

Vol. 4 - No. 1

October, 1987

# The Women's Network

FNEEQ Women's Committee



## Sexual Harassment: the Next Step

Our sessions on sexual harassment are now finished but another kind of work is just beginning.

Many important elements marked our working sessions on this problem. There was the gentle reminder of a painful reality by Shulamit Luchtman (lecturer and psychologist with the group "Tete de pioche" and aid to women in difficulties); the laughter and the infatuation for the alternate strategies proposed by Isabelle Saint-Martin (from the 'group d'aide et d'information sur le harcèlement sexuel au travail' in the Montreal region); the analyses, the recourse, the discussions; and our debates -real debates where we exchanged ideas and perhaps even changed some. There was also pleasure of getting to know each other and of being able to meet 3 times for a few days at a time in spite of all of the constraints which each of us has. On the 9th, 10, and 11th of September many of us met once again for the last women's committee session on the sexual harassment dossier. The last session on this theme? Well, perhaps. But though it may be the last session, it is certainly not the end of the story. In our work during the 3 sessions, the women involved decided to establish a model policy on sexual harassment. We worked many laborious hours actively developing this model during the very enriching sessions that were held.

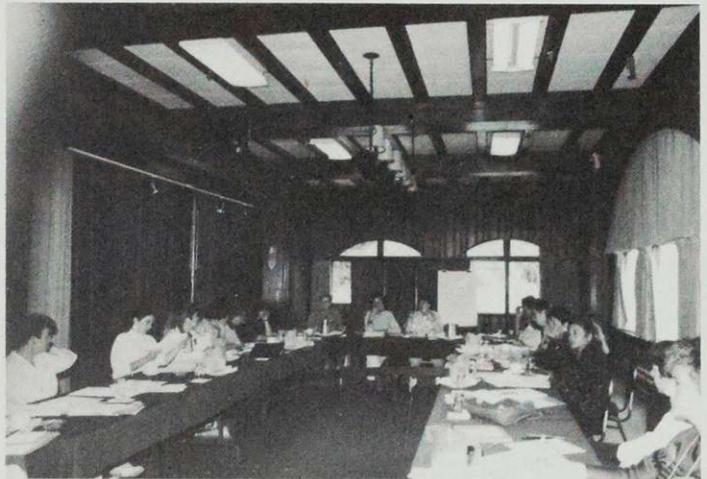
Of course the development of such a model is not the end of the match; in fact we have just finished the training camp. Our model policy still has a long way to go in front of various forums and in the minds of union members. The process started on October 2 when the policy was introduced to the federal Bureau (Bureau fédéral), where it was requested that we make a few modifications at the level of the form. The modified text of the policy, accompanied by a document of presentation, will go back to the Bureau members on November 13. If it is judged in order, our model policy will be recommended in time for the big game on the floor of the "Conseil fédéral" in November.

And speaking of games, of matches, what I am clearly insinuating with this analogy, without trying to be malicious, is that we are talking about competition. Healthy competition? Why is it that I have my doubts? Why am I afraid of a certain meanness? This brings back some of the words of Shulamit. I remember her thoughts about the role of victim that we have learned to play ever since we were little children, about the feelings of guilt that we have when we try to make waves about a situation that has lasted so long, about the perceptions that we often have that the problem really doesn't exist. At the moment I am sure of 2 things. There will be a match to play (what a word!) at the Conseil and if I present myself as a victim, if I endorse powerlessness, I'll lose it on the floor of the Conseil and in my own mind. I don't want to feel uncomfortable defending this policy because the moment that I feel, or that we all feel that the situation is such it must be changed, we have to do everything possible to change it. If the means taken are bothersome, that's already a sign of change. We have hoped for this policy and worked on it for a long time. We believe in it and want it to be adopted. Sexual harassment is a reality that unfortunately won't disappear socially overnight. However in our workplace we have decided that we don't want any more of it for ourselves or for our students. And we feel this wish should finally be supported by a policy which has been duly voted on.

Now that we have put a clause in the collective agreement which says that sexual harassment is reprehensible, now that 2 courts with different jurisdictions have found people guilty of sexual harassment in the workplace, it is time that we give ourselves the means to better live together.

I sincerely hope that the verbal sparring in November is done without meanness or smugness on either side. I also don't want to attend a pitched battle with men and women on opposite sides. I am hoping for serious debates that reflect our aspirations-a workplace that is safe for all and good learning conditions for our students.

*Christiane BEGIN*



The final session on Sexual Harassment...

## "Sexual Harassment: Out of the Closet"

Third National Conference on Sexual Harassment

November 18-20, 1987, Hotel Shangrila, Montreal

Call: (514) 848-4841 for more information.

# Affirmative Action Programmes

Following a lot of pressure from women, the Quebec Charter of Human Rights and Freedoms was finally amended to include affirmative action programmes in 1982. It was not until June, 1985 that Part III of the Charter, except for the second paragraph of Article 86.2, was declared law. As for the regulations concerning affirmative action, they did not come into effect until September, 1986.

Part III of the Charter allows for the voluntary implantation of affirmative action programmes if they are in conformity with the Charter. It also allows the Human Rights Commission, either if it receives a complaint or of its own initiative to investigate and recommend an affirmative action programme. Further the law gives the courts the power to impose such a programme. Finally, it should be emphasized that Article 86.7 stipulates that "the Government must require its departments and agencies to implement affirmative action programmes within such time as it may fix." These latter programmes are considered voluntary. The regulations on affirmative action programmes must be used for any programmes recommended by the Commission or imposed by the courts. However, the Commission highly recommends that they also be used as a guide in the development of voluntary affirmative action programmes.

The first objective of affirmative action programmes is to correct the systemic discrimination which certain groups of people suffer from. The affirmative action programmes discussed later in this article are specifically designed to counter systemic discrimination against women. Systemic discrimination is defined as "discrimination which results from rules or practices which are seemingly objective but which result in wrongfully excluding or putting at a disadvantage the members of a certain group because of a characteristic which is more wide-spread amongst this group."<sup>1</sup> In teaching, for example, it could be a matter of hiring criteria such as education and/or experience which could have the effect of excluding many women. This phenomena, which is not intentional but is a part of the employment procedures in the cegeps, is measured by its results. To

comply with the Charter, an affirmative action programme should be based on a study of the situation; it must be established that the group involved is under-represented and there must be an analysis of the system of employment. Members of the group are deemed to be under-represented when for example, there are fewer female teachers than there should be taking into account how many women are available in the labour force. Of course, this availability refers to women who have the skills required to teach. Then, one must examine the employment system, the collective agreement in effect and its application, etc. in order to identify discriminatory practices. Once this step has been taken quantitative goals can be set, corrective measures outlined and control mechanisms put in place with an established timetable. An affirmative action programme may result in three types of measures. First there may be corrective measures which try to eliminate the effects of discrimination. For example this could mean the preferential hiring of a certain percentage of women according to a certain timetable. Second there may be equal opportunity measures which aim at establishing equal rights for all people. Think of jobs where males and females would not see different criteria applied. Thirdly there may be support measures which are intended to support the other two measures-daycare centres, work schedules,...

Affirmative action remains a priority dossier for the Women's Committee this year, not only because of the National Affirmative Action Committee in the Cegep Collective Agreement but because individually and collectively "Women can't step back". Therefore we have to continue the debates on the place of women in education and on how to not only keep women in the cegep system but to increase their number.

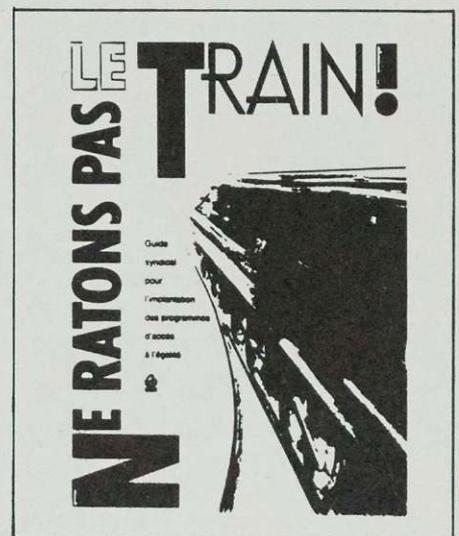
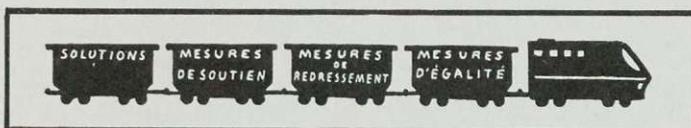
In the following articles we will discuss two parallel developments having to do with affirmative action programmes at the level of the Ministry of Education.

<sup>1</sup>Definition of the Human Rights Commission.

Lucie LAMBERT

## Don't Miss The Boat On Affirmative Action

The CSN has just published a brochure called "Ne ratons pas le train de l'accès à l'égalité" (Don't Miss The Boat On Affirmative Action"). It will be available at the CSN Documentation Centre. A video of the same name has also been made to help with debates on affirmative action in local general assemblies. The video is available from the FNEEQ Women's Committee or from the local "Conseil Central".



## The National Affirmative Action Committee

The decrees of 1982/83 saw the beginning of a massive loss of women in the cegeps; the cutbacks since then have only continued this process. One of our priorities in the last negotiations was the establishment of an affirmative action programme. The final result of the negotiations is in fact, quite different; we only got a committee which will make recommendations for the next round. The mandate of this committee is to "to examine and analyze the available statistics at the national and regional levels"<sup>1</sup>. in order to analyze "the situation of women in the college sector and in the population"<sup>2</sup>. Thus this mandate can be interpreted as: 1 • establishing a diagnosis- the analysis of the labour force teaching in the cegeps, analysis of the available female teachers, determination of the under-utilization of women and an analysis of the employment procedures; 2 • developing a recommendation to the negotiating parties dealing with an affirmative action programme.

The National Affirmative Action Committee has 6 months to do its work, a very short time indeed considering the size of the job that it is expected to do. The committee is made up of 6 members with 2 representatives from FNEEQ: Lise Boivin and Lucie Lambert, 2 from FEC: Francine Baron and Eliane Gauvin and 2 representatives of the employers: Nicole Tremblay named by the Minister of Superior Education and Sciences and a yet-to-be-named representative of the Federation of Cegeps.

<sup>1</sup>Article 2.4.01    <sup>2</sup>Article 2.4.04

Lucie LAMBERT

## Affirmative Action: Syndical Positions and the Subsidized Programmes



As you will remember, last year the Ministry of Superior Education and Sciences announced subsidies to set up affirmative action programmes in employment for women in higher education. Although we were negotiating at the time the announcement was isolated from developments at the negotiating table. Four pilot projects were set up at Marie Victorin and Edouard Montpetit cegeps, Laval University and at the University of Quebec at Montreal. Later 5 colleges received subsidies for 1987/88: Baie-Comeau, La Pocatière, Lionel-Groulx, Montmorency and Vanier, as well as 3 universities: Télé-Université, Concordia and the University of Montreal. Next year another 20 institutions may be subsidized to the tune of \$30,000 in the cegeps and \$40,000 in the universities to set up programmes.

These institutional programmes affect all levels of employment in the establishment and are controlled by an agreement between the school concerned and the Ministry. The programmes are voluntary but have a legal basis in Article 86.1 of the Charter of Rights and Freedoms. They are designed to correct discriminatory situations forbidden by Article 10 of the Charter.

The general objective of the programme is to take another look at, and if necessary correct, the policies and practices of management of the establishment in order to eliminate any discriminatory elements and thus to respect the principle of equality between men and women. The agreement calls for the nomination of a full-time coordinator for a period of 9 months. A consultative committee formed of representatives of the different groups in the establishment has to be formed to counsel the coordinator.

The time-table foreseen in the contract follows the different steps described by the Commission of Human Rights and Freedoms. First 5 months are set aside for different studies to be done to get a global picture of the situation. An analysis of the work force will show how many men and women there are in each of the employment categories. An analysis of availability will show the percentage of women, inside and outside of the establishment, who could fill an available job. These 2 studies will identify any under-utilization of women by employment group. An analysis of the employment procedures is designed to show any management practices- even those which are apparently neutral, which may lead to an unequal representation of men and women.

There are then 2 months set aside for consultation. At this stage the unions have to get involved with possible recommendations to correct the situation. Finally the last 2 months are to be used to write a report which can contain 3 types of recommendations: equal opportunity measures which will allow men and women to start with the same chance; corrective measures which will temporarily redress unequal situations and support measures which will be open to all employees but which will specifically address problems that especially concern women. Some of these recommendations may have to be negotiated if they concern working conditions (a flexible schedule, preferential hiring, etc...) The result of the programme will be a 3-year plan of action which has to be approved by the institution.

The FNEEQ Women's Committee finds it important to coordinate these projects and to co-operate closely with the FESP-cegep sector (support staff) and the CSN, where many affirmative action programmes are being installed in the private sector as well as in the public sector, such as in the FAS unions. We should remember that a motion of the Confederal Council of the CSN in June 1982 established a position in favour of affirmative action programmes. We must appropriate these programmes in a syndical manner so that they will become a useful tool for transforming mentalities and our workplaces. Even though these programmes are only being applied on an institutional basis, they can have important consequences for all of us. It is only with a great deal of unity that our union positions can be advanced in the greatest interest of women.

Diane BRIÈRE

## Members of the 1987/88 Women's Committee



| Name   | Major Dossiers   | Release Fall, 1987 |
|--|--|--------------------|
| Céline Beaulieu<br>Jonquière                 | Sexual Harassment<br>Feminist Pedagogy                 | .2                 |
| Diane Brière<br>Montmorency                  | Affirmative Action<br>Coordination                     | .5                 |
| Christianne Bégin<br>André Laurendeau        | Sexual Harassment<br>Coordination<br>Feminist Pedagogy | .5                 |
| Marie-Christiane Carrier<br>Lecturer at UQAM | Sexual Harassment<br>Affirmative Action                |                    |
| Sylvie Levasseur<br>Institut Maritime        | Working Conditions for<br>Union militants              | .2                 |
| Janice Paquette<br>Vanier                    | Feminist Pedagogy<br>Women's Network Newsletter        | .2                 |

There are still 2 posts vacant on the Women's Committee. We would especially like to find women to represent the private sector and university professors...

Attached to the Women's Committee are the FNEEQ representatives on the National Affirmative Action Committee for the cegeps:

Lise Boivin St-Jérôme  
Lucie Lambert Dawson

as well as:

Rose Pellerin President of FNEEQ who takes political responsibility for the Women's Committee

Jean-Yves Trempe Union Counsellor

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### 1987/88 Calendar

#### November

Nov. 12 and 13: workshops on Affirmative Action in the cegeps

Nov. 26 to 29 Federal Council (probable presentation of a model policy on sexual harassment)

#### February

Feb. 4 and 5: workshops on Affirmative Action in the cegeps

Feb. 19, 20, 21: FNEEQ Colloquium on the cegeps

#### March

March 24 to 27: Conseil fédéral, working conditions for union militants

#### April

April 7 and 8: workshops on feminist pedagogy

#### May

May 12 and 13: Annual workshop to assess the year's work (bilan), coordination of affirmative action and sexual harassment dossiers

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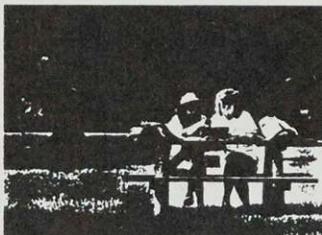
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