

The Status of Women at Canadian Universities and the Role of Faculty Unions

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Abstract

This paper reviews the status of women in Canadian universities historically and from the perspective of faculty associations, with a focus on a case study of the author's own University and faculty union. Collective bargaining has enabled the formalization of some equity provisions within the collective agreement. A network of status of women committees across the country has played an important role in raising awareness about the issues and inequities facing women in the academy. The paper examines the role of collective bargaining in defining, monitoring and implementing equity policies within the university workplace, particularly as these relate to the status of women faculty members.

Introduction

Women undergraduates now comprise more than 50% of students at Canadian universities; women academics, however, have yet to achieve employment and pay equity. Between 1987 and 2007 the proportion of full-time women university teachers holding *tenured* positions had more than doubled to 30%. However, only 20% of Full Professors teaching in Canadian universities are women (CAUT Almanac, 2009-2010; UWOFA, 2006). Currently, 41 universities in Canada have unionized faculty associations; and approximately 18 Faculty Associations have Status of Women and/or Equity committees (Rumelski, 2010). In addition to women who constitute the largest equity seeking group within Canadian universities, the other politically 'designated' equity groups: visible minorities, Aboriginal Canadians and persons with disabilities continue to be significantly under-represented within the Canadian academy. "Despite some notable progress in the past decade towards greater diversity, the Canadian academy remains largely white and male." (CAUT, 2010) Various attempts have been made at local, provincial and national levels to improve the representation and inclusion of these 'minorities' throughout the university hierarchy; change has, however, been predictably slow. This article will examine the role and contributions of faculty unions, and status of women committees, in helping women to achieve more equitable status within the Canadian academy.

Part I: Slow But Steady....

Many volumes have been dedicated over the years to the status of women—and the place of feminists—within the academy. Some of the North American contributions to this discussion, from various disciplinary and experiential perspectives, include: *Academic Women* (Bernard, 1964), *Coming of Age in Academe: Rekindling Women's hopes and reforming the Academy*, (Martin, 2000), *Breaking Anonymity: The Chilly Climate for Women Faculty*, (The Chilly Collective, 1995), and *York Stories: Women in Higher Education*, (The York Stories Collective,

2000). Other collections such as: *Teachers, Gender & Careers*, (Acker, 1989) and *Challenging Times: The Women's Movement in Canada and the United States* (Backhouse and Flaherty, 1992) include chapters on women in higher education. Related to this discussion there have also been books on employment equity in Canada (Agocs and Burr, 1992) and the evolution of women's studies programs in Canadian universities (Braithwaite, Heald, Luhmann and Rosenberg, 2004). While there is some literature on women and the Canadian union movement (White, 1993; Yates, 2006), there is relatively little written on women and equity in relation to faculty unions.

Statistics over the years show slow but steady progress as women make their way into and within Canadian universities. In 2007, the proportion of *full-time* women faculty grew to 34% (from 28% in 2001). This category includes tenure-track, tenured and limited term (contract) full-time faculty. The growth in women Full Professors in Canada has seen an increase from 15% in 2001 to just over 20% at the time of writing. Despite a series of pay equity studies and adjustments by 2007 the gender salary gap was still 88% across all ranks (UWO, 2009). At the same time there has been a continuing growth in the female student population with 58% at the Bachelor's level; 54% pursuing a Master's degree and 46% engaged in studies at the PhD level. Internationally, in countries sharing comparable university systems the proportion of male/female faculty is remarkably similar.

	Australia	Canada	New Zealand	United Kingdom	United States
Men	64.0%	68.3%	63.4%	64.9%	60.6%
Women	36.0%	31.7%	36.6%	35.1%	39.4%

(Robinson, 2006 p. 7)

In addition to overall representation, Canadian female faculty members are disproportionately distributed across major disciplines: Education = 49.9%; Fine Arts = 42.2%; Humanities = 41.3%; Health Professions = 39.5%; Social Sciences = 34.9%; Mathematics & Physical Sciences = 15.2%; Engineering & Applied Sciences = 12 % (CAUT Education Review, 2010, p.2). The distribution of women in the teaching ranks across disciplines declines predictably from the traditionally female dominated areas of Education, the Fine Arts and the Humanities, reaching something close to parity within the Health Professions (though even here

there are disparities when comparing Nursing with Medicine, for example), and then declining precipitously in the Maths, Physical Sciences and Engineering. Among the issues that have galvanized Canadian women academics in recent years has been the under-representation of women among those awarded the prestigious Canada Research Chairs in 2000 (Kondro, 2002), and more recently, the entirely male field awarded the even richer 19 Canada Excellence Research Chair appointments (Industry Canada, 2010).

Among the administrative ranks, while the *number* of women in senior administrative positions at Canadian universities has increased since the first survey measuring this level of female participation was undertaken in 2000, women's *share* of those positions remains about the same for the past decade at just under 30 percent. The positions surveyed included: president, vice-president, associate and assistant vice-president, dean, assistant or associate dean, chair, director (or their equivalents at each level) and 'other'. (Berkowitz, 2005)

Despite longstanding employment equity policies and practices mandated by federal legislation (Agocs and Burr, 1992), the challenge of reducing these inequities remains. Women are still seriously under-represented among tenured professors and within certain disciplines. Women and visible minorities experience an earnings gap and experience higher unemployment rates than their white male colleagues. Aboriginal peoples continue to be the most under-represented equity seeking group among the ranks of Canada's university professors. (CAUT, 2010, p. 5)

The following persistent barriers to employment equity have been identified in various studies and reports on gender inequities in Canadian universities: overt and systemic discrimination; hiring practices and pay structures; career interruptions (pregnancy/maternity); end of mandatory retirement (aging academic workforce vs. renewal of faculty complement); retention (chilly climate/ harassment/spousal hiring); student enrolment by discipline; marginalization of female faculty teaching feminist curriculum; and other issues including mentoring, performance evaluations, slow promotion, and work/life balance.(Baker, 2009)

Historical Context

2010 is a year of anniversaries for landmark events for women in Canada. It is the 100th anniversary of International Women's Day:

International Women's Day was proclaimed at the meeting of the Second International of socialist parties in Copenhagen in 1910, following on years of campaigning by women in the labour and socialist movements for equality. It grew in prominence across the 20th century, and eventually in 1977 the United Nations General Assembly passed a resolution stating that this day "recognized the role of women in peace efforts and development and urged an end to

discrimination and an increase of support for women's full and equal participation." (Socialist Project, 2010, p.1)

This year, also marks the 40th anniversary of the landmark Report of the Royal Commission on The Status of Women in Canada (1970). The largest section, chapter 3, of this report was dedicated to education at all levels. While acknowledging the complexity of education "in a country as vast and diverse as Canada" (p. 161-162) the report describes the status of girls' and women's education as central to the overall status of women in relation to all other indicators. According to the statistics available to the Commission for university enrolment patterns, "women comprised a slowly increasing percentage of the total enrolment in undergraduate programmes, from 16.3 per cent in 1921 to 34.2 per cent in 1967-68." (p.167) In terms of graduate programs: "women earn about 20 per cent of the master's degrees and about eight per cent of the doctorates." (p. 169). There are scattered mentions of the status of women university teachers, with reference to a study submitted by the Canadian Association of University Teachers. Among the findings was pay discrepancy : the average salary was \$10,690 for a male professor, while the women earned on average \$8,428, a \$2,262 difference. "It was found that slightly more than half this difference could not be explained by any or all of the factors of age, degree held, field of specialization, university, region or academic rank." (p. 75) The study also found that women with the same amount of training and at the same age were much less likely to hold an administrative position than their male equivalents, and while one out of every four men was a Full Professor, only one out of 21 women had achieved that rank. (p. 93). "There were more than 30 times as many men deans as women deans (excluding deans of Nursing Education and Home Economics)." (Ibid) Reflecting on the Royal Commission twenty years later, Monique Begin (Executive Secretary to the Commission) had this to say:

There have been enormous changes in our collective sensitivity to women's issues since the tabling of the Report of the Royal Commission on the Status of Women in Canada (RCSW) in the House of Commons on 7 December, 1970.... Among its many contributions to changing our society, feminism is now firmly engaged in reinterpreting and re-evaluating knowledge within almost all of the disciplines of the academy. There is however, much work still to be done in making scholarship and knowledge accessible and representative of women.... There is no doubt in my mind that the federal government has now deliberately backtracked on the issues of serious concern in the daily lives of women....grants and programs have been cut or cancelled, ensuring women's associations have been seriously affected in their work, if not in their very existence, and the "status of women" is now the pariah of both the bureaucrats and the politicians. (Begin, 1992, in Backhouse and Flaherty (eds.), pp. 21, 37-38)

Now at the 40th anniversary juncture, women take stock again. One commentator notes:

What has changed since the RCSW is a great deal more visibility to intersectionality. Women were certainly never a homogeneous block and we have become more conscious of the need to integrate the various dimensions of intersectionality into our thinking about women's roles. (Andrew, 2010, p.1)

But in the meantime, an event had transpired on a Canadian campus that shook Canadian, and women academics, in particular, to the core. The ‘Montreal Massacre’, December 6, 1989, has come to symbolize the ongoing barriers facing women in education. Fourteen women were murdered at their university, by a man targeting female engineering students, claiming ‘feminists’ had ruined his life. The gunman had been denied admission to the University’s Engineering program. Twenty years later, this horrific mass murder has left a legacy of some “positive change... persistent challenges... [and an annual National Day of Mourning] remembering the losses...” (Austin-Smith, 2009) Despite efforts to attract more women (both students and faculty) to Engineering schools since this event, they continue to retain their image as male-dominated and sexist environments (Mayne, 2010). Riley and Sciarra (2006) address the perceived conflict between gender and professional identities using the Montreal Massacre as a case study. The gunman made it clear that he wanted his actions viewed as political rather than the act of a madman; he had stated that feminists had ruined his life, and he deliberately separated the women from the men in the classroom he entered before he began shooting—despite this, the media has consistently “downplayed the role of gender in the events, casting it as a random act of violence.” (Ibid, p. 19) While the Montreal Massacre is studied in social science and women’s studies courses, it is not taught in engineering schools.

In the Preface to their book *The Montreal Massacre* (1991), Louise Malette and Marie Chalouh state:

But if, in the weaving of individual existence, there are times when forgetting is therapeutic, for women there are times when remembering is imperative. We come together through remembering, and we see ourselves and each other in our own history. Whether we like it or not, the massacre at the Polytechnique is now part of our history. (p.15)

Other parts of our history include legislative and policy changes intended to address ongoing social, economic and educational inequities.

National, Provincial & Local Equity Policy Initiatives

The Federal Contractors Program was established in 1986 to further the goal of achieving workplace equity for ‘designated groups’ experiencing discrimination in the Canadian labour market, including: women; Aboriginal peoples; persons with disabilities; and members of visible minorities. Organizations [including universities] that have 100 or more employees and want to bid on a federal government contract of \$200,000 or more (including research grants) must first sign a ‘Certificate of Commitment’ to implement employment equity. (Agocs and Burr, 1992) This initiative was followed by the 1995 Federal *Employment Equity Act*. Provincially, the Ontario *Human Rights Code* is a law that is intended to ensure equal rights and opportunities for everyone without discrimination in specific areas such as jobs, housing and services. The *Code’s* goal is to prevent discrimination and harassment.

Universities are subject to all of the above types of legislation. At the local level, some universities also have a variety of forms of Status of Women and/or Equity committees, some of which are university wide and encompass all employee groups; others are specific to the Faculty Association and/or Faculty Union. Universities also have administrative services dealing with Employment Equity and/or Human Rights complaints, and are charged with enforcing discrimination and harassment legislation and policies for all employee groups and students. University faculty association umbrella organizations at both the national and provincial levels have also had Status of Women committees with representation from a cross-section of their member associations. The Canadian Association of University Teachers (CAUT) and the Ontario Confederation of University Faculty Associations (OCUFA) are the two relevant to the case study of one Ontario University's experiences with status of women issues described in this paper.

University Status Of Women Committees

The CAUT Status of Women Committee was established in 1985 with the following mandate: "The Committee shall help to coordinate strategies promoting the status of women at all Canadian universities." (CAUT website) As a Standing Committee, the Chair has had a seat on the CAUT Executive. The OCUFA Status of Women Committee was also established in 1985 with the following directive:

"...shall act as an advisory committee to local faculty associations and local status of women committees seeking information and/or advice on issues of particular concern to female academic staff, such as the briefing of negotiating teams or pressuring university administrations to act on behalf of women on their faculty."
(OCUFA website)

The University of Western Ontario Faculty Association's (UWOFA) Equity Committee (formerly Status of Women Committee) has been intermittently active for several decades also, and has had a close working relationship with Western's Caucus on Women's Issues (WCWI) which includes membership from all employee groups on campus as well as women graduate students. The Caucus established in 1980, celebrated its 30th anniversary this year (Travis, 2010), and its original intent has remained unchanged: "to cultivate a sense of community among **all** women employees". It has advocated over the years on a number of relevant issues and through various media, including a video created in 1986: *Breaking the Trust* (sexual harassment); helping to establish in 1988-89 the UWO Standing Committee on Employment Equity which developed a *Report Card on Employment Equity*, followed by the more controversial *Chilly Climate Report*. Following the release of the university's first employment equity report, UWO President George Pedersen declared employment equity the "No. 1 issue of the '90s. I don't think there is any question that Canadian society is going to focus heavily on this in the next decade. I would hope that we can make some reasonable progress." (Marchildon, 1991)

In 1990 CAUT established the Sarah Shorten Award: “to recognize outstanding achievements in the promotion of the advancement of women in Canadian universities and colleges” in memory of the late UWO feminist faculty member who had served as President of each of: UWOFA, OCUFA and CAUT, as well as three terms as President of the Women’s Caucus. She was also an active member and President of the community based London Status of Women and Action Group (LSWAG). Additional Women’s Caucus projects included a 1991 video: *Chilly Climate for Women in Colleges and Universities* which documented the controversy and issues surrounding the earlier *Chilly Climate Report*, followed in 1995 by an edited book: *Breaking Anonymity: The Chilly Climate for Women Faculty* which provided a more diverse and national perspective. In 1995 another video: *Backlash: Resistance to Change* was launched. In 2004 - *Challenges of the Academic Journey: A Symposium on Women in the Sciences and Engineering* was held at UWO as part of ongoing efforts to address the issues highlighted by the Montreal Massacre. And most recently, in 2008, the video: *Voices of Diversity: Creating a Culture of Safety, Respect and Belonging on Campus* was created in response to a student newspaper ‘spoof’ issue which mocked violence against women. The outrage among women on campus and concerns about administrative inertia spawned new policies on student journalism, greater visibility of the Equity and Human Rights Services office, and workshops on diversity, harassment, discrimination and inclusion. Since then, an Employment Systems Review has been conducted to “identify employment barriers for members of four designated groups (women, Aboriginal Persons, persons with disabilities, and members of visible minorities.... [and to lay] the foundation for rectifying employment equity issues on The University of Western Ontario campus....” (Travis, 2009). Despite these ongoing efforts, status of women and other equity issues remain concerns across all Canadian campuses.

Unionization of The Canadian Professoriate: Equity And Collective Bargaining In Canadian Universities

Canadian universities are almost all publicly funded and the vast majority of these are unionized (with the exception of the province of Alberta which has labour laws preventing universities from unionizing). Forty-one of 47 eligible faculty associations (most including librarians/archivists and part-time faculty) are unionized across the country. Collective bargaining is the norm even for non-unionized faculty associations. “Many of the reasons cited for collective bargaining in the academic environment involve the improvement of working conditions including faculty power and university governance, workload and support services, job security, **equity issues**, due process and grievance issues, promotion procedures, and academic freedom.” (Wickens, 2008, p.547, emphasis added) Most faculty collective agreements now include significant sections related to Employment Equity practices on campus, with links to other important articles such as Appointments, Promotion and Tenure, and Discrimination and Harassment. But these have not come easily, with the most vocal opposition emerging from within the union itself.

Interventions to promote employment and pay equity often begin with the previously noted federal and provincial legislation. Collective bargaining can be a significant though often invisible instrument for promoting workplace equity. Unions promoting institutional mainstreaming of equity, can empower women, and other equity seeking groups, to act collectively in their own interests (White, 1993). According to Briskin (2006) ‘bargaining equity’ may well depend on ‘equity bargaining’. The former refers to the equity issues themselves while the latter to the process of bargaining, bargaining strategy and the representativeness of the negotiators. Without a shift in who is negotiating, and how they negotiate, there may be little change in what is negotiated. Although no formal statistics are kept, an informal count shows that there have been only 9 women chief negotiators in the province of Ontario during the past 20 years, involving 18 universities and 119 rounds of bargaining (7.6% representation of total). (Gray, 2010) No Ontario faculty association, recently surveyed, had internal volunteer equity policies to ensure equitable representation on negotiating teams and committees, most are grateful to receive any volunteers. Some, like UWOFA, strive to have representation on their teams and have had a female deputy Chief Negotiator since union certification, but only once has a female served as Chief Negotiator, in this instance while the regular Chief Negotiator was on a leave during the Librarian/Archivist negotiations. Furthermore, conscious efforts must be made to recruit a diversity of members, and women, including part-time and/or adjunct faculty, keeping in mind that “the personal cost of union activism is higher for women than for men, because of the double shift that many women workers have to carry.” (Berry, 2005, p. 81) Thus, faculty unions must be sensitive to childcare provisions during after hour negotiations, and compensation for contract faculty for whom ‘service’ is not a part of their remunerated workload.

Interestingly, during the 1996-97 certification drive at UWO (some) feminists (members of the Women’s Caucus) were publicly against a faculty union. They felt that women faculty members, and faculty in general, were already privileged members of the academy in relation to women in the other employee groups who might be further disadvantaged if faculty members achieved larger salaries and benefits (at the presumed expense of other staff). At the same time, female members of other employee groups maintained that they would in fact benefit from gains made by their more powerful faculty counterparts during their own subsequent negotiations (this, in fact, has come to pass). UWOFA unionized in 1997-98, among the last of Ontario universities to do so.

The first collective agreement was drafted using CAUT model clauses, and the collective agreements of similar, previously unionized universities. The UWO/UWOFA Collective Agreement, now entering its fourth round of renewal bargaining, has numerous articles relevant to employment equity including: Appointments (full-time and part-time faculty); Child and Family Care; Compensation and Benefits (including regular pay equity studies and Gender-Based Anomalies Adjustments); Discrimination and Harassment; Employment Equity; Pregnancy and Parental/Adoption Leaves; and Promotion and Tenure. It should be noted that a

Joint [Union and Management] Employment Equity Committee, established under the collective agreement, has also created an *Employment Equity Guide* (UWOFA/UWO, 2007) to support and advise the committees related to Appointments and Promotion and Tenure, in particular.

In addition to the legal force of the collective agreement provisions, there are a number of cross-campus UWO/WCWI/UWOFA equity initiatives including: the President's Standing Committee on Employment Equity (PSSCE); Equity Services & Human Rights Office; Employment Systems Review; Pay Equity Review (Gender Anomalies Study); Joint Employment Equity Committee (UWO & UWOFA); and Workshops on various equity topics.

Collective Agreement Highlights: UWO & UWOFA 2006-2010

The *Appointments* article relates to hiring processes for all types of faculty members, including part-time (Limited Duties) and full-time (both Limited Term and Probationary and Tenured). The Appointments committees are explicitly informed about equity provisions:

5.8 All members of an Appointments Committee shall be supplied with written information about the content and application of relevant federal and provincial equity and human rights legislation, and about University policies relating to employment equity and federal immigration requirements. In accord with the provisions of the Articles *Employment Equity* and *Discrimination and Harassment*, Members shall familiarize themselves with the requirements of these laws and policies as a condition of serving on the Appointments Committee and shall apply the pertinent principles in all aspects of their decision making. In carrying out its duties, the Committee may call upon the Office of Equity & Human Rights Services for assistance. The Dean, or designate, shall ensure that the Committee is aware of the relevant legislation and University policies, and the Dean or designate and the Members participating in the work of the Committee shall take proper and reasonable steps to uphold these laws and policies throughout the deliberation of the Committee.

The *Employment Equity* article explains more fully the expectations and methods for complying with these provisions:

The Parties endorse the principle of equity in employment. Employment Equity involves hiring the most suitably qualified candidate for any open position while ensuring that the hiring process and the qualifications required for each position are fair and equitable for all persons. The Parties agree to cooperate in the identification and removal of all barriers to the recruitment, selection, hiring, retention, and promotion of the following groups: women, aboriginal peoples, persons with disabilities and visible minorities. Other groups as may be designated as under-represented in federal and provincial human rights legislation or agreed to by the Parties may be included in this list.

In addition to the above declaration, the article describes advertising procedures, the roles of the Equity and Human Rights Services; commits to provision of an up to date *Employment Equity Guide for Appointments Committees and Promotion and/or Tenure Committees*; establishes the Employment Equity Committee with representation from the Faculty Association, the Employer and the Director of Equity and Human Rights Services. This committee also advises the President's Standing Committee on Employment Equity which includes representation from all employee groups on the campus. Annual statistics are kept and reported, and periodic reviews are to be conducted to "determine whether either the criteria or practices systemically discriminate against members of designated groups". (cl. 10b) Clause 8 informs the work of the Appointments and Promotion and Tenure Committees:

8. The Employer shall supply all Members chosen to serve on Appointments and Promotion and Tenure Committees with a copy of the current *Employment Equity Guide for Appointments Committees and Promotion and/or Tenure Committees*, and any other written information about the equity context and application of relevant federal and provincial legislation, including immigration statutes, and of University policies. This *Employment Equity Guide* shall also be made available, in electronic form, on both the University and the Association websites. Members shall familiarize themselves with such information as a condition of serving on such committees. Furthermore, the Dean, or designate, shall ensure that committees are aware of the relevant legislation and University policies, and the Dean or designate and the Members participating in the work of the committees shall share responsibility for ensuring that the relevant legislation and University policies are followed throughout the deliberation of the committees. The committees may call upon the Office of Equity & Human Rights Services for assistance.

Interestingly, this article was the only one which required a mail ballot vote of the union members (requested by petition) during the preparations for first contract negotiations. The membership at the time was divided on employment equity issues with some postulating that hiring to fill presumed quotas would trump excellence and turn away the 'best' candidates. Since that time, support has grown through the regular education of committee members, reporting of faculty demographics, and outside legislative requirements which have pressured the university towards greater compliance.

The Child and Family Care article requires the Employer to provide on-campus day care facilities as well as a Family Care office:

1. The Employer shall maintain an office that provides information, guidance and assistance to Members regarding resources, programs and policies relevant to schools, child care, elder care, parental leaves, and other family concerns.

Related to the *Child and Family Care* article is: *Pregnancy and Parental/Adoption Leave* which entitles both parents to take paid leaves upon the birth or adoption of a child. Those who avail themselves of these Leaves are granted additional time towards their promotion and tenure

decision. The *Income Security* article is also sensitive to family issues providing paid ‘compassionate leaves’ in the case of urgent or critical health issues or a death in the family.

The *Compensation and Benefits* article further expands on monetary equity such as: Gender-Based Anomalies Adjustments (cl. 39) following a Gender-Based Salary Anomaly Study (*Letter of Understanding –H*), and health care benefits for members and their families, including same-sex spouses. Pay equity studies were undertaken prior to unionization but have become regular features of the subsequent collective agreements as salary inequities continue to arise. It is speculated that women faculty are offered and agree to lower starting salaries at time of hire, and this is now being systematically monitored along with possible systemic inequities in the annual performance evaluation process which leads to merit pay.

The *Discrimination and Harassment* article serves several purposes: awareness, complaint procedures, investigations, panels of inquiry, mediation, and resolution options. Once again, as in the *Employment Equity* article, the parties declare:

1. The Association and the Employer are committed to providing a working and learning environment that allows for full and free participation of all members of the institutional community. Discrimination against and Harassment of individuals, whether as members of any recognizable group or otherwise, undermine these objectives and violate the fundamental rights, personal dignity and integrity of individuals or groups of individuals.

The definitions used mirror, and in some cases expand upon, legislative requirements:

2. *Harassment* means engaging in a course of vexatious comment or conduct related to one or more of the prohibited grounds of discrimination under Clause 3 of this Article. *SexualHarassment* means engaging in a course of vexatious comment or conduct of a sexual nature including sexual assault, verbal abuse or threats, unwelcome sexual invitations or requests, demands for sexual favours or unwelcome innuendo or taunting about a person’s body, physical appearance or sexual orientation. Conduct and/or behaviour which creates an intimidating, demeaning or hostile working or academic environment also constitutes

Harassment, whether or not it is based on the prohibited grounds of Clause 3. Harassment and Sexual Harassment are serious offences that may be cause for disciplinary sanctions including, where appropriate, dismissal or expulsion.

3. Except as permitted by law, there shall be no discrimination, interference, restriction or coercion exercised against or by any Member regarding any term or condition of employment, including but not limited to salary, rank, Appointment, Promotion, Tenure, reappointment, dismissal, termination of employment, layoff, Sabbatical or other Leaves or benefits, by reason of the grounds a) through h) listed below; nor shall any discrimination be exercised against or by Members in the course of carrying out their Academic Responsibilities, by reason of:

a) race, color, ancestry, place of birth, ethnic or national origin, citizenship (except for new Appointments as provided for by law); or b) creed, religious or political affiliation or belief or practice; or c) sex, sexual orientation, physical attributes, marital status, or family relationship; or d) age; or e) physical or mental illness or disability (provided that such condition does not interfere with the ability to carry out the Member's Academic Responsibilities; but this exception shall not relieve the Employer from its duty to accommodate in accordance with the Human Rights Code, R.S.O. 1990, c. H.19 or other applicable legislation); or f) place of residence (except where the place of residence would interfere with the carrying out of any part of the Member's Academic Responsibilities); or g) record of offences (except where such record is relevant to the Member's Academic Responsibilities); or h) membership or participation in the Association.

The *Promotion and Tenure* article marks one of the key steps in any faculty member's career. Although concerns with employment equity practices first arise with the hiring or Appointments process, the next step where inequities emerge is in the tenure and promotion cycle. Statistics show significantly fewer tenured women faculty at Canadian universities, as noted earlier, and Promotion to Full Professor at mid-career is even more problematic (UWOFA, 2006). Promotion and Tenure committees are intended to be representative on the basis of gender, at least:

10. Any nominating committee charged with proposing Members for election to a Committee on Promotion and Tenure shall do so with regard to achieving a representative gender balance on the Committee.

Clause 8 of the *Employment Equity* article, noted above, is applicable to the work of the committee, and each committee is required to gather and report data from their deliberations:

21. Before the conclusion of each Academic Year the Employer shall report to Senate, the Board and the Association the following data, sorted by gender and by such other designated groups for which data are available:

- a) the number of Promotion and/or Tenure Files considered under Clause 15 of this Article;
- b) the number of Probationary Assistant Professors considered for Promotion and Tenure under Clauses 15.1 and 15.3 of this Article;
- c) the number of Probationary Associate Professors considered for Promotion and/or Tenure under Clauses 15.2 and 15.3 of this Article;

The mentoring of junior female faculty; and promotion policies (encouraging higher rate of promotion for all, particularly female faculty) receive particular attention in the most recent agreement:

6.2: The Promotion and Tenure Committee of each Department or School or Faculty, excluding the Dean...shall meet before November 30th each year to consider the Promotion file of each Member... who is not already a Professor. The Committee shall provide its advice to the Dean on whether or not each such Member should be invited to undergo consideration for Promotion in the following year's cycle. ...where the Committee advises that consideration is warranted, the Dean shall report the Committee's advice to the Member by December 20.

This new clause, 6.2 above, is meant to address the concern that women are less likely to put themselves forward for Promotion at mid-career and may be overlooked by Chairs and Deans, particularly if their careers do not conform to traditional norms, including time away for pregnancy and parental leaves, work in marginalized disciplines, or other systemic factors. This clause has not been in force long enough to determine whether in fact it will lead to the promotion of more women faculty, but early anecdotal evidence suggests that it is helpful and encourages closer scrutiny of *all* potentially eligible files.

Finally, a Collective Agreement offers formal and legal mechanisms for problem solving and conflict resolution. The *Grievance and Arbitration* article outlines the steps to be taken from informal resolution and mediation through to arbitration in cases where problems cannot be resolved locally. While the *Discrimination and Harassment* article has its own process for dealing with issues arising within that domain; any other equity violations would be subject to the procedures outlined in the Grievance article. Equity is always a work in progress – formal legislation and collective agreement language is one thing; implementation, good will, and an understanding of the issues and roots of inequities are more difficult to achieve.

Studies, Studies—And Some Videos

As discussed throughout this paper, there have been numerous studies, videos, Status of Women initiatives and collective agreement negotiations, which in whole or in part have attempted to identify, illuminate, and propose ways in which the university environment can be made more equitable, representative and inclusive. Though there have been some setbacks and resistance within the ranks to principles of 'affirmative action' that are seen by some to choose equity over excellence, or otherwise undermine meritocratic principles, there is a growing acceptance that equity and excellence are not mutually exclusive—indeed greater diversity enhances the intellectual potential of a university community. Though some resist the 'equity training' expectations for committee members, this attention to fair and equitable practices both raises the consciousness of participants and provides opportunity for discussing any subtle forms of discrimination or other systemic issues which may warrant consideration. The requirements to collect and report equity data also provides the evidence demanded by detractors who may otherwise claim that there were no minority applicants or candidates worthy of consideration. Longitudinal monitoring of such data provides insight into disciplines and departments that have disproportionately low numbers of women or minorities within their ranks. At the same time as

faculty members are informed and obliged to abide by equity practices, the employer through its academic administrators is also held accountable for not only monitoring change or inertia, as the case might be, but to develop gender sensitive and more equitable leadership and administrative practices to foster an overall more equitable environment. Academic units which do not address ‘chilly climate’ issues, cases of harassment, discrimination and/or bullying inhibit the hiring, retention and promotion of women and members of minority groups. Good leadership requires proactive, visible and ongoing efforts to address these issues as they arise, rather than a reactive, crisis management approach when such issues become public scandals.

Ongoing vigilance and pressure from women’s groups, including status of women committees, keeps both faculty unions and administrators mindful of these issues when the temptation might be to attend to seemingly more pressing day to day concerns. The faculty union must ensure its duty of fair representation extends to all of its constituents.

Recommendations & Conclusions—Where Do We Go From Here, And How?

Equity is one area where management and union collaboration serves the best interests of both parties, and while there may be internal disagreement with respect to how equity is defined and best addressed, there is common ground and benefit to maintaining a respectful, healthy, equitable campus. While employer and union mandates may differ, there is a shared responsibility, as described in the *Discrimination and Harassment* article:

6. The Employer and all members of the University community share responsibility for ensuring that the work and study environment at The University of Western Ontario is free from discrimination and Harassment. The Employer bears the responsibility to offer to Unit Heads appropriate training in the recognition of behaviours and institutional cultures which may constitute discrimination and/or Harassment, and in suitable procedures for removing them from the University’s working and learning environment. The Employer, the Association and its Members shall take proper and reasonable steps to uphold the policies and procedures set out in this Article.

There has been significant progress in the forty years since the Royal Commission on the Status of Women released its report, and in the thirty years since Western’s Caucus on Women’s Issues was established at the University of Western Ontario. However, there is ongoing need for Status of Women Committee activism, just as there is a need to monitor all equity provisions and the participation of all equity seeking groups. Status of women and equity committees, and collective agreements all serve to facilitate and monitor progress toward gender parity and greater equity on campuses. While education of members, decisionmakers, union officers and administrators is important, the enforcement of equity legislation is imperative.

Wilson, Gadbois & Nichol (2008) argue in their article: “Is Gender Parity Imminent in the Professoriate?” for a range of activities to ensure progress in this regard: examining potential indicators of gender imbalances i.e., applicant pools, starting rank and salary, promotion

application and attainment; the presence of feminists on key committees, including appointments, promotion and tenure, bargaining, and leadership/management positions; a review of starting salaries, performance evaluations and promotion rates for gender disparities; ongoing data gathering and analysis (i.e. salary and pay equity studies). Furthermore, Briskin (2006) urges unions to be vigilant about not marginalizing equity issues inside unions or within the workplace.

Conclusion

“Within a gender-balanced professoriate, there is increased likelihood both males and females will be involved in the establishment of practices intended to promote equity.” (Wilson, Gadbois, Nichol, 2008:212)

Epilogue: Which Women? Equity, Diversity And [Post-]Feminism?

Ironically, as this paper was being written, CAUT gave notice (on March 8, 2010—International Women’s Day) that it would be dismantling its Women’s Committee in the name of ‘Intersectionality’ creating a more broadly defined Equity and Diversity Committee. The (woman) President of CAUT states that: “there is no proposal to “dismantle” the women’s committee. Rather, the recommendation coming to CAUT council this month reconfigures our equity organization to create a more effective and dynamic organizational structure, one that centres on a commitment to inclusivity....” (Stewart, 2010). A national debate ensued on equity list-servs across the country; the motion, however, passed. While Aboriginal and Francophone representatives will be guaranteed a seat at the CAUT Executive table, and the Diversity Council will receive two seats—one of which is reserved for a woman—women’s issues within the academy will no longer be represented by a women’s committee. The President commented: “It is time to bring our organization into line with our principles and put an end to ‘women and others’.” (Stewart, 2010) One respondent stated: “What does this say about women’s position in Canada’s universities and colleges—mission accomplished? We know the glass ceiling and numerous other barriers and trap doors remain: women are only 31% of full-time faculty, 20% of full professors, and 19% of university presidents.... Changes that empower more of those traditionally marginalized in Canadian society and in the academy are to be celebrated. Still, for many (women and men) this is a sad day....” (Robbins, 2010)

Briskin (2006a, p.2) agrees that “[m]uch of the available scholarship has focused on gender. For the equity project to move forward, understandings of the resonance in the workplace of race, ethnicity, citizenship, sexuality, age, and ability will need to be greatly enhanced, and in particular, the experience of intersectional discrimination.” However, her proposal for “a caucus of caucuses” (Briskin, 2006b) recognizes the need for both separate and collaborative models in order to “address the multiple, sometimes overlapping, sometimes conflicting, agendas of various equity-seeking groups” (p.1).

Coincidentally as this debate was underway, in March 2010, the Minister of Industry established an ad-hoc panel, composed of distinguished members of Canada's science and technology community, to examine the lack of female representation among the award winners of the Canada Excellence Research Chairs (CERC) Program. The panel's report provides advice on how Canada can continue to pursue world-class excellence through the CERC Program, while seeking a field of candidates that reflects the talented women and men in the global research community. In summary, the panel advises:

“We believe, in a diverse and interconnected world, the goals of equity and excellence are intertwined: equity ensures the largest pool of qualified candidates, without affecting the integrity of a selection process focused on excellence. We hope our advice ensures the CERC Program exemplifies this and continues to attract the world's best to Canada's advantage.”

Clearly, equity in Canadian universities for women and members of all equity seeking groups is still a work in progress.

Biographical Note: The author's personal career at UWO spans more than a decade pre-unionization, and another decade since; she has served as President of both the Women's Caucus and the Faculty Association; and has been a union negotiator for: Faculty, Librarians & Archivists, and the newly formed Department of Women's Studies, and is a former Chair and member of OCUFA SWC.

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