

Pay equity:

It may be the law but it's still a battle

Equal pay for work of equal value.

It sounds straightforward – so why did it take more than a decade for Registered Practical Nurses at Stevenson Memorial Hospital and for members working for the Salvation Army?

Because nothing is easy when an employer says, “No.”

For both groups, the pay equity saga began in 1990, before they were organized into OPSEU.

RPNs Shirley Cranston and Cathy Mundy belong to Local 361 at the Stevenson Memorial Hospital. The hospital's 1990 pay equity plan compared their jobs to those of ambulance officers and raised their salary to match the ambulance officers.

When their first OPSEU contract went to arbitration, the arbitrator ignored pay equity. He raised ambulance officers to the provincial rate but left the RPNs behind.

Shirley and Cathy felt pay equity meant recognition that their jobs were equal in skill and responsibility to those of ambulance officers, even though the work is not identical.

After several meetings with the hospital, OPSEU complained to the Pay Equity Commission to re-establish pay equity for RPNs. A commission review officer agreed.

The hospital had 45 days to appeal that decision, and waited until the end of day 45. “We couldn't believe it,” said Cathy. “The hospital was downsizing, especially the RPNs, and we were already pretty demoralized.”

Then the hospital stalled getting its

documents to the Commission. OPSEU finally pushed the Commission to schedule the appeal whether or not the hospital was ready.

“The Union stood behind us and did something,” said Cathy.

The Pay Equity Hearings Tribunal upheld the Review Officer's decision. Early this year, Shirley, Cathy and the other Stevenson RPNs finally got the equity they had been denied for nearly 10 years.

Some will receive one-time cheques as high as a year's salary.

The delay had its price. While the hospital dragged its feet, one retiree who could have used the money died. “Her passing away while the hospital delayed upset all of us,” said Cathy.

For workers at the Salvation Army, pay equity has been equally torturous.

The units are female dominant. Without male jobs to compare to, and no legislation to allow proxy pay equity plans, the union considered the question of

who was the real employer – the individual agency or the entire Salvation Army?

When the Salvation Army posted pay equity plans for the non-union employees, a number of workers appealed to the Pay Equity Commission. Carl Evans, an off-site Residential Counsellor with Broadview Village knew the law – and he knew the Salvation Army was his employer, not Broadview Village or any other individual worksite.

Supporting the non-union workers' position, OPSEU put pay equity on hold for the unionized workers at Wycliffe Booth in London,

Steve Daynes photo



Carl Evans

“The law is all well and good, but you need resources to enforce it when an employer says no.”



Bertha Geon, Janice Mackenzie and Cathy Mundy benefit from the 10-year battle for pay equity. For some, members of their local, the eventual payout equalled a year's salary.

and Community Mental Health Services in Toronto.

While all this was happening, three units (Salvation Army London Village, Toronto's Broadview Village, and Sunset Lodge in Orillia) joined OPSEU. As in the Stevenson Memorial case, the review officer upheld the workers, and the employer appealed. In 1997, the Pay Equity Hearings Tribunal ruled that the combined locals had one employer.

Even so, the Salvation Army pushed to negotiate individual worksite pay equity plans. OPSEU held firm to "one employer – one plan."

Negotiations continued, and on March 1, members of Locals 108, 153, 314 and 512 finally saw pay equity adjustments on their paycheques.

Carl was on the bargaining team from the

start. "In the beginning, it wasn't about money, it was about rights. But in the end it was all about money because it took 10 years to get there."

For Local 153 president Diana Smith of London Salvation Army Village, the raise represented years of hard work. "Most of us figured we'd never see it. We kept saying 'don't get your hopes up' whenever it looked possible."

Sustaining the 10-year battle for pay equity without union support would have been extremely difficult. "If it hadn't have been for OPSEU, we wouldn't have had the resources to make this happen," said Carl.

"The law is all well and good, but you need resources to enforce it when an employer says no." ▲