

Pay Equity and Wage Adjustments –
Presentation by CUPE Local 391 to Mediator Brian Foley
October 1, 2007.

Preamble to Presentation -

My regular day job is as a public service librarian in the Art & History Division of the Main branch of the Vancouver Public Library. I have over 20 years of work experience in the field of information management, including 7 years at the Vancouver Public Library as a reference librarian.

Despite my work experience and 6 years of post-secondary education, I earn significantly less than almost all of my friends and family with similar education and work experience. For a long time I simply accepted this situation because I bought into the argument that as a public service librarian, I'd earn less.

Then I started to really look at what I actually do and I began to ask why public librarians are paid so much less than librarians in other sectors when the jobs are so similar? Is it because our society does not value public libraries and library workers or is it because our society does not value work that has traditionally been done by women?

What became evidently clear to me is that the problem revolves around the complexity of the pay equity issue and the mistaken belief that gender discrimination no longer exists in our society.

I think this belief stems from the reality that the women's movement made great strides in the 60s and 70s to achieve equality:

- We now have the Canadian Charter of Rights and Freedoms, which guarantees us equality rights.
- We see all around us examples of individual women in non-traditional careers and positions of power.
- We know that women get paid the same as men when they do the same work.
- And in our daily lives, our society has progressed to the point where not many women expect doors to be held open for them, bus seats to be vacated for them or their drinks bought for them –

I believe that all these "achievements" have convinced us that our society no longer tolerates gender discrimination. And therefore we live in denial that gender-based discrimination could possibly exist in our public libraries.

I am convinced that the world of municipally-funded public libraries is one of the last areas where the issue of gender discrimination has such an impact on the livelihood of the men and women working in them. I hope I can also convince you of this fact and impress upon you the need to finally address pay equity in this round of bargaining.

The bargaining committee would like to begin our discussion on this proposal by first introducing the landscape and history of the issue of pay equity, including how it relates to library workers. Then we'll turn our focus to the issue of pay equity at Vancouver Public Library, finishing with a review of how this proposal has evolved at the bargaining table over the course of current negotiations. Along the way, we will make reference to the supporting documents in front of you – sources that validate the information we are presenting to you on this issue today.

Introducing the issue and history of pay equity

In 1951, the International Labour Organization (including Canada) passed the Equal Remuneration Convention (No.100), which states in part:

“Each Member shall...ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.”

In other words: Equal Pay for Work of Equal Value; Pay Equity; Comparable Worth. All phrases used in the discussion of the historic devaluation of work that has traditionally been, and remains, “women’s work”.

The first document we’ve provided you, an excerpt from the federal government’s 2004 Pay Equity Task Force Report, discusses some of the various prejudices and stereotypes in the labour market that may create and maintain the wage inequities that plague women’s work – jobs such as secretaries, nurses and of course librarians.

Add these lingering stereotypes to an outdated job classification system that segregates work into occupational groups, preventing comparisons between work that is “male” and work that is “female”, and you have a system that perpetuates the historic devaluation of female dominated professions and workforces – specific to the case at hand, the devaluation of library work.

These historic inequities form a significant portion of the gender wage gap. Published in 2005, the fifth edition of the Statistics Canada publication titled “Women in Canada: a Gender Based Statistical Report” tells us that:

“Even when employed on a full-time, full-year basis the earnings of women remain well below those of their male counterparts. In 2003, women working full-time, full year had average earnings of \$36,500, or 71% what men employed full-time, full-year made that year.

As well, while there have been some year-to-year fluctuations, the gap between the earnings of women and men has not changed substantially in the past decade. Indeed, the current difference is actually slightly lower than the peak figure of 72% recorded in the mid-1990s. This is in contrast to the two previous decades when women’s earnings as a percentage of those of men rose relatively quickly.”

Pay Equity attempts to correct this inequality.

Pay equity legislation across Canada

In recognition of the wage gap and the historic inequalities that exist between the earnings of men and women, governments across Canada have taken a variety of initiatives to address the problem

At the federal level, applying to workers under the jurisdiction of federal labour law, Pay Equity initiatives are limited to a complaints-based process under the Canadian Human Rights Act. According to the Act, it is discriminatory to “establish or maintain differences in wages between male and female employees...who are performing work of equal value.” The Act also identifies that assessing the value of work, “the criterion to be applied is the composite of the skill, effort and responsibility required in the performance of the work and the conditions under which the work is performed.”

The Act identifies the standard by which the need for pay equity is assessed, and how pay equity is implemented – gender-neutral job evaluation that provides for the bias-free measurement of jobs based on the skill, effort, responsibility and working conditions required of the work.

When pay equity was finally established in the federal public service, librarians were one of the job classifications that benefited from the largest increases.

Of course, most workers in Canada are covered by provincial labour laws, and there is a hodge-podge of different legislative and policy initiatives across the provinces addressing pay equity. Several provinces have specific laws on pay equity which apply only to the provincial public sector, like Manitoba and PEI. Others, like British Columbia and Saskatchewan remain without any specific pay equity laws, although they have implemented pay equity in portions of the public service through policy frameworks.

Ontario and Quebec lead the way in Canada, with pro-active pay equity legislation covering most workplaces in the public and private sectors. Ontario’s legislation is often declared to be among the most progressive in the western world.

Each of the jurisdictions with pay equity legislation or policies have required acceptable methodology by which to measure the relative or comparable worth of male- and female-dominated jobs. In all jurisdictions, the standard acceptable methodology has become the gender-neutral job evaluation plan.

Gains for library workers in Ontario, through proactive pay equity legislation

Ontario’s Pay Equity Legislation was introduced in 1987, and applied to all public and private sector employers in workplaces of 10 or more employees. The Act, to quote Ontario’s Pay Equity Commission:

“requires that jobs be evaluated and work mostly or traditionally done by women be compared to work mostly or traditionally done by men. If jobs are of **comparable value**, then female jobs must be paid at least the same as male jobs. Female jobs are those mostly or traditionally done by women such as librarian, childcare worker or secretary. Male jobs are those mostly or traditionally done by men such as truck driver, firefighter or shipper.”

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Changes were made to the Act in 1993 to make it more effective for certain workplaces, such as libraries, where there were few or no male jobs within the place of employment. Before those amendments, some libraries were only allowed to make internal comparisons, although in others comparisons had been allowed to the municipal workforce.

The second document we've provided you is an excerpt from a 1994 article published in the Canadian Journal of Information and Library Science, which discusses in part the impact of pay equity on public libraries in Ontario prior to the 1993 amendments to the Act. It includes results of a survey of public libraries across Ontario on the subject.

Those results, in table 3, show that all levels of library workers, including Library Administrators, benefited greatly from the pay equity process. They show average increases, in medium and large library systems, of more than \$3 an hour for Librarians, almost \$3 an hour for Library Technicians, and around \$2 for Circulation Assistants.

There have been recent increases as well, as pay equity had to be re-established following the amalgamation of many municipal and regional governments in Ontario, providing for larger organizations and different male comparators for female jobs.

Of course, we don't all live in Ontario – nor would we want to. But we think this information serves to justify our claims that library workers are under valued and under paid at Vancouver Public Library and that we wouldn't be at this table discussing this today if Vancouver Public Library was subject to pay equity legislation.

Pay equity as an issue in the library community

The issue of pay equity in public libraries is gaining momentum locally, nationally and internationally.

Far from being an issue addressed only by library workers and their unions, professional associations are also weighing in on the importance of establishing pay equity for library workers. These associations represent public and other libraries, administrators, Library Board members, as well as librarians and other library workers.

We want to share with you a number of quotes from representatives of Library Associations:

From Mitch Freedman – past president of the American Library Association (*excerpt from his email, dated Oct. 14, 2002, to the ALA Council and membership*)

“I didn't sign onto this profession, nor did most of you, to subsidize libraries by accepting inequitable, and, in altogether too many situations, demeaning salaries. I will not let up in my efforts to promote better salaries and pay equity for all library workers in all kinds of libraries. I hope you won't either.”

The California Library Association has an active Fair Compensation Campaign titled: *Making the Case for Fair Pay*, which includes the following:

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“Librarians and library workers are under-valued, and most people, whether members of the public, elected officials, faculty, corporate executives, or citizen board members, have little or no idea of the complexity of the work we do.

“Librarians and library workers are also unfairly compensated for the complexity of the work we do, especially in comparison with other service workers. There are several reasons for this: the vast majority of library workers are women, so we suffer from all the years of wage discrimination our gender has endured. The standard method (marketplace) used by human resources professionals for classifying and compensating service employees perpetuates low or unfair wage rates for library workers. And people with the power to make compensation decisions suffer from the lack of understanding of library work...”

The executive council of the Canadian Library Association has just endorsed a review of pay equity in libraries across Canada

Closer to home, what follows is an excerpt from a column by the BC Library Association President Deb Thomas in the current edition of the BCLA magazine:

“Pay equity has been and remains a critical issue in recent labour negotiations between library workers and their employers in British Columbia. The newly formed Public Library Interest Group of BCLA has taken a strong stand in favour of addressing pay equity in those libraries where it has not yet been addressed and hopes to be able to bring a draft position statement on the issue to the Board in the coming months.

“Fundamentally, this issue is about fairness. Everyone - regardless of gender – should receive fair compensation for the work that they do. That this remains an issue for some of the largest public libraries in British Columbia highlights the fact that this province lags behind other provinces such as Ontario where pay equity legislation in the late 1990s increased the salaries of library workers by, in some cases, up to 24%.”

Library Pay Equity in BC

Also closer to home, CUPE’s recent report *Overdue: Pay Equity for Library Workers*, makes the following points about wages at public libraries in BC:

- Many entry-level positions in public libraries make as little as 64 to 82% of similar municipal labour jobs.
- Library assistants working in education – both K-12 and post-secondary, can earn up to 22% more than municipal library assistants.
- The highest wage librarian positions in seven lower mainland public libraries made about \$8 less per hour than librarians at two universities and \$10 less per hour than librarians at two colleges.

These differences reflect the fact that, while there is no pay equity legislation in BC, many women working in the provincial and provincially-funded public service benefited greatly from a pay equity policy framework in place in BC during the 1990’s. This framework

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provided pay equity money, from the province, to designated workplaces that had assessed the inequities in the wages they paid their employees and made adjustments to correct those inequities, using an approved methodology. In all cases, that methodology was a form of gender-neutral job evaluation.

Through this process, school boards, universities and colleges across the province made significant progress in correcting pay inequities – resulting in significant gains for library workers, as we've shown.

Unfortunately, this pay equity policy framework was never made available to, nor imposed on municipal or municipal-funded organizations – leaving workers at public libraries across the province falling behind their co-workers in other parts of the public service, with severely limited options to catch up.

In some cases, and we'll use the examples of Victoria and Port Moody Libraries, employers and unions have collectively entered into a joint, gender-neutral job evaluation process.

In Port Moody, where library and city workers are in the same bargaining unit, a single job evaluation plan was developed and applied across the bargaining unit. The implementation of the plan, which was finalised earlier this year, resulted in wages for the Public Services Assistant at the library increasing by \$4.27 an hour and the Children's Librarian rate increasing by \$2.63.

In Victoria, library workers are in a separate bargaining unit from municipal workers. Nevertheless, the employer agreed to work towards pay equity by using the same job evaluation plan to evaluate library jobs as had been used for the municipal workforce. The established goal was to pay library workers the same as municipal workers with jobs that were rated the same through pay equity.

Unfortunately, the employer has refused to fund the wage adjustments, and library workers in Victoria have recently taken strike action to finally achieve them. The adjustments would see wages of Circulation Clerks rise by \$3.89, the wages of Public Service Librarians by \$3.31.

Recent gains at public libraries in the region

In British Columbia, where there is no legislation to establish pay equity, proposals to address historic wage inequities are becoming a hot issue at many bargaining tables. In many cases, Library Workers are leading the way.

In the Metro Vancouver region, several other locals representing library workers have tabled proposals to address pay equity.

In Burnaby, CUPE 23 and their employers, both the City of Burnaby and Burnaby Public Library, negotiated a 2-step process to address wage inequities. The first step establishes a joint committee to compare Library jobs to jobs in the City, using the existing job classification system. The employer has agreed to implementation costs of up to 5% of Library payroll for this project. The second step creates a joint committee to review the new

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JE plan developed in the City of Coquitlam and consider its implementation in both the City and Library, with an additional 4% of payroll set aside for costs.

The North Vancouver City Library and CUPE 389 agreed to increase librarian wages by one pay grade.

The issue of pay equity at Vancouver Public Library

We conducted a survey of our membership in the summer of 2006, asking them about their priorities for the coming round of contract negotiations.

Our members made it clear that the issue of pay equity was second only to achieving the regional general wage increase. After nine weeks on strike, our members continue to tell us that the agreement we reach with the employer **must address, at least in part, the issue of pay equity and wage adjustments.**

We have looked for other ways to address the wage inequities. But our job classification system is an outdated method of whole job comparison that segregates work into occupational groups and doesn't allow for comparisons outside of those groups. In the present system, librarians can only be compared to librarians and clerical workers can only be compared to other clerical workers. And we are limited in our comparisons to our own workplace, meaning that while we can achieve a decent measure of internal equity, the present system does not allow us to make any advances on pay equity.

In the absence of a legislative or policy framework that will compel the employer to study the matter and correct any existing inequities - **in other words, without pay equity legislation** – it has become clear to us that the only avenue open to us to even begin to address this issue **IS** the bargaining table.

Indeed, the only significant progress we have ever been able to make on this matter has been in collective bargaining.

In 1981 we successfully negotiated a substantial increase for our lowest paid members – Library Assistant 1s. In 1992 we negotiated one pay grade increases to all classes at pay grades 9 through 11.

In the early nineties, the GVRD and municipal CUPE locals established a joint committee to work on the development and implementation of a new, point-weighted, job evaluation plan to replace the existing job classification system. After a couple of years of work, the parties abandoned the process. There are a number of rumoured reasons for this, but they have never been clearly documented and are probably irrelevant. What **is** relevant is that both the employer and the union, in entering into the joint committee, admitted and agreed that the existing classification system is outmoded, outdated and discriminatory.

We have seen the gains made by library workers in Ontario, and here in BC, in other library sectors, using gender-neutral job evaluation as a method to establish pay equity. And so our initial proposal on this matter called for the creation of joint committees to address job evaluation and pay equity.

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The last document we've provided you is a chronology of the issue of pay equity and wage adjustments during the current round of bargaining. We hope you will review this document and observe that we have tried to adapt and adjust our proposals throughout this process, eager to find something that the employer would agree to that would still result in appropriate wage adjustments and start us on the road to the pay equity our members continue to tell us is so important to them.

You will see that, even though we recognize that a gender-neutral job evaluation process is the best way to achieve our members' goals, we have removed all reference to job evaluation in our final proposal.

We are now proposing a specific wage increase for librarians, similar to what was achieved in North Vancouver, and a committee to assess wage disparities in other classifications with concrete additional financial resources dedicated for use by the committee.

We have heard the employer's representative state, at the bargaining table, that there is no evidence of a pay equity, or wage inequity, problem at Vancouver Public Library or the City of Vancouver. Unfortunately, the employer has provided us with neither the data nor the methodology they used to make this determination. There has not been, to our knowledge, any "comparable worth" study to assess the existence of the problem.

We suppose it might be possible that the employer is right – although we kind of doubt it. We find it hard to believe that our members would still believe so strongly in this issue ten weeks into a strike if the employer's assertions are true. And the evidence of historic inequities, from jurisdictions and sectors that have begun to address them, is undeniable.

Still, if the employer is right and there is no problem, then there is no harm in creating the Joint Committee we are proposing, with a mandate to review and address the issue. And if the Joint Committee is able to establish that those wage inequities do in fact exist, then it's only prudent to establish a pool of money to address the issue.

Conclusion

In nearing a conclusion, I'd like to quote again from Roma Harris and the Canadian Journal of Information and Library Science,

“Of particular importance to all librarians, however is the reluctance in some municipalities to accept wage adjustments for library workers, for such reluctance suggests that women's work is still substantially undervalued and so too are the institutions in which women work. As the entangled nature of the public library's relationship with municipal governments becomes more and more obvious, this lack of respect for librarians and their work will remain a central obstacle in the public library's bid to attract sufficient funds to maintain a high level of service”

It has been very difficult for our members, and our bargaining committee, to understand the continued resistance from the employer. When the library community is making moves to address and correct longstanding inequities, in all jurisdictions and sectors, it seems

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inconceivable that our employer refuses to acknowledge the benefits to the organization of a gender-neutral job evaluation system and to at least start down the long road to pay equity.

Our members have clearly told us that access to an objective, comprehensive and fair job evaluation system is important to them. If you were to approach our members on the picket line, they would tell you that.

We have been as flexible as we believe our members will accept on this matter – we have made significant moves towards the employer's position, with each change in our proposal a reduction in what we ultimately want to achieve.

We believe it is unethical to continue to engage in a discriminatory practice on financial grounds. We believe that equal pay for work of equal value is the cost of doing business for the Library. Although employers will always argue that pay equity is too expensive, the financial argument is even harder to understand when this employer has recently saved millions of dollars in wages not paid during the strike and our pay equity proposals amount to only 1% of payroll per year.

In closing, our members have asked politely for some form of pay equity adjustments for years. We've tried lobbying the provincial government for pay equity legislation. We've tried to address it through wage adjustments and reclassification attempts. We've tried, in several previous rounds of bargaining, to get the employer to address this issue. All to little or no avail.

We've finally dropped the "polite" and have now been on strike for 10 weeks and counting. We are well aware that due to the length of the strike, our current members will not likely personally benefit from wage gains but we continue to stand out on the street on a matter of principle, for our sons and daughters, the library workers of the future. Equal pay for work of equal value.

We trust that you will seriously consider the information we have provided and hope that you can make a recommendation that begins to address pay equity for the library workers at Vancouver Public Library.

Thank- you

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Supporting Documents

1. Excerpts from: *Pay Equity: a New Approach to a Fundamental Right*, Pay Equity Task Force Final Report, published by the Pay Equity Task Force under the authority of the Minister of Justice and Attorney-General of Canada, and the Minister of Labour, 2004.
2. Excerpts from: *Public libraries and municipalities in Ontario: the impact of pay equity*, by Rona M. Harris, published in the Canadian Journal of Information and Library Sciences, vol.19, no. 2, July 1994
3. Chronology of CUPE 391 Pay Equity Proposals

An Excerpt From:

**Pay Equity:
A New Approach to a
Fundamental Right
Pay Equity Task Force
Final Report, 2004**

Published by the Pay Equity Task Force under the authority of the Minister of Justice
and Attorney-General of Canada, and the Minister of Labour

Devaluation of Female Jobs

A number of studies on predominantly female jobs (secretary, librarian, nurse) have shed light on the explanatory role of various psychosocial, economic and institutional factors that may create and maintain wage inequity.

Prejudices and Stereotypes

There are many prejudices and stereotypes in the labour market regarding women's work. Richard Anker²³ discusses a number of positive and negative stereotypes about women's abilities, which may have an impact on occupational segregation. Table 1.9 shows the link between stereotyped attitudes regarding women's abilities and occupational segregation or the femaleness of a job.

Table 1.9: Misconceptions regarding Women's Skills and the Impact on Occupational Segregation		
Stereotyped Characteristics of Women	Effect on Occupational Segregation	Examples of Occupations Associated with Certain Skills
Perceived positive traits		
1. Concern for others	Greater demand in occupations where one takes care of others: children, patients, seniors.	Nurse, doctor, midwife, social worker, child care provider, teacher.
2. Domestic skills experience	Greater demand in home-related occupations, tasks almost always done by women in the form of unpaid work.	Domestic servant, and cleaner, cook, waitress, seamstress.
3. Manual dexterity	Greater demand in occupations that require dexterity.	Typist, seamstress, knitter, assembler of miniature components.
Perceived negative traits		
1. Little interest in authority	Lesser demand in occupations requiring management or supervisory responsibilities.	General manager, production manager, sales manager.
2. Lesser physical strength	Lesser demand in occupations requiring substantial physical effort.	Construction worker, miner.
3. Lack of aptitude in mathematics and sciences	Lesser demand in scientific occupations.	Physicist, engineer, statistician.

Source: Adapted from Richard Anker, (1997), "Theories of occupational segregation by sex: An overview," *International Labour Review*, Vol. 136, No. 3, Geneva: ILO, pp. 325-327.

The stereotypical positive "female" characteristics influence perception of female jobs in two ways. First, they are perceived as essential job requirements in certain occupations and tend to overshadow other requirements of the job that are often overlooked. For

example, when nurses come to mind, we think first of patient support and empathy, relegating professional requirements such as a command of complex health care equipment, challenging working conditions, and physical effort to the background. Likewise, we associate clerical work with jobs with little autonomy in pleasant environments, an impression that ignores occupational requirements such as mastering word processing software and taking the concomitant skill upgrading due to changing technology, working under pressure, and coping with frequent interruptions.

Second, the prejudiced belief that perceived “female” characteristics²⁴ are innate has a negative effect on the value of women’s work. As the Organisation for Economic Co-operation and Development (OECD) states:

This gender-based approach to labour management was accompanied by a recognition of specific “qualities” in women, such as the “dexterity” and “accuracy” of female operatives, or the “devotion” of nurses and the “interpersonal and organisational skills” of secretaries. But it was also accompanied by an economic and professional devaluation of these same “qualities”, seen as something acquired naturally or by socialization through women’s role in the family and society. The greater the similarity between jobs and the work partly carried out free of charge in the home, the greater this devaluation.²⁵

Conversely, when women’s work demands requirements such as authority, physical strength or scientific skills, these are often ignored or minimized.

Another bias that contributes to wage inequity is the misconception that women’s pay is supplemental rather than essential. Although this misconception is clearly contradicted by today’s reality, it still appears to be reflected in the structure of some compensation systems that have been established over the years.

Job Evaluation Methods

Job value determination methods were first created in the years leading up to the Second World War to enable managers to justify hierarchy and pay, particularly for supervisory and production jobs. The main job value determination systems were designed using the dominant job model at the time, which was based almost exclusively on male jobs. These systems have been criticized for giving little or no consideration to the characteristics specific to female work. Their use in recent years to determine the value of female jobs results in substantial distortion, since major aspects of these jobs are undervalued due to a lack of appropriate tools.

Another limitation of such practices is that organizations may use different value determination methods depending on the job group. This helps to maintain any discriminatory wage gaps that may exist. The International Labour Organization noted this:

Another difficulty is that many enterprises use different methods for different categories of workers; for example, an enterprise may use point rating for manual workers and classification for non-manual workers other than technicians and managerial grades. In enterprises using the same method it is usual to have two or more sets of factors, one for each staff category, because the typical factors of one job (e.g. effort and working

conditions) may be very different from the typical factors of another. The accuracy of a plan is, indeed, in inverse ratio to its scope – a single plan using general factors is much less accurate than an articulated plan using more narrowly defined factors. The disadvantage of articulated plans is that they cannot overcome wage discrimination associated with job segregation between these broad categories; but they certainly are less difficult and expensive to prepare than a single plan covering all workers.²⁶

²³ Richard Anker. (1997). "Theories of occupational segregation by sex: An overview." *International Labour Review*, Volume 136, No. 3. Geneva: ILO.

²⁴ See Table 1.9.

²⁵ Organization for Economic Co-operation and Development (OECD). (1998). Extracted from *The Future of Female-dominated Occupations*. (ISBN: 92-64-16149-X (81 98 10 1) (Print)). Copyright © OECD, 1998, p. 196.

²⁶ International Labour Office (ILO). (1986). *Job Evaluation*. Geneva, p. 133.

Public libraries and municipalities in Ontario: the impact of pay equity

Les bibliothèques publiques et les municipalités de l'Ontario : l'impact de l'équité salariale

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Ontario's controversial Pay Equity Act, 1987 has had a profound impact on public libraries. In some cases it has resulted in substantial salary increases to workers in this female-intensive sector. In other instances, however, the pay equity process has been stalled and no salary adjustments made because of ambiguities in the wording of the legislation and a reluctance on the part of some municipalities to include library workers in their pay equity plans. Problems with the original legislation and the 1993 amendments to the Act are discussed, as well as the results of a survey of public libraries across the province vis-a-vis the implementation of the pay equity process. The results highlight what is becoming for many an increasingly uneasy relationship between public library administrators and their municipal colleagues.

La Loi de 1987 sur l'équité salariale a eu un impact profond sur les bibliothèques publiques. Dans certain cas, elle a donné lieu à des augmentations de salaire considérables pour le personnel dans ce secteur où les femmes sont particulièrement actives. Dans d'autres cas, cependant, le processus d'équité salariale n'a pas abouti et les salaires n'ont pas fait l'objet de rajustements à cause des ambiguïtés de la formulation du texte de loi et du refus de certaines municipalités d'inclure le personnel des bibliothèques dans leurs plans d'équité salariale. On discute des problèmes posés par la loi initiale et les modifications qui lui ont été apportées en 1993 ainsi que des résultats d'un sondage effectué auprès des bibliothèques publiques de la province sur la mise en œuvre du processus d'équité salariale. Les résultats font ressortir ce qui est en train de devenir dans bien des cas un rapport de plus en plus difficile entre les cadres des bibliothèques publiques et leurs collègues des municipalités.

Since the passage of the province of Ontario's controversial Pay Equity Act, 1987, public libraries in this jurisdiction have been hard hit by rising demands for service while at the same time experiencing considerable pressure to control, and in some cases reduce, their expenditures in the face of the economic recession. Although

isolating the influence of any one of these factors is extremely difficult, the purpose of this article is to examine the impact of the pay equity legislation on the public libraries in Ontario prior to the 1993 amendments to the legislation. Included are the results of a survey of public library managers about the pay equity process and its impact on library operations and the relationship between the public library and

its host municipality. To place the survey results in context, a summary is provided of the legislation and of the difficulties public libraries have faced over its interpretation.

The Pay Equity Act

The purpose of the Pay Equity Act, as stated in section 4(1), is "to redress systemic gender discrimination in compensation for work performed by employees in female job classes." The argument on which this type of legislation is based is that sex-segregated, female-dominated jobs have been undervalued historically, and the wages paid for these jobs should be increased because this undervaluation is a form of discrimination. Thus, "comparable worth projects determine the amount of undervaluation by comparing the complexity and responsibility of female- and male-dominated jobs, then institute pay increases to eliminate the identified discrimination" (Acker 1989, 3).

Ontario's pay equity legislation lays out the method by which such a process of comparison is to be undertaken and is considered by some to be the most progressive legislation of its type in the world. Ironically, however, by requiring that comparisons be done on an establishment-by-establishment basis, the original legislation excluded significant numbers of female workers from this legal remedy to low wages. In those establishments in which there are few if any male-dominated jobs, it was not possible to make comparisons for the purposes of pay equity. For example, daycare workers, nearly all of whom are women, were effectively excluded by the legislation because male job classes are extremely rare in most establishments in which they work. As a result, even though daycare work is notoriously underpaid, the pay equity legislation had little impact on wages.

Those who drafted the bill were not unaware of this problem; indeed, it is acknowledged several times within the legislation itself, which calls for further study of the issue and possible solutions. Specifically, section 33(e) of the Act required that the Pay Equity Office conduct a study "with respect to systemic gender discrimination in compensation for work performed in sectors of the economy where employment has traditionally been predominantly female, by female job classes in establishments that have no appropriate male job classes for the purpose of comparison." The result of this research is reflected in Bill 102, An Act to Amend the Pay Equity Act, 1993, which is described in a later section of this paper.

Because of the difficulty in some settings of locating male job classes that would make suitable comparators for female jobs, workers in these sectors have been

anxious to apply as broad a definition as possible to the term "establishment" used in the original Act. In the case of municipalities such a broadening of interpretation has had important implications both financially and administratively because of its significance for workers who are employed in municipal services operated by special-purpose bodies such as public library boards and police commissions. Being considered municipal employees for the purposes of pay equity could result in substantial wage increases for those working in female-dominated settings such as public libraries because it would allow female job classes within these settings to be compared with a variety of higher-paid male job classes across the municipal work force. It is not surprising, therefore, that many library workers, public health workers, and others have lobbied strenuously for a liberal interpretation of the legislation. On the other hand, some municipal administrators, councillors, and library board members have resisted this interpretation, fearing the potential impact of wage adjustments for female job classes that would, in many communities, lead inevitably to the need to adjust entire compensation systems in order to ensure consistency and internal equity.

Implications of **pay equity** for **public** library employees

Why has the definition of establishment and the determination of the employer under the terms of the pay equity legislation been of such great concern to public library workers?

Librarianship is a female-intensive field. In North America, approximately 80% of MLS graduates are women, well over 90% of the graduates of library technician programs are women, and over 90% of the other workers in libraries (mostly in clerical positions) are women (see, for example, Kenady 1989, 1). Regardless of the level of job held in the library—that is, whether an employee is classified as a professional, technician/paraprofessional, or clerical worker—library workers have been paid low salaries relative to workers in other settings (Treiman 1987).

In spite of women's numeric domination of librarianship, there is considerable evidence that men hold prestigious positions in the field in numbers disproportionate to their total representation in the library population (for a brief discussion see Bowron 1987). Despite their overrepresentation in senior administrative roles, however, it is unlikely in most cases that these jobs would be considered male job classes under the criteria outlined in the Pay Equity Act. Furthermore, not only is it difficult to identify male job classes in most libraries, but in many smaller libraries there are no male employees at all. As a result, the prospects for improved wages have been extremely limited for public library workers if they are considered to be employees of the public library board. In other words, if the establishment is defined as the public library system only, and the employer is the library board, there are few, if any, opportunities to make comparisons between male and female job classes. On the other hand, if the definition of the establishment is such that the

municipality is deemed to be the employer, many more male job class comparators are available. "

Who is the employer? The role of the Pay Equity Hearings Tribunal

In sorting out the thorny problem as to who the employer really is in the case of the employees working for municipal special-purpose bodies, the Pay Equity Hearings Tribunal has played an important role. The Pay Equity Act specifies, in sections 27 and 28, that the Act is to be administered by the Pay Equity Commission of Ontario, which consists of the Pay Equity Office and the Pay Equity Hearings Tribunal. According to section 30(1), the Tribunal has exclusive jurisdiction "to determine all questions of fact or law that arise in any matter before it and the action or decision of the Hearings Tribunal thereon is final and conclusive for all purposes." Thus, it was the Tribunal that heard cases involving disputes over whether or not municipalities are the employers of workers in special-purpose bodies for the purpose of pay equity. Four of the Tribunal's decisions in these cases have been particularly relevant to the problem facing public libraries.

In 1989, the Tribunal made a ruling with respect to the application of the Ontario Nurses Association that the Regional Municipality of Haldimand-Norfolk had acted contrary to the Pay Equity Act. At issue in this case was whether the Haldimand-Norfolk regional police force should be included in the establishment of the regional municipality for the purposes of pay equity. The nurses represented by the ONA were of the opinion that if the police were included, the nurses would have appropriate male comparators. In other words, they expected that if their jobs (all nursing positions fall into female job classes) were to be compared with those of the police (where there are several male job classes), they would be likely to achieve a significant adjustment in their wages. However, in order to use these police job classes as comparators, it was necessary for the regional municipality (and the police commission) to agree that, for the purposes of pay equity, the regional municipal "establishment" included employees of the police commission.

The Tribunal, in making its decision in this case, considered several issues, including: (1) the nature of the Pay Equity Act; (2) the implications of other labour legislation and case law for determining who is the employer for the purposes of pay equity; (3) the tests that should be used in determining who is the employer for the purposes of pay equity; and (4) how these tests might be applied in this case. In arriving at its final decision the Tribunal considered the following: (1) who has overall financial responsibility, (2) who has responsibility for compensation practices, (3) what is the nature of the business or service of the enterprise, and (4) what is most consistent with achieving the purpose of the Act. Using these criteria, the Tribunal determined that the Regional Municipality is the employer because the financial liability for police services rests with the Regional Municipality, and that while the Police Commission sets the policy for compensation practices, two

members of the five-member Board of Commissioners are municipal councillors, thereby representing the municipality's financial interests. Further, the Tribunal determined that it is consistent with achieving the purpose of the Pay Equity Act to find the municipality to be the employer. This decision set the stage for including public library workers as municipal employees for the purposes of pay equity.

A second decision of the Tribunal is also relevant to this issue; however, as a different conclusion was reached, the status of the public library workers was once again unclear. In this instance the Ontario Nurses Association requested that the Tribunal declare the Corporation of the City of London and the County of Middlesex to be the employer of the nurses at the Board of Health Middlesex-London Health Unit for the purposes of pay equity. The motivation, as in the Haldimand-Norfolk case, was to include the nurses in an establishment in which there would

be male comparators. In making its decision on this occasion, however, the Hearings Tribunal came to a different conclusion in that it sided with the City, the County, and the Health Unit, all of whom argued that the Health Unit alone was the appropriate employer. The Tribunal applied the criteria discussed in the Haldimand-Norfolk case and found the following: (1) that the Health Unit has overall financial responsibility in its operations because, even though 75% of its funding is received from the province, it is responsible for establishing and administering its own budget; (2) that the Health Unit is responsible for its own compensation practices; and (3) that the nature of the enterprise is the provision of public health programs and services that are relatively independent and conferred on local boards of health by statute.

A third case that seemed finally to clarify the status of public library workers with respect to the municipality involved Metropolitan Toronto and the Metropolitan Toronto Library Board. In this situation the issue before the Tribunal was whether the library board or the municipality was the employer of the Metropolitan Toronto Library staff for the purposes of pay equity. Consistent with its judgment in the Haldimand-Norfolk case, the Tribunal declared the municipality as the employer. Again, the criteria developed in the Haldimand-Norfolk case were used to make the decision. The Tribunal concluded that: (1) the municipality exercises substantial control over the library board's budget and, therefore, has overall financial responsibility for the library board; (2) the municipality heavily influences compensation practices; and (3) the library is integral to the municipality and is not

severable or dispensable from the municipality and public library services are a core municipal activity. Furthermore, the municipality is required by statute to fund the board.

Although the Metropolitan Toronto decision did seem to put the problem to rest, a later and contradictory decision was made by a differently constituted panel of the Tribunal in the case of the Barrie Public Library Board. Here, the Tribunal decided to give greater consideration to the existing bargaining employment relationships than had been the case in Haldimand-Norfolk" (Elliott 1991, 6). As a result, the Tribunal concluded that the library board was the employer.

relationships than had been the case in Haldimand-Norfolk" (Elliott 1991, 6). As a result, the Tribunal concluded that the library board was the employer.

In the face of these different Tribunal rulings, it is not surprising that in many public libraries, board members, managers, and library workers have continued to struggle over the employer issue. As a result, progress in achieving pay equity has often been seriously delayed.

Pay equity survey

It is against this backdrop of uncertainty that a survey was sent to the chief executive officers of public libraries in Ontario in the late summer of 1992. The survey addressed several issues: (1) the stage of implementation of the pay equity process, (2) the difficulties, if any, encountered during the process, (3) the magnitude of the adjustments to salaries, (4) the impact of the adjustments on library operating budgets, and (5) the effect of the pay equity process on the relationship between the public library and the municipality. The nine-page survey was pretested with a sample of eight libraries. From the feedback generated through the pretest, some of the questions were modified to increase their clarity and to capture additional elements of the pay equity process and its impact.

Sample

According to the Libraries and Community Information Branch of the former Ontario Ministry of Culture and Communication, there were 658 library boards in Ontario in 1990. Of these, nearly half (314) are located in communities with populations less than 15,000. In terms of the total public library workforce of 6,830 people, however, only 9% (623) work in these small communities. Therefore, only a sample of these small libraries was included in the study.

In total, surveys were mailed to 153 libraries. These included all libraries serving populations over 15,000, all county libraries, and a random sample of 20% of libraries serving populations under 15,000. The overall rate of return was good at 67% and provided a reasonable representation of libraries of varying sizes and employee/employer relations (24% employing some unionized workers).

Stage in the pay equity process

According to the timetable laid out in the Pay Equity Act, public sector employers were required to post a plan and begin to make wage adjustments on January 1, 1990, and these adjustments are to be completed by January 1, 1995. Interestingly, however, while 58% of the responding libraries in this survey had complied with the law and had their pay equity plans posted and accepted, 14% of the respondents had not yet started the process and another 11% had started but not yet posted a plan (see Table 1). Of those library systems in which the pay equity process had not begun, the largest proportion (29%) served populations under 5,000 people.

Table 1. Stage in the **pay equity process**

	Percentage of libraries
Not yet started	14
Plan started	11
Plan posted, but not yet accepted	5
Plan under revision	4
Plan posted and accepted	58
Plan posted, but under appeal	3
Other	2

In several of the libraries in which the pay equity process had not been started, the respondents seemed to have a poor understanding of the legislation, reporting that the pay equity law "does not apply" to their libraries because "the pay is equal already." All the libraries where such reasons were given served populations under 15,000. By way of contrast, in the larger systems in which the process either had not yet started or was moving very slowly, the respondents indicated that negotiations with the union had impeded progress.

These patterns are consistent with what has been reported across the entire public sector in Ontario. For example, in a study investigating the first year of the Act's implementation it was reported that there was "a generally poor understanding of pay equity among employers, especially smaller organizations" and that "the presence of unions was a major factor in the delay of posting pay equity plans" (SPR Associates Incorporated 1991, ii-iii).

Who is the employer?

For the majority of libraries in which the pay equity process had started (66.3%), the municipality was considered the employer for the purposes of pay equity; in 26% of cases, the library board was the employer; in another 8% the employer issue was still under dispute at the time of the survey or had simply never been formally determined. These data suggest that in spite of the ambiguities in the Act's interpretation, the majority of public libraries will, by virtue of having the municipality declared the employer, use male job classes from the municipality as comparators for female job classes in the library. This point is further borne out by the survey results: in only 38.7% of the libraries with posted pay equity plans were there any internal male job classes that could be identified as comparators; in 75% of the libraries, with posted plans, male job classes external to the library had been identified as comparators.

To give an indication as to the kinds of comparisons that have been made

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between library jobs and male job classes in the municipal sector, Table 2 shows the male comparators for four "benchmark" library jobs: Chief Executive Officer, Reference Librarian (LL), Library Technician, and Circulation Assistant. The variety in the types of male job classes to which library jobs have been compared reflects, in part, the variety in job evaluation systems used by the various libraries and municipalities included in the study.² Indeed, nearly twenty different job evaluation systems were reported to be in use by the participating libraries. These systems included some that are well known, such as Hay, as well as unique systems that were developed specifically for a particular municipality or library.

For the majority of libraries (74.4%), the job evaluation system used in the library was the same as that used in the host municipality. This was particularly the case in the smaller municipalities. Interestingly, however, despite the strong connection between the libraries and municipalities, 61% of the respondents indicated that their libraries did not have representatives on the municipality's job evaluation committee, and another 5% reported that although their libraries did have such representatives, they were either involved in evaluating only library jobs, not the jobs of municipal employees, or were simply not consulted at all by the municipality during the pay equity process.

Budget impact of pay equity adjustments

For each of the benchmark positions, the survey respondents were asked to indicate the wage rates for these jobs before pay equity and the rate to be paid for the job

after all adjustments had been made. One might argue whether the types of male job classes to which these library jobs were compared reflect adequately the level of skill that is inherent in library work. Nevertheless, in many instances these comparisons have resulted in substantial wage adjustments. Table 3 indicates the range of these wage adjustments. Please note, however, that the results should be interpreted with some caution, particularly for the larger library systems, for which very few respondents provided wage data.

More than 80% of the libraries for which surveys were returned had posted pay equity plans that involved salary adjustments to female job classes in the library. In other words, most libraries had not been compensating workers in female job classes in an equitable fashion according to the criteria laid out in the Pay Equity Act. Not surprisingly, therefore, the survey data revealed that the pay equity process has had a 'significant impact on the operating budgets of the public libraries included in this study. Between the period prior to implementing pay equity and the third year of wage adjustments, the mean percentage of the libraries' budget devoted to salaries and benefits will have increased by approximately 7% (see Table 4), although some of this increase is attributable to internal equity initiatives that have been undertaken in many of the participating libraries.

Benchmark job	Male comparators		
Chief executive officer Libraries serving under 15,000	Arena Manager Superintendent, Public Works Supervisor, Public Works Foreman, Public Works Sewage Treatment Plant Operator Superintendent, Water Works Municipal Department Head Director, Parks and Recreation Deputy Fire Chief Bylaw Enforcement Officer Deputy Clerk Building Inspector Police Constable, 4th Class Township Planner	Libraries serving 50,001-100,000 and county libraries	Chief Custodian Engineering Assistant IV Supervisor, Inventory & Fleet Supplies Licensing Officer Building Maintenance Supervisor
Libraries serving 15,001-50,000	Chief Building Inspector Director, Planning Director, Parks and Recreation Director, Economic Development Chief, Fire Department Supervisor, Public Works Arena Manager	Libraries serving over 100,000	
Libraries serving 50,001-100,000 and county libraries	Town Clerk Commissioner of Building Director, Museum Director, Human Resources Libraries serving over 100,000	Libraries serving under 15,000	Custodian Vehicle Operator Foreman, Public Works Lead Hand, Public Works Bylaw Enforcement Officer Deputy Treasurer Custodian Vehicle Operator Bylaw Enforcement Officer Traffic Analyst
	Director of Planning	Libraries serving 50,001-100,000 and county libraries	Custodian Gardener
		Libraries serving over 100,000	Custodian Vehicle Operator Microcomputer Technician
Reference librarian (L1) Libraries serving under 15,000.	Labourer, Public Works ' I'	Circulation assistant Libraries Libraries serving 15,001-50,000	Libraries Foreman, Public Works Supervisor, Cemetery Custodian
Libraries serving 15,001-50,000	Planning Technician Arena Worker Planner Foreman, Public Works Mechanic Plans Examiner Planning Technician Engineering Technologist Chief Building Inspector	Libraries serving 50,001-100,000 and county libraries	Labourer, Public Works Meter Reader Arena Attendant Assistant Arena Manager Parks Attendant Vehicle Operator Custodian Labourer, Public Works Assistant, Public Works Vehicle Operator Finance Clerk Maintenance Helper Driver Custodian Assistant Arena Manager Shipping/Receiving Clerk Driver
		Libraries serving over 100,000	

Table 3. Hourly rates, benchmark jobs, before and after pay equity adjustments*

Population served	Range in hourly rate	Average	Average annual salary
Chief executive officer			
<i>under 15,000</i>			
=17	before: \$7.50-\$19.78	\$13.89	\$25,280
= 17	after: \$10.69-\$28.02	\$18.60	\$33,852 <i>15,001-</i>
<i>50,000</i>			
= 9	before: \$14.51-\$37.71	\$24.14	\$43,935
=10	after: \$23.00-\$37.92	\$30.52	\$55,456 <i>50,001-</i>
<i>100,000 and county libraries</i>			
= 2	before: \$24.21-\$37.57	\$30.89	\$56,220
= 2	after: \$30.19-\$49.08	\$39.64	\$72,145 <i>over</i>
<i>100,000</i>			
= 3	before: \$37.74-\$42.81	\$39.70	\$72,254
= 3	after: \$43.40-\$47.15	\$45.84	\$83,429
Reference librarian (I)			
<i>under 15,000</i>			
		\$8.52	\$15,506
=3	before: \$6.28-\$11.78		
=3	after: \$11.94-\$14.78		
<i>15,001-50,000</i>			
=7	before: \$12.06-\$23.75	\$20.19	
= 8	after: \$17.06-\$26.11	= 4	before: \$11.50-\$21.27
= 4	after: \$16.00-\$2432	\$19.26	\$35,053 <i>over</i>
<i>100,000</i>			
= 4	before: \$17.41-\$21.68	\$19.37	\$35,253
= 4	after: \$20,84-\$23.86	\$22.16	\$40,331
Library technician			
<i>under 15,000</i>			
= 9	before: \$6.00-\$13.19	\$8.58	\$15,616
8	after: \$10.13-\$15.47	\$12.80	\$23,296 <i>15,001-</i>
<i>50,000</i>			
= 8	before: \$9.15-\$17.15	\$11.70	\$21,294
= 9	after: \$11.00-\$20.72	\$1539	\$28,010 <i>50,001-</i>
<i>100,000 and county libraries</i>			
= 3	before: \$10.00-\$15.97	\$12.93	\$23,533
=3	after: \$13.29-\$19.86	\$15.51	\$28,228 <i>over</i>
<i>100,000</i>			
=3	before: \$12.49-\$14.75	\$13.77	\$25,061
	after: \$14.76-\$18.37	\$16.67	\$30,339

*Where annual salaries were given by respondents, the hourly rate was calculated by dividing the annual salary by 35 hours per week x 52 weeks.

Circulation assistant

<i>under 15,000</i>			
= 16	before: \$5.00-\$11.55		
= 15	after: \$6.50-\$14.91		
<i>15,001-50,000</i>			
=10	before: \$6.82-\$18.84		
= 11	after: \$11.54-\$22.66		\$14.29
<i>50,001-100,000 and county libraries</i>			
=5	before: \$8.00-\$12.01	\$9.68	\$17,618
=5	after: \$10.67-\$1621	\$12.19	\$22,186 <i>over 100,000</i>
=6	before: \$10.31-\$14.44	\$12.59	\$22,914
=6	after: \$12.50-\$15.38	\$14.12	\$25,698

Table 4. Salaries and benefits as a percentage of budget

	Range	Mean	Number of libraries
Before adjustments	43%-82%	59.15%	55
Year 1	46%-84%	62.26%	46
Year 2	43%-79%	64.06%	36
Year 3	50,001-100,000 and county libraries	63.00%	32
	\$15.94 \$29,011		

Other effects of pay equity

In 71% of the libraries in which pay equity plans had been posted some increased funding was expected to be forthcoming from the local municipalities in order to cover increased costs. However, only 58% of these will receive an amount sufficient to cover the full costs of pay equity. For the libraries that will have to absorb some of the shortfall in their budgets, the following effects were anticipated by the survey respondents: cuts in materials budgets (29.2%), reductions in the number of staff (22.2%), reductions in the hours worked by staff (25%), reductions in hours of opening (20.8%), reductions in level of staff, such as fewer professionals and more nonprofessionals (9.7%). Other anticipated effects included reductions in allowances for travel, staff training, workshops and conferences, programming, equipment, and furnishings, as well as cuts to building maintenance and higher user fees for non-residents. Some respondents also anticipated that they may have to close or consolidate branch libraries, end bookmobile service, and become more active in fundraising for the library.

Given these results, it is not surprising that the respondents had a somewhat mixed reaction to the entire pay equity process, which is reflected in their comments on the returned surveys.

Impact on library service

It is very much in the tradition of public librarianship to be concerned with service and the impact of change on the library users. Not surprisingly, then, some of the concerns expressed by the survey respondents were focused on the possible service implications of pay equity adjustments. For instance, one respondent noted that he or she did "not anticipate many positive consequences [of pay equity]. If pay adjustments are substantial we anticipate staff reductions or service implications." Another attempted to weigh up the implications of pay equity for libraries, library users, and library use by observing that

at this stage in the game, it is hard to tell whether librarians and library workers have made gains from this legislation. The recession and pay equity have hit library budgets hard. It will take libraries a long time to make up the reduced budgets they are now experiencing. There is less money being allocated for library purposes and library administrators are forced to do more with less staff. The challenge will be for these "now appropriately paid" library staff to provide library services that remain relevant and useful to the public.

Fearful of the implications for the future, one respondent wrote that "if the Library Board is required to find all or at least 50% of the pay equity costs from within, the library's ability to operate will be eroded to a point beyond recognition." Still another reported, with apparent desperation, that trustees had been appointed to the library board by council

who are quite open about their aim of gradually cutting back on services. Trustees who supported library service excellence were not reappointed. We are under siege! In spite of well deserved increases, most staff feel we would be better off if pay equity had never happened.

The erosion in service anticipated in these remarks is already evident to another respondent who reported that pay equity had seriously affected library operations and

directly resulted in a lower standard of service to the community. Staffing has been reduced while community needs continue growing. This imbalance has created a situation where programs have been cancelled and patron service time shortened.

As noted earlier, one of the anticipated negative effects of the costs of pay equity is that the patterns of staffing will change in public libraries because of the increased salaries of professionals. In fact, a respondent from a large library system suggested that pay equity "will affect our approach to recruitment down the line and may

result in a lower ratio of professionals to nonprofessionals due to significant cost

. increases for one or two job classes." Describing one of the specific outcomes of this change in staffing on service, another respondent reported that

the greatest impact is on level of staff delivering direct service to the public. Librarians have become too expensive to have at an information desk—they are now department heads and managers.

Municipal perceptions of library services

The reaction of many of the survey respondents seems to have been determined by the quality of the relationship between the municipality and the local library. If the pay equity process was resisted by the municipality, the result has often been poor communication and poor relations between the library (board and staff) and the municipality (council and staff), as well as lowered morale on the part of the library staff. For instance, several respondents reported that municipal councillors feel that the wage adjustments made for the library staff were "irresponsible." The basis for this, beyond an obvious reluctance in some jurisdictions to foot the bill for the additional costs resulting from the pay equity adjustments, seems to be that municipal staff and councillors have little understanding of library functions and lack respect for the work of librarians. The following excerpts illustrate this problem:

There is a very poor perception by almost everyone, including some library workers and trustees and particularly Council, of the time, energy, training, planning, skills, resources that are necessary to provide effective library service. Even if an independent, outside consultant evaluates and compares the jobs, people still do not feel that the job is worth that amount of money.

Post pay equity my profile as an "overpaid woman" has been much higher with Council. In each successive year of implementation the attacks on me and other professional librarians have escalated during budget negotiations. The escalating cost of salaries is strangling our ability to accommodate non-salary related costs.

Other respondents described the municipal stance on pay equity as being directly related to staff morale. One librarian commented that there is "low morale within the whole municipality because of the juggling of male comparators to lower the value of female positions," and another noted that

the pay equity process has resulted in library employees being convinced that the municipality cares little for library staff and wishes to avoid any possibility of improving the lot of library employees.

Not all of the respondents reported that the relationship between the municipality and the library had deteriorated as a result of the pay equity process. In some

communities, things had actually improved as a result of an increased understanding of the library within the municipal sector. One respondent reported that

the municipality has grudgingly admitted that the [wage] increase is necessary and has committed more funds to the library. I think the municipal people were shocked to discover what really happens in a library. Similarly, another librarian observed that

library staff, most of whom are long-time employees, felt more valued as members of the county organization with this tangible compensation. The county made firm commitment to pay equity and bore the costs of same without any significant lessening of funds provided for the library's operation. Along with this increased recognition, several respondents noted that the improved salaries resulting from the pay equity adjustments enabled them to attract and keep better employees. As one noted, "it raised the morale of staff. It was like a vote of confidence in the library."

The public library and the municipality

In coming to terms with the pay equity process, many members of Ontario's public library community have begun to recognize that, more than ever before, the administration of public libraries is very much intertwined with the administrative structure of municipal government. This interconnectedness has not escaped the attention of city administrators and municipal councillors. In the face of substantial increases to the salary lines in library operating budgets resulting from pay equity adjustments and subsequent alterations to compensation systems in order to achieve internal equity, many people in the municipal scene have been asking questions about library operations.

In Ontario, the public library legislation that preceded the present Public Libraries Act, 1984 described a budgetary process wherein a library board was to submit annual budget estimates to the municipal council "of all sums required during the year for the purposes of the board" and that "the amount of the estimates of the board that is approved by the council shall be paid to the board out of the moneys appropriated for the board in such amounts as may be requisitioned from time to time."⁴ In the present legislation, however, this budgetary process was altered significantly so that when budget estimates are submitted by the library board to the council "the amount of the board's estimates that is approved or *amended and approved* by the council shall be adopted by the board and shall be paid to the board out of the moneys appropriated for it" (my emphasis). This new wording marked a important departure in the financial control of Ontario's public libraries and allowed municipal council members to exercise considerably more administrative control over the local library than had previously been possible.

Indeed, as the Minister of Citizenship and Culture put it in her statement to the provincial legislature: "This legislation strengthens and expands the principles of free and open access and community control ... and facilitates the exercise of municipal fiscal responsibility" (Ministry of Citizenship and Culture 1984, iv).

Ironically, it has only been since the passage of the Pay Equity Act that some members of the public library community have come to realize the significance of this amended public library legislation. As library employees pushed their boards to adopt a position on pay equity so that the municipality rather than the library board would be considered the employer for the purpose of pay equity, many board members (and some library managers) resisted, claiming that such a move would threaten the autonomy of the boards. However, it seems increasingly clear that this autonomy had already been lost for nearly a decade, since the passage of the Public Libraries Act, 1984.

Amendments to the pay equity legislation

In the summer of 1993, Bill 102, An Act to Amend the Pay Equity Act, was passed in the Ontario legislature. Included in these amendments are the strategies by which employers are to manage the pay equity process in establishments in which there are few, if any, male comparators. Contrary to the wishes of many public library lobbyists, the amendments do not require that municipalities be considered the employers of public library workers for the purposes of pay equity. Instead, in an attempt to provide generic solutions to the male comparator problem across all sectors, there are two remedies prescribed in the Bill. The most relevant of these to public libraries is the "proxy method of comparison" described in Part 11.2 that requires employers who are unable to locate suitable male comparators within their own establishments to identify a "potential proxy establishment" (which must be approved by the Pay Equity Commission). Once an acceptable proxy has been located, employers are then to compare the job rates paid to "key female job classes" within their own establishments to comparable *female* job classes located in the proxy establishment and make any necessary adjustments if discrepancies in wage rates are found.

In laying out a method for locating comparators for female job classes, this legislative amendment does point the way for overcoming an impasse that has affected some public libraries' ability to move forward with the pay equity process. It does little, however, to address the potentially more serious question as to who should bear the financial responsibility for remedying historic inequities in compensation for workers in female-intensive environments. In the case of public libraries, using female job classes in proxy establishments as comparators (even if the proxy establishment is the municipality) means that if substantial adjustments are required to the job rates for female job classes within the library, the source of funds to make the necessary adjustments will probably be the library's own

operating budget which may not be augmented by additional funds from the municipality. Under this system, then, there is no assumption as to the host municipality's responsibility for achieving gender parity in wages within the local public library. Thus the threats to service outlined earlier by the survey respondents are likely to continue.

Conclusion

The ramifications of the legislated pay equity process in Ontario have been, and will continue to be, profound for many public libraries. Although the process has been relatively smooth for those public libraries that have been acknowledged and supported by their municipalities, there is little sign that the amendments to the legislation will resolve the troubled relationships that exist between some other public libraries and their municipalities. As one survey respondent put it, the future for public libraries is a challenging one:

I agree with those who have said that for many years libraries have been subsidized by the librarians and clerical staff who have been paid so poorly. Thus, it is clearly time. What faces us are the challenges to build the respect

for and knowledge of the libraries' very real service to and importance to the community.

As noted at the outset of this article, it is extremely difficult to separate the impact of pay equity on public library budgets from the effects of the recession combined with the increasing demand for service in many communities. The process is still under way in many library systems and will require detailed follow-up in the future to determine what the true long-term effect of the legislation will be for this female-intensive sector. Of particular importance to all librarians, however, is the reluctance in some municipalities to accept wage adjustments for library workers, for such reluctance suggests that women's work is still substantially undervalued and so too are the institutions in which women work. As the entangled nature of the public library's relationship with municipal governments becomes more and more obvious, this lack of respect for librarians and their work will remain a central obstacle in the public library's bid to attract sufficient funds **to maintain a high level of service.**

Notes

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It should be noted that in comparison with public library workers, those employed in other types of libraries are less likely to have difficulty locating male comparators because their libraries are typically housed within larger organizations such as universities, businesses, and government departments, in which male job classes are more in evidence.

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Job evaluation allows an employer to differentiate between jobs in an organization and to rank their relative value. For a discussion of the job evaluation process and bias in job evaluation systems, see Kenady (1989, 23-33).

Internal equity is the process whereby adjustments are made to job classes (female and male) throughout the organization in order to achieve a balanced compensation system. Although the pay equity legislation calls only for adjustments to underpaid female job classes in order to achieve gender parity in compensation, these adjustments do, on occasion, throw entire compensation systems out of balance, thereby necessitating a complete review of wages throughout the organization.

s Section 23, Public Libraries Act, Revised Statutes of Ontario, 1970.

6 Section 24(2), Public Libraries Act.

To date, pay equity adjustment funds made available through a provincial government program have resulted in only minor contributions to individual employers who are attempting to cover the costs of achieving pay equity.

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**Chronology of Pay Equity/Wage Adjustment
Proposals**

**CUPE 391 and Vancouver Public Library
Bargaining 2007**

Prepared by CUPE 391

First Union proposal: Dec 18, 2006

UN # 30 (b) The Union seeks a pay adjustment of 4 pay grades for all professional librarian classifications.

UN # 31 (a) The Union proposes the elimination of all pay increments and any reference to increments; the top step will be the rate for the job.

UN 31 # (b) The Union proposes two letters of understanding to address job evaluation and pay equity.

Employer response: Feb 26, 2007

UN # 30 (b) Employer does not agree to increase for professional librarians, asserts that they assess whole job duties not just educational requirements and librarians get paid more in the education sector because they are a small part of the overall workforce.

UN # 31 (a) Employer states won't accept elimination of wage increments.

UN # 31 (b) Employer asserts current job review and appeal process exists and they assume there is no wage discrimination issue at VPL.

Modified Union proposal: August 1, 2007

21 (a) Effective January 1st, 2007, the Employer and the Union agree to increase the rate of pay for all professional librarian classifications by two (2) pay grades.

21 (b) The Union has not changed its position on increments, job evaluation and a pay equity study but are willing to discuss alternatives.

Verbal statements from Employer: August 5-8, 2007

Employer offers a 1 pay grade adjustment for Librarian 4s and Librarian 5s with staged implementation dates: 1st half on December 31, 2007 and 2nd half on July 1, 2008.

Employer won't look at job evaluation and pay equity proposals or the removal of increments, but will "do more for librarian wage adjustments"

Employer states that they are not willing to go in the direction of Burnaby Public Library (comparing BPL jobs to those at the City of Burnaby and making adjustments, followed by a consideration of the implementation of Coquitlam JE plan in both the City and Library).

Employer suggests a committee to decide how to distribute a defined amount of money (no monetary figures given, no mechanism defined for assessing the value of jobs)

Verbal Offer from Union: August 8th

Establish a joint committee to review the new job evaluation plan being developed by the City of Coquitlam and CUPE Local 386 to determine if the new plan is acceptable to the employer and the Union. If no agreement can be reached, the matter would be referred to an arbitrator. Upon implementation of job evaluation plan, cost would be limited to 1% of payroll per year.

Employer Offer: August 15 2007

EM # 4 – Special Wage Adjustments and Committee

Employer proposes a joint committee to identify and prioritize issues related to recruitment, retention and internal wage relativities. Thereafter the Committee would agree to rate adjustments to individual job classifications. Mutually agreed adjustments would be implemented by June 30, 2008. There would be no grievances or appeals. The amount of funds to be allocated would be negotiated as part of the final settlement of the 2007 negotiations.

Union Offer: August 17th

UN # 23 – Pay Equity and Job Evaluation

(a) Effective January 1st 2007, the Employer and the Union agree to increase the rate of pay for all professional librarians by one pay grade.

(Union dropped proposal regarding elimination of increments)

(b) Internal Equity Committee – establish a joint committee to compare library classifications to the City of Vancouver classifications. The review would use current job evaluation procedures. Any adjustment to class values to be implemented January 1, 2008 with costs limited to: 2% of Library straight-time payroll for 2007/2008, 1% for 2009, 2010 and 2011.

(c) Additional joint committee to review the new job evaluation plan developed by the City of Coquitlam and CUPE Local 386 to determine if the new plan is acceptable. In the event that the parties are unable to agree, the matter would be referred to arbitration. When the new plan is implemented, costs would be limited to the equivalent of no more than 1% of library straight-time payroll per year.

Employer Offer: September 13, 2007

EM # 4 – Special Wage Adjustments

Effective July 1 2008, the Employer and the Union agree all librarian classifications will be increased by one half (1/2) pay grade.

Union Offer: September 14, 2007

UN # 23 – no changes from August 17th position.

Union Verbal Offer: September 18, 2007

The Union proposed setting up a committee to compare VPL jobs to Burnaby Public Library jobs after the completion of the BPL exercise. The committee would establish "target rates" based on the new BPL rates and determine how adjustments would be made to reach the target rates. Any disputes would be referred to the JEAC. There would be 2% available retroactively to Jan. 1, 2007 and an additional 1% available on Jan. 1 in subsequent years until the target rates were reached.

Sidebar Discussion September 20, 2007

Employer addresses our September 18 position – says no because the practical outcome is the same as adopting a new job evaluation plan and they don't want to use Burnaby as a comparator, the potential cost of 6% is too high and they won't accept any third party dispute resolution because they are unprepared to enter into something with an unknown outcome. Employer states they are only interested in looking at limited wage adjustments and there is no pay equity issue and no evidence of gender discrimination.

Final Union Proposal: October 1, 2007

UN # 13 - Librarian Adjustments - Union #23(a); Employer #4

Effective January 1, 2007, the Employer and the Union agree to increase the rate of pay for all professional Librarian classifications at pay grade 26 and below by one (1) pay grade.

UN #14 - Wage Adjustments - Union #23(b)

In order to provide wage adjustments to address pay inequities discussed at the bargaining table, the parties agree to the following:

- (a) A joint committee shall be established comprised of 3 representatives of each party. The work of the committee shall commence one month following ratification and shall conclude no later than June 30, 2008.

- (b) The committee's purpose shall be to reach mutual agreement on which positions to provide wage adjustments and on the amount of the adjustments.
- (c) In the event the joint committee is unable to reach mutual agreement pursuant to (2) above, the parties shall refer the dispute to a mutually agreed third party who shall hear the matter and render a decision within 30 calendar days of the referral. Such decision shall be final and binding on the parties.
- (d) The employer shall allocate and pay 4% of total CUPE straight time payroll effective on the dates as follows:
- January 1, 2008: 1%
 - January 1, 2009: 1%
 - January 1, 2010: 1%
 - January 1, 2011: 1%