate poverty and invest in children
- \* Leave no child behind: end discrimination and racism
- \* Provide care for every child
- \* Listen to children and ensure their participation

The United Steelworkers is a member of Campaign 2000, a non-partisan cross-Canada coalition of over 85 national and community organizations committed to seeing the government implement the 1989 resolution to end child poverty by the year 2000. In 1989, one child out of every seven in Canada was poor. Among working poor families, child poverty increased to 57% during the 1990s, totaling almost 600,000 children. In 2001, almost one in six children lived in poverty.<sup>1</sup>

Together with Campaign 2000, Steelworkers call on the Canadian government to develop a plan of action to implement the commitments of the UN Declaration by:

- \* Increasing child benefits to reduce child poverty by 50% in the next five years
- \* Providing funding and support to early childhood education and care services in communities across Canada
- \* Investing in affordable housing
- \* Increasing international aid to assist developing countries challenge child poverty<sup>2</sup>

## ORGANIZE AND MOBILIZE

A good pay cheque and benefits are the best cures for poverty. Reaching out to unorganized workers is the best step we can take to help families. We know that average wages and benefits of unionized

part-time and full-time workers are significantly better than those of non-unionized workers. But, getting out of poverty and staying out of poverty depends on more than just good wages and benefits. We must use our bargaining strength to negotiate provisions that help people balance work-life responsibilities. And, we must work in solidarity with our community and coalition partners to ensure governments live up to their commitments and put children and families first.

## THE BALANCING ACT: IT'S A MATTER OF FACT

Responding to changing family structures and an increase in women's participation in the workforce, Steelworkers in 1989 outlined a range of child care and elder care bargaining options and public policy actions aimed at helping people to better balance the varied demands at home and at work.

Since 1989, the population has aged, a greater number of women have entered the labour market and good public sector jobs have disappeared as health and social services were downsized and privatized. Workplaces have changed, and will continue to change, as our working population becomes increasingly diverse.

At each National Policy Conference since 1989, Steelworkers have reaffirmed the need for public and negotiated responses to assist our changing workforce and their families with the Balancing Act.

Women now account for 46% of the labour force, up from 37% in 1976. The largest participation rate increase has been among women with pre-school age children:<sup>3</sup>

\* In 2002, 62% of women with children less than age 3 were employed; 68% of women whose youngest child was aged 3 to 5 years worked for pay or profit.<sup>4</sup>

As the population ages, more and more workers will be looking after children and elderly relatives:

\* In 1996, almost one million Canadian women aged 25-54 (15% of all women in this age range) and 9% of all men in this age group

## ***WOMEN: THE UNION DIFFERENCE***

Does joining a union help? You bet.

In 2003, 61.6% of women over 15 years of age were in the Canadian labour force. The participation rate of women in the labour force with children under 16 years of age grew from 39-71.5% from 1976 to 2002.<sup>9</sup>

Union women earn much better wages. In 2002, full-time unionized women made \$19.61 an hour, while non-unionized women made \$14.08. Part-time unionized women earned an average of \$18.14 an hour vs. \$10.89 without a union.<sup>10</sup>

69% of unionized women have a pension plan; only 27% of unorganized women do.<sup>11</sup>

62% have extended medical coverage; for non-union women, it's 43%.<sup>12</sup>

72% of unionized women have a dental plan, while only 38% of non-unionized women are covered.

35% of union contracts have flex-time; more than 24% have paid leave for illness in the family; 53% have unpaid leave for personal reasons.<sup>13</sup>

provided care to both a child and a senior.<sup>5</sup>

\* The Conference Board of Canada found in a 1999 survey that 15% of employees care for elderly family members and children at home compared to 9.5% in 1989.<sup>6</sup>

The number of workers in non-standard arrangements including part-time work, self-employment and multiple jobs has increased over the last 10 years resulting in greater challenges to the balancing act:

\* In 1999, 2.7 million people (almost 20% of employees) worked part-time. For the past 30 years, women have represented 70% of all part-time workers. 73% state they prefer part-time employment, usually because of family responsibilities. 38% of women who work part-time have children under the age of 16.<sup>7</sup>

\* In 1999, 41% of employed women worked in a non-standard work arrangement, up from 35% in 1989. 29% of men worked non-standard

jobs, an increase from 22% in 1989.<sup>8</sup>

\* In 2002, 27.7% of employed women in Canada worked part time (fewer than 30 hours per week), compared to 10% of employed men. For the past 25 years, women have consistently accounted for 70% of Canada's part-time workforce.<sup>14</sup>

\* 44% of women aged 25 – 54 work part time in order to care for their children, elderly relatives, or for other family related reason. In contrast, fewer than 10% of men surveyed cite family reasons for working part time.<sup>15</sup>

## “TIME-STRESS”

Data from Statistics Canada's 1998 time use survey indicate that more than half of Canadians aged 25 to 44 (about 5 million individuals) worry that they do not have enough time to spend with their family and friends. Moreover, one third of men and women in this age range (3 million individuals) identify themselves as “workaholics.”<sup>16</sup>

In 2000, 58% of employees surveyed reported high levels of work-family “overload” (feelings of being rushed, drained, or overwhelmed by the pressures of multiple roles) as compared with 47% in 1990 when the survey was first conducted. In a Conference Board of Canada survey of 1,500 employees in 1999, 46% reported moderate to high work-life stress, up from 27% in 1988.<sup>17</sup>

Full-time working men and women with children report the highest stress levels. In 1998, 38% of women and 26% of men who work full-time and have children report high “time” stress. 85% of women and 79% of men in this category report that weekdays are too short to do what needs to be done.<sup>18</sup>

A study conducted by Health Canada found that over 10% of workers experienced excess worry, nerves or stress because they had difficulty “balancing home and work responsibilities.” Those most vulnerable are women and employees between 30 and 49 years old.<sup>19</sup>

Winning demands to help workers with the “balancing act” will benefit all the workers in your workplace. Workers are working more hours, picking up more of a load as companies continue to downsize. Absenteeism of co-workers as they cope with work-family conflict

increases the workload for everyone thereby increasing the stress in the workplace.

Talk to your members about their family responsibilities. Design a survey or set of questions your stewards and local union activists can use to find out more about the needs of your membership.

Use this guide to develop bargaining proposals on child care, elder care and family leave. The “stats” and “facts” can help support your arguments with your union sisters and brothers. You will need their support, stories from your co-workers and the stats and facts to win the support of management at the bargaining table. It will take time but the long term benefits to workers and the Union are worth the effort.

***Please share your successes. Send copies of successfully negotiated language on the Balancing Act to the Canadian National Office or e-mail it to: [uswa@uswa.ca](mailto:uswa@uswa.ca).***

## THE BALANCING ACT AND THE BALANCE SHEET

Statistics Canada reported that in 2001, each full-time employee was absent, on average, 8.5 days for personal and family reasons.<sup>20</sup>

Work-life conflict in Canada cost organizations roughly \$2.7 billion in lost time due to work absences in 1997. This does not include the cost of replacement staff, overtime, reduced productivity or the increased use of employee assistance plans associated with stress.<sup>21</sup>

Difficulties with the balancing act has additional costs according to a 1999 survey:

- \* 32% of surveyed employees turned down or did not apply for a promotion due to work-family conflict;
- \* 24% chose not to apply for a transfer;
- \* 17% had difficulty attending meetings after business hours;
- \* 16% had difficulty participating in training after hours;



- \* 16% had seriously considered quitting their current job; and
- \* 14% had already left a job due to work-family conflict.<sup>22</sup>

A 1999 Conference Board of Canada survey indicated that:

- \* 73% believed worker stress was due in part to difficulties balancing work-life responsibilities, up from 58% in 1989;
- \* 61% believed absenteeism was in part a result of trouble balancing work-life responsibilities, compared to 56% in 1989;
- \* 55% thought employee morale may be attributable to work-life difficulties, up from 38% in 1989; and
- \* 53% believed work-life issues accounted in part for employee productivity problems, up from 42% in 1989.<sup>23</sup>

## ***UNPAID WORK WORTH BILLIONS***

In 1992 (the most recent year data was available), the value of all unpaid work in Canada was estimated at \$235 billion, or roughly one third of Canada's annual Gross Domestic Product (GDP). Women do roughly two thirds of the unpaid work including child care, chores, household management and volunteering. This translates into an estimated value of \$150 billion for the unpaid work done by women and \$85 billion for unpaid work done by men.<sup>24</sup>

## **HOW ARE EMPLOYERS MEETING THE CHALLENGE?**

The 1999 Conference Board of Canada survey found employers are increasingly offering flexible work arrangements to help employees with the balancing act:

- \* 88% of respondents offered flextime, compared with 49% in 1989;
- \* 63% offered family responsibility leave, compared with 55% in 1989;
- \* 52% offered job sharing up, from 19% in 1989;
- \* 50% offered telework, an increase from 11% in 1989; and
- \* 48% offered a compressed work week, up from 28% in 1989.<sup>25</sup>

# THE BALANCING ACT: CHILD CARE OPTIONS

## IT'S A MATTER OF FACT:

*In 1992, Steelworker locals and the Labour Council Development Foundation proudly opened Steel Kids, Canada's first labour co-operative child care centre providing quality non-profit care to approximately 100 children in Richmond Hill, Ontario. Before and after school care is offered. In this community, Steel Kids is an essential service to working people and their families. But Steel Kids is an exception.*

Despite government commitments to public regulated child care, since 1992, total spending for child care outside of Quebec has dropped by about \$70 million.

Until 2003, 70% of the growth in regulated child care spaces was in Quebec, where the government introduced child care at \$5 a day for preschoolers and before and after school care.

Unfortunately, the province has decided to cut \$25 million from its publicly-funded child care

budget. Parents have seen their costs for quality child care increase to \$7 and \$10 per day.<sup>26</sup>

In the rest of Canada, there were only 65,340 new spaces created over the decade 1992 to 2001. In comparison, in the previous decade (1980 - 1990), child care spaces outside Quebec grew by more than 160,000.

Subsidy eligibility levels (in constant 2001 dollars) in seven provinces/territories dropped between 1992 and 2001. Most have not adjusted eligibility levels or adjusted them very little over the decade. Generally, parents are responsible for most of the cost of child care.<sup>27</sup>

In 1996-97, less than one third (29%) of preschool children 0-5 who received non-parental care while parents worked or studied were in licensed or regulated child care. Care by an unrelated, unlicensed provider was the most common arrangement used for these children, typically on a full-time basis.<sup>28</sup>

While over 70% of young children have mothers in the paid labour force, only 12% of children age 0-12 had access to a regulated child care space.<sup>29</sup>

Between 1971 (when data were first collected on child care spaces) and 1990, the annual rate of growth in regulated spaces typically ranged between 10% and 16%, as increasing numbers of mothers of young children entered, and remained in, the labour force.

Between 1990 and 1998, the annual rate of growth slowed to an average of roughly 5% per year. While the number of licensed child care spaces increased by 145,200 between 1992 and 1998, the number of children 0-12 years of age with mothers in the labour force increased by almost 489,000. By 2001, there were more than 3.3 million children in Canada aged 0-12 with mothers in the labour force, and 593,430 licensed spaces.<sup>30</sup>

*Most child care centres and child care providers prefer taking children on a full-time basis. Unfortunately, the current trend in part-time work and variable work shifts means working parents are struggling to find child care services as flexible as their work hours.*

*\* In 1995, only one in three Canadians (33%) worked a permanent full-time 9-5 job.<sup>31</sup>*

*\* 32% of the Canadian labour force worked some form of non-day or rotating shift in 1995. Men and women work shift in roughly equal proportions.<sup>32</sup>*

*\* 45% of couples with children under 16 included at least one spouse who worked a non-day shift.<sup>33</sup>*

Although they still account for a minority of centre-based spaces, the number of child care facilities sponsored by an employer, union, or an employee group has nearly doubled in the last decade.

In 2000, there were 338 work-related child care centres in Canada, up from 176 in 1991. A study done by the Labour Program of Human Resources Development Canada of 51 of these facilities found that 70% of the centres were located on the worksite while the remaining 30% were within a few blocks of the workplace. Over 80% of those sampled were sponsored by an employer with more than 500 employees.<sup>34</sup>

**Every tax dollar spent on good child care, brings a \$2 benefit to children, families and communities in the future.**<sup>35</sup>

After much intensive lobbying by social activist groups like unions, the federal government promised \$935 million from 2003-2008 to assist provinces, territories and First Nations in increasing access to quality child care and early learning opportunities, especially for low-income and single-parent families.<sup>36</sup>

## **CHILDREN WITH SPECIAL NEEDS**

Families with children with special needs experience higher than average rates of poverty. Child care and education supports for children with special needs are not easily accessed or affordable to working families. Parents of 84,000 children, slightly over half (54%) of those with disabilities, reported that their child's condition had an impact on their family's employment situation.<sup>37</sup>

In 2000, the Canadian Union of Postal Workers and Canada Post negotiated support for special needs children in families. The Canadian Union of Postal Workers describes special needs as "disabilities, delays, or health disorders that significantly increase the difficulty of getting and keeping adequate child care and or child care related services."<sup>38</sup>

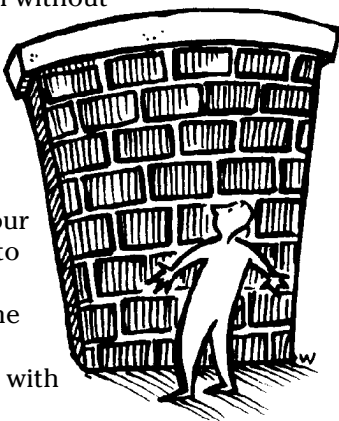
## OPTIONS FOR NEGOTIATING CHILD CARE:

Everyone has different child care needs. The challenge for local unions is to first survey members' needs and propose a range of solutions to meet those needs. A survey will help to raise awareness of the issue and guide the local union not only in drafting bargaining proposals but also in ensuring that its own meetings, workshops and schools are planned taking into account difficulties people have in balancing their work, family and union responsibilities.

### ***TIME TO BREAK DOWN BARRIERS TO EMPLOYMENT FOR WOMEN AND MEN WITH DISABILITIES***

According to 1996 census data, only 38% of working age women with disabilities were in the labour force compared with 76% for women without disabilities. The participation rate for men with disabilities was 49% compared to 91% among men without

disabilities.<sup>39</sup> Steelworker Human Rights and Return to Work Committees are helping to identify steps employers can take to accommodate workers with disabilities. Do an audit of your workplace, identify changes to the workplace design and procedures that can “open the door” of your workplace to injured workers and workers with disabilities.



The Steelworkers policy provides several options for negotiating child care provisions:

- ✓ **STEELWORKER CHILD CARE INITIATIVES FUND:**  
Negotiate company contributions to a special fund to assist workers with their child care costs. In small urban workplaces where shift work is common this may be the most cost-effective option. Similarly, in small rural or northern towns where organized child care centres are rare, this may be the only option.
  
- ✓ **ESTABLISH ON-SITE CHILD CARE OR NEGOTIATE ONGOING SUPPORT OF AN OFF-SITE (NEARBY) NON-PROFIT CHILD CARE CENTRE:**  
In larger workplaces or where there are a number of workplaces in a concentrated area, negotiating on-site child care or a common child care centre may help best to meet the needs of workers in one or more workplaces. Where there is already a non-profit centre providing quality care, local unions may want to negotiate on-going support from the employer to assist in operating costs. For example, employer support might ensure that “round the clock” child care is provided.
  
- ✓ **RESOURCE CENTRE & CHILD CARE NETWORK:**  
Negotiate company contributions to establish a drop-in centre for parents and children. Resource centres could provide workshops on nutrition and parenting skills as well as providing counseling. Centres can also arrange book and toy lending and a children’s furniture and clothing exchange.
  
- ✓ Contributions can also be negotiated to establish a network of trained child care providers to meet the needs of shift workers and workers who may on occasion be asked to work overtime or irregular shifts.

## **ADDITIONAL WAYS TO BALANCE CHILD CARE NEEDS:**

- ✓ Do training provisions in the collective agreement ensure courses and upgrading opportunities are held during working hours? If training outside of normal hours is required, will the employer or child care initiatives fund cover any child care costs incurred?
- ✓ Is there adequate notice of shift changes and schedules to allow people to make necessary child care arrangements?
- ✓ Are there restrictions on the scheduling of, for example, days off, holidays and vacations that unreasonably limit opportunities for parents to take consecutive days off with their families?
- ✓ Is there easy access to telephones for parents to call children at home outside of school hours or child care providers in the case of sickness or delay?

## **THE UNION AND CHILD CARE:**

Is child care provided at local union meetings and events?

Has the local union or area council established an accommodation fund to assist members who may need help with child or dependent care costs or the costs of assistive devices in cases of disability?

Are union courses and meetings held, as much as possible, in locations and at times convenient for people with family responsibilities?

Does the local or area council hold social or educational events for union members and their families?

Does the local or area council have a “discount committee” to identify outlets of inexpensive union made goods and services for workers and their families?

## THE UNION AND POLITICAL ACTION:



Since 1993, the federal government has talked the talk on child care and early childhood development programs. But, agreements with the provinces and funding continue to fall short of commitments. The majority of parents with small children are now in the labour force. A patchwork of programs from under-funded regulated and licensed care to home daycare arrangements to “latch-key” children who are alone at home leaves thousands of children without stimulating, motivating, safe and healthy care. In 2002, there were only enough regulated child care spaces for one out of every ten children under twelve years of age. Less than one in three children has a fee subsidy. Use the Steelworker website ([www.uswa.ca](http://www.uswa.ca)) to fax your Member of Parliament. For example:

- \* Lobby for a national early childhood education and care program
- \* Lobby for improved recreation services and resources centres.
- \* Lobby for accessible before-and-after school programs.
- \* Continue to support pay and employment equity to help raise the training and wage levels of care providers.



# THE BALANCING ACT: ELDER AND DEPENDENT CARE

## IT'S A MATTER OF FACT:

Findings from a nationally representative employee survey conducted in 1999 indicate that one in four Canadian employees reports that they or others in their households provide care or support to an elderly family member or friend. This proportion is up from that reported a decade ago when this survey was first conducted.

In 1989, one in five employees reported caregiving responsibilities in their household. The most common forms of support provided to elders were visits (88% of eldercare providers said they paid visits to the person); transportation (85%); and assistance with shopping (79%). One quarter of employed caregivers provided personal care, such as dressing, bathing or feeding.<sup>40</sup>

*Steelworker members have negotiated some of the best pension and benefit provisions in Canada. As the population continues to age and the trend for community-based care of the elderly and people with disabilities increases, there is a growing need to improve dependent care and family leave provisions in our collective agreements and continue to lobby for quality, regulated and publicly-delivered support services.*

## CANADIAN STATISTICS ON CAREGIVING<sup>41</sup>

- \* One in five Canadians, 45 years and over, provide care to a senior. 75% of caregivers are women.
- \* 90% of people who care for an elderly friend or relative are more than happy to do so.
- \* Almost half of seniors receive all their care from family and friends.
- \* Most caregivers work outside the home, at full-time jobs.
- \* 27% of female caregivers aged 45 to 54 needed to change their

work pattern compared to 14% of men.

\* 52% of the family and friends who provide personal care to seniors have to change their social activities because of their caregiving duties.

## **FACTS ABOUT HOME CARE**

The demand for home care has skyrocketed, now that health care has moved from the hospital back into the home.

Seniors — the main recipients of home care — are living longer with chronic illnesses, disabilities and dementia. The current trend is for seniors to receive care at home instead of being placed in long-term care or chronic care institutions.

Privatization and cutbacks in health care have resulted in fewer hospital beds, shorter hospital stays, outpatient surgery and care as well as the release of chronically and mentally ill people into the community.

Extra caregiving demands are being placed on families at a time when fewer women — the traditional family caregivers — are at home full-time to provide care. The alternative is “long-distance caregiving” where families are forced to find affordable home care or residential care in communities away from the family home.

Home care is not covered under the Canada Health Act. Home care in Canada is a patchwork quilt of programs and services managed by provincial and territorial governments and delivered by local, regional and municipal authorities. Each has its own definition of home care, its own menu of home care services, its own set of eligibility criteria and its own built-in time limits and/or funding limits for the provision of services.

## **THE QUALITY OF CARE VARIES WIDELY**

There are no national standards for home care. Professional services delivered by doctors, nurses and other health care professionals are covered under the Canada Health Act and these professionals are governed by their regulatory bodies. However, personal care services

which used to be supplied by trained nurses, are now handled by a variety of home care aides, attendants and home support workers who may have little or no formal training in health or home care work. Also, imposed time restraints can prevent care workers from fully attending to their clients' needs.

## **GOOD HELP IS HARD TO KEEP**

Many home care workers earn little more than minimum wage, work irregular hours, often under difficult conditions and do not qualify for benefits. Yet they are being asked to perform increasingly complex tasks. Many workers leave home care for more lucrative employment in hospitals and long-term care institutions.

## **OPTIONS FOR NEGOTIATING ELDER/DEPENDENT CARE:**



Negotiate good pension and insurance benefit plans to start. This includes good survivor and medical benefits and coverage for assistive devices (wheelchairs, hearing and visual aids, etc.).



Negotiate financial assistance for employees who have dependent relatives with special needs (home care, lifting devices, etc.). In some cases, treatment for dependent relatives may not be available in home communities and frequent travel will be required for tests and care.



Negotiate employer support for referral and counselling services, so workers know where they can turn for help. Community resources can help identify ways of making homes more accessible to the elderly and people with disabilities. There are also stores that sell devices and gadgets designed for older people and people with disabilities to help perform normal daily tasks more easily and efficiently.



Negotiate employer-provided “home or respite care” directly, or on an insured basis to allow the worker/care-giver to take some time off from providing care.



Negotiate the use of long-term sick leave to care for dependent family members.

## THE UNION AND ELDER AND DEPENDENT CARE:

Has the local union or council established an accommodation fund to assist members who may need help with dependent care costs or the costs of assistive devices in cases of disability?

Are union courses and meetings held, as much as possible, in locations and at times convenient for people with family responsibilities?

Does the local or area council hold social or educational events for union members and their families? Are they held in “accessible” locations?

Does the local or area council have a “**discount committee**” to identify outlets of inexpensive union made goods and services for workers and their families?

Has the local union, area council, Steelworker Organization of Active Retirees (SOAR), or members off work on disability leave organized a support network to provide home visiting, organization of social and educational events or “on-line” computer bulletin board systems to help people stay involved in union and community activities?

## THE UNION AND POLITICAL ACTION:

From the bargaining table to the union hall to the political arena, Steelworkers must add their voice to calls for quality, public and regulated services and care for our ageing population and for those who need ongoing care.

- \* Continue to lobby for enhanced publicly funded, regulated and licensed community support services for the elderly and persons with disabilities.
- \* Continue to lobby for enhanced pension benefits.
- \* Lobby governments to cover long-term drug and medical expenses.
- \* Support continued construction of accessible buildings and services.

# THE BALANCING ACT: GAY, LESBIAN, BISEXUAL AND TRANSGENDERED RIGHTS

Recently, court decisions have determined it is discriminatory not to provide same-sex spouses with benefits provided in agreements to spouses of the opposite sex. Unfortunately, many laws (and collective agreements) continue to define a spouse as a person of the opposite sex. As a result, gay and lesbian couples do not have the same rights and responsibilities as heterosexual couples.

It is unreasonable and unjust for workers to contribute to benefit plans and then be denied benefits under those plans because of their sexual orientation. The rights of workers and individuals should not depend on the gender of their partner.

*All provinces and territories in Canada except Alberta, the Northwest Territories and Nunavut have enacted legislation prohibiting discrimination based on sexual orientation. However, as a result of a Supreme Court case, *Vriend v. Alberta* (1998), protection against discrimination based on sexual orientation is available in all jurisdictions in Canada.*

## OPTIONS FOR NEGOTIATING SAME SEX BENEFITS:

- ✓ Does the collective agreement ensure there will be no discrimination on the basis of sexual orientation or sexual identity? Does the definition of spouse cover long-term relationships as opposed to relationships of people of the opposite sex? According to the 2001 Census, there are over 34,200 same-sex common-law couples in Canada.

- ✓ Have benefit plans and provisions been checked to ensure they apply to same sex spouses and families? For example, dental, medical, drug plans, employee assistance plans, bereavement provisions and survivor pension benefits. Do benefits cover treatments and needs of transgendered workers?
- ✓ Do anti-harassment policies and educational seminars include language and discussions on issues of sexual orientation and sexual identity?
- ✓ Is there a policy of confidentiality of personnel and medical records?

## **THE UNION AND GAY, LESBIAN, BISEXUAL AND TRANSGENDERED RIGHTS:**

The Steelworkers have strong policies of preventing and dealing with sexual and racial harassment. Education and experience have helped to raise awareness of these issues and increase the participation of women and racial minorities in the workplace and at union events. The silence that used to surround issues of sexual and racial harassment still surrounds issues of sexual orientation and gender identification. Unfortunately, many gay, lesbian, bisexual and transgendered Steelworkers still do not feel safe “coming out” in their workplaces or at union events. These workers are denied the same benefits all workers have contributed toward and feel excluded from union events.

Local unions and area councils need to identify ways of educating members on gay, lesbian, bisexual and transgendered issues and human rights to help raise awareness and understanding. Discrimination and harassment, on any grounds, undermines the solidarity and strength of our union.

## **THE UNION AND POLITICAL ACTION:**

Unfortunately, public education and attitudes are not always in line with the law. Despite discrimination and harassment of workers based on sexual orientation and gender identity being found illegal, we have a long way to go before gay, lesbian, bisexual and transgendered workers are treated with respect and dignity. We are proud to advocate on behalf of and together with our lesbian, gay, bisexual and transgendered members and will continue to fight for equality in the workplace.

- \* Lobby to ensure protection from discrimination and harassment in relevant human rights legislation.
  
- \* Lobby for rights of gay, lesbian, bisexual and transgendered workers to be protected in employment standards; providing same-sex spousal benefits.
  
- \* Support public education and awareness.
  
- \* Lobby for coverage for HIV and AIDS related treatment and medication.

# THE BALANCING ACT: FAMILY RESPONSIBILITY LEAVE

## IT'S A MATTER OF FACT:

Statistics Canada reported that in 2001, each full-time employee was absent, on average, 8.5 days for personal and family reasons.<sup>42</sup>

More than 6% of full-time employees miss some work for personal and family related reasons **each week** according to Statistics Canada in 2002 (emphasis added).

## OPTIONS FOR NEGOTIATING FAMILY RESPONSIBILITY LEAVE:

- ✓ Negotiate paid family responsibility leave for short-term family needs and emergencies (to be taken in half or full days) to a maximum of 10 to 20 days per year.
- ✓ Negotiate the right to extend unpaid leaves to deal with longer-term problems.
- ✓ Ensure benefits and seniority are maintained and accrued during family leave.
- ✓ Ensure definition of family does not discriminate against single-parent families and same-sex couples and their families.

*Workers faced with increasing responsibilities at home must identify ways to help balance the demands and cope with the stress. Unfortunately, workers who must take time off to care for a child or relative take sick and vacation days in the absence of negotiated family leave provisions. Taking earned time off to cope with family responsibilities doesn't leave any time for personal illness, holidays or time to take care of oneself.*



## COMPASSIONATE CARE LEAVE

Starting 4 January 2004, up to six weeks of Employment Insurance (EI) Compassionate Care Benefits will be available to EI-eligible workers who need to be absent from work to provide care or support to a child, parent, spouse or common-law partner who is gravely ill. A medical certificate is required in order to qualify for this leave. Family members are permitted to share the six-week benefit. The six weeks do not have to be taken consecutively, but must be used within 26 weeks of the gravely ill family member being diagnosed. The basic benefit rate is 55% of average insured earnings. At the time of writing, not all provinces have amended their employment standards legislation to permit workers access to this new benefit.

- ✓ Negotiate an hours-of-work committee to look at schedules that help people better balance responsibilities (i.e., flexible start times, shorter workweeks, etc.).
- ✓ Ensure benefit plans and the employee assistance program provide coverage for people who require counselling to help deal with stress from balancing the wide variety of work-life responsibilities.

## THE UNION AND POLITICAL ACTION:

While some employment standards laws now allow for unpaid family leave days, government needs to help lead the way to creating work-life balance by providing for paid family leave days with no loss of seniority or benefits.

- \* Lobby for paid family leave days in employment standards legislation.
- \* Lobby provincial governments to bring employment standards legislation in line with federal government compassionate care leave provisions.

# THE BALANCING ACT: MATERNITY, PATERNITY/PARTNER, ADOPTION AND PARENTAL LEAVE

Employment Insurance benefits are currently available to birth mothers (maternity/parental benefits), fathers

(paternity/parental benefits), and adoptive parents (parental benefits). Local unions may negotiate pay during the EI waiting period, top-up benefits through supplemental unemployment benefit plans (SUB), and enhanced sick leave if the employee is

*Maternity and parental leave allow parents time to prepare for the birth or adoption of a child; time for caring and meeting the needs of the new child and other family members; and time to identify long-term needs and supports to balance new family and work responsibilities.*

required to leave work early for health reasons.



## LEAVES

Effective December 31, 2000, federal Bill C-32 amended the Employment Insurance (EI) Act to increase the flexibility and duration of EI benefit payments during maternity/parental leave. The Act now provides:

- \* 15 weeks of maternity benefits payable to biological mothers in the period surrounding the birth of a child;
- \* 35 weeks of parental benefits (increased from 10 weeks), available to natural or adoptive parents, either mother or father, or shared between them as deemed appropriate; and
- \* 15 weeks of sickness benefits available in addition to maternity or parental benefits.<sup>43</sup>

A maximum of 50 weeks of combined maternity, parental and sickness benefits is now available, up from 30 weeks prior to Bill C-32. Other changes include:

- \* The employment period for eligibility has been reduced from 700 to 600 hours of insurable employment;
- \* Only one unpaid two-week waiting period will be served when parents share benefits; and
- \* Parents can maintain some earnings while on parental leave, up to a maximum of \$50 or 25% of their weekly benefit, whichever is greater.

Benefit levels remain as they were prior to the change (payable at 55% of recipients' insurable earnings) to a ceiling of \$413 per week.<sup>44</sup>

Since the adoption of changes to the EI legislation, all jurisdictions have moved to accommodate the new parental benefit period by extending their unpaid leave entitlements for eligible employees. Following is a summary of leave entitlements by jurisdiction:<sup>45</sup>

	<b>Maternity Leave (in weeks)</b>	<b>Parental Leave (in weeks)</b>	<b>Adoption Leave<sup>°</sup> (in weeks)</b>
Federal	17*	37*	37
Alberta	15	37	37
British Columbia	17	37+	37
Manitoba	17	37	37
New Brunswick	17*	37*	37
Newfoundland	17	35	52
Nova Scotia	17	52+	52
Ontario	17	37+	52
Prince Edward Island	17	35	52
Quebec	18	52	52
Saskatchewan	18	37+	52
Northwest Territories	17*	37*	37
Nunavut	17*	37*	37
Yukon	17	37	37

\* The combined duration of maternity and parental leave may not exceed 52 weeks.

+ In cases where employees have taken the full maternity leave, the maximum parental leave in these jurisdictions is 35 weeks. In Saskatchewan, employees entitled to maternity leave are eligible for only 34 weeks of parental leave.

° Includes adoption and/or parental leave for an employee who becomes an adoptive parent.

A recent study showed the impact of these changes. Employed mothers who received these benefits increased (or planned to increase) their time away from work from six months in 2000 to 10 months in 2001. However, 25% of all mothers with benefits in 2001 were back to work within eight months. With the reduction in hours to qualify for benefits and increased participation of women in the workforce, more new mothers received maternity or parental benefits in 2001 than in 2000 (61% v. 54%). In addition, fathers' participation in the program jumped from 3% in 2000 to 10% in 2001.<sup>46</sup>

## NEGOTIATING LEAVE PROVISIONS:

✓ Are there top-up benefits during the leave period?

✓ Is paternity/partner leave available?

✓ Does the language ensure that same-sex partners are eligible for leave as well as adoptive parents?

✓ Are benefits and seniority maintained and accrued during leave?

✓ Can the leave period be extended for medical or other reasons?

✓ If pregnancy interferes with the performance of duties, is there alternative work?

✓ Has any service requirement for eligibility been eliminated?

✓ Can work hours, schedules and breaks accommodate nursing mothers to express and feed their children where on-site or nearby child care is provided?

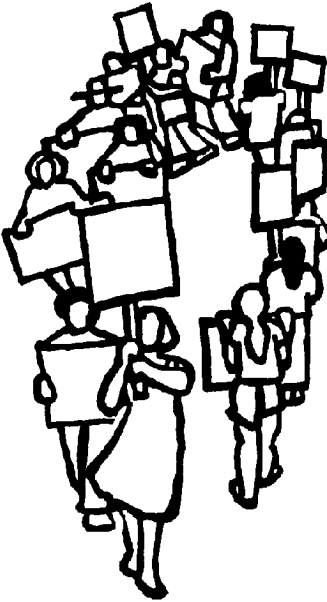
*Local unions negotiating leave provisions should refer to provincial employment standards legislation and guides available on maternity and parental leave from the Human Resources Development Commission, Employment Insurance Branch.*

## THE UNION AND POLITICAL ACTION:

\* Lobby for changes to Employment Insurance. Although the length of maternity, paternity and parental leave has increased to a year, the benefit rate and eligibility requirements leave many families without protection. Over a million workers have lost EI protection since 1993. Steelworker New Democrat Member of Parliament Yvon Godin traveled across the country listening to stories of workers disentitled and left with no protection under the government's Employment Insurance program. We must lobby the government to restore real protection for workers who are

# THE BALANCING ACT: IT'S A MATTER OF PUBLIC POLICY

**IMPROVE LABOUR LAWS:** As our workforce and workplaces change, we need to look at new organizing models and ways of bargaining collective agreements. Employment standards need to be amended to cover non-standard types of work. As our workforce ages, we will face a skills shortage as people retire. We need to look at how people can phase into retirement, working part-time while training new employees with no loss in pension and benefit entitlement. The trend in hours of work is that people are working longer hours and more overtime at a time when unemployment is still at unacceptably high levels. We need a shorter work week and increased holiday and vacation entitlement to help create more jobs, and assist people with the work-life balancing act.



## **WE NEED A NATIONAL HOUSING**

**STRATEGY:** Over ten years of government neglect has resulted in a housing crisis. Thousands of people are homeless or under-housed, paying high rents for inadequate housing. Safe, stable and affordable housing is essential for healthy child development. Steelworkers support the 1% campaign, a campaign urging the government to allocate at least 1% of the gross national product toward building and maintaining affordable housing.

*In addition to helping workers balance work-life responsibilities through collective bargaining and internal union practices and policies, Steelworkers must continue to lobby for public policies and improved legislation to help all workers and potential workers.*

### **ROLL BACK AND FREEZE**

**TUITION FEES:** Working families have been virtually shut out of Canada's universities and colleges as tuition fees have continued to increase. Between 1990 and 2000, tuition fees increased by a national average of 126%. Student debt went from an average of \$8,000 in 1990 to \$25,000 in 2000. Steelworkers support the Canadian Federation of Students in their lobby of governments to

adequately fund education and roll back and freeze tuition fees.

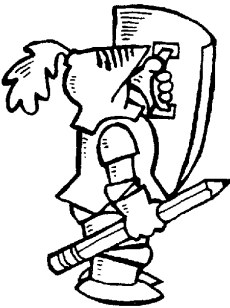
**SAVE AND IMPROVE PUBLIC MEDICARE:** Affordable, accessible, publicly delivered health care is one of Canada's defining features. It is also essential to ensuring a healthy start for our children. Working with the Canadian Health Care Coalition, Steelworkers across Canada support the recommendations of Commissioner Romonow that support increasing community health centres and their role in health promotion and illness prevention.

**CHALLENGE DISCRIMINATION AND RACISM:** The poverty rate of children under six years old among racialized groups is almost 50%. The poverty rate of recent immigrants in 1998 was 27%, double that of non-immigrants. Racialized families are over represented in poor neighbourhoods where there is less access to quality and affordable child care, housing, health, education and social programs. Families with children with disabilities and special needs have poverty rates five times higher than other families. Within Canada's Aboriginal communities, many children do not have access to essential public services like clean water, health care and sanitation

services. Poverty rates of Aboriginal children under fourteen years of age are more than double the national average. Ending the systemic discrimination or “economic apartheid” will take special steps like employment equity programs to address these inequalities.

**FAIR TRADE:** Trade agreements with countries should help raise health, social, labour and environmental standards. Current and proposed agreements put our gains at risk. Through the Steelworkers Humanity Fund and international partnerships, Steelworkers are working hard to stop unfair trade agreements and put into place accords and deals that ensure basic rights and standards for working families.

**PEACE:** Canada has an invaluable role to play in working with countries of the United Nations for global peace and an end to world poverty and violence. We must protect and champion our multiculturalism and social programs as models. We must restore confidence in democracy and participation in our electoral process to support Canadian leadership in the world for peace, democracy, justice and equality.



***Use the Steelworkers website at  
[www.uswa.ca](http://www.uswa.ca)  
to fax your Member of Parliament  
to support campaigns to improve  
our public programs and services.***



# LOOKING FOR MORE INFORMATION?

## SURF THE WEB

### **[www.childcarecanada.org](http://www.childcarecanada.org)**

The Childcare Resource and Research Unit (CRRU) at the Centre for Urban Studies, University of Toronto provides information and public education on child care and related services.

### **[www.childcareadvocacy.ca](http://www.childcareadvocacy.ca)**

The Child Care Advocacy Association of Canada is a non-profit organization dedicated to promoting accessible quality child care.

### **[www.library.utoronto.ca/equity/familycare/](http://www.library.utoronto.ca/equity/familycare/)**

A resource for choosing child care, caring for adults and seniors.

### **<http://labour-travail.hrdc-drhc.gc.ca>**

Human Resources Development Canada for information on work-life balance, maternity, paternity and parental leave.

### **[www.workrights.ca](http://www.workrights.ca)**

Canadian Labour Congress website on information about basic workers' rights.

### **[www.bloorviewmacmillan.on.ca](http://www.bloorviewmacmillan.on.ca)**

Information on services and supports for children with special needs.

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# ENDNOTES

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<sup>6</sup> MacBride-King J. and Bachmann, K. (1999). *Is work-life balance still an issue for Canadians and their employers? You bet it is*. Ottawa: Conference Board of Canada.

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<sup>8</sup> Johnson, Karen L., Lero, Donna S. and Rooney, Jennifer (2001). *Work-Life Compendium 2001: 150 Canadian Statistics on Work, Family and Well Being*. Centre for Families, Work and Well-Being, University of Guelph, p. 37.

<sup>9</sup> Canadian Labour Congress, *Is Work Working for Women?* May 2003.

<sup>10</sup> Statistics Canada (2003). *Perspectives on labour and income*, August 2003.

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<sup>13</sup> Canadian Labour Congress, 1+ 1 Campaign.

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<sup>37</sup> Statistics Canada (2003). *The Daily Participation and Activity Limitation Survey: Children with disabilities*, July 29, 2003.

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<sup>42</sup> Statistics Canada as reported in the *Globe and Mail* 5/7/02.

<sup>43</sup> As of March 3, 2002, if an employee has an active claim or is beginning a claim thereafter, that employee could receive up to a maximum of 65 weeks of benefits, provided that he/she meets certain criteria. Employees should check these conditions with their local HRDC office.

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<sup>45</sup> Summarized from information provided by Human Resources Development Canada, Labour Law Analysis, Strategic Policy and International Labour Affairs, Labour Program. For detail, see Canadian Labour Law Information at: <http://labour.hrdc-drhc.gc.ca>.

<sup>46</sup> Statistics Canada (2003). *Parental Leave: More time off for baby*. Canadian Social Trends, Winter 2003, pp 13-18, Statistics Canada Catalogue No. 11-008.



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