

# RISING UP

MARCH 8

INTERNATIONAL DAY  
OF WOMEN'S RIGHTS  
2024

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CRISES EVERYWHERE · INEQUALITY EVERYWHERE · VIOLENCE EVERYWHERE · OUR FIRE IS RISING, IT CAN CHANGE EVERYTHING





JACQUES LANDRY,  
PRESIDENT, FPPE(CSQ)

## MESSAGE FROM THE PRESIDENT

This year marks the 50th anniversary of the CSQ's feminist action committee. Major progress has been made over the past hundred years, but there is still a long way to go to achieve gender equality in Quebec—and around the world.



As a labour organization, we can be proud of the battles we have led to improve the status of women in Quebec. Several steps have been taken towards parity. However, the battle is not won and the situation remains precarious.

There are still too many feminicides, too much physical, psychological and financial violence, and as well as too many family and caregiving responsibilities that are often borne by women alone.

Although much remains to be done, certain parameters have improved, notably the economic situation. In the '90s, women working full-time earned 83% of what men earned. By 2021, that proportion had increased to 90.8% (according to Statistics Canada).

Despite its shortcomings and cumbersome nature, the pay equity act contributed to improving this situation. As did the project to create childcare centres (centres de la petite enfance – CPE), which began in 1997 at the instigation of Pauline Marois. One of the aims of this project was to create conditions that would enable many more women to integrate the job market.

We believe that creating a fairer, better future remains as relevant as ever. The battle, however, is far from over.

Happy International Women's Day!

Significant progress for women's rights has been made in the new collective agreement for professionals:

## Employers must now protect victims of domestic violence

Over the past few years, as a result of the efforts of various stakeholders in the community, domestic violence has become increasingly recognized as a social problem, rather than a private issue to be resolved within the couple. However, there has been very little involvement and education in the workplace<sup>1</sup>. According to a study carried out by the Conference Board of Canada, 71% of employers have had to protect a victim of domestic or family violence<sup>2</sup>.

A major Canadian study conducted in 2014<sup>3</sup> surveying 8,400 people found that 33.6% of respondents said they had experienced domestic violence in their lifetime. Of these, more than 53% said that domestic violence continued at work:

- 40.6% received abusive phone calls/text messages
- 20.5% experienced stalking/harassment near workplace
- 15.6% received abusive email messages
- For 18.2%, the abuser physically came to the workplace.
- For 14.5%, the abuser contacted co-workers/ employer

In our opinion, it was therefore necessary to reform the Act respecting occupational health and safety to include certain obligations for employers on the issue of domestic violence, which was done by Quebec legislators in 2021.

Following the implementation of Bill 57 on October 16, 2021, employers have certain obligations to protect workers who are subjected to domestic violence. These measures are required when the employer is aware, or ought reasonably to be aware, that the person is exposed to such violence.

Despite these legislative changes, collective agreements rarely include specific provisions on this issue. The renewal of the collective agreement for professional staff in the school sector was therefore an opportunity to update

the texts to reflect changes in the law, but also to provide for concrete terms and conditions for victims of domestic violence.

After several weeks of discussion, we achieved two gains on this issue in the collective agreement.

First, in the section on occupational health and safety (5-11.04 P1 and 8-5.04 P2), we explicitly added the employer's obligation to take the necessary steps to ensure the protection in the workplace of professionals who are a victim of physical or psychological violence, including domestic, family or sexual violence. Under the Act, this obligation applies when the employer is aware or ought reasonably aware that the person is exposed to such violence.

Furthermore, we have added the possibility of absence without loss of pay in a specific bank for victims of domestic, family or sexual violence to sections 7-4.01 (P1) and 7-3.02 (P2).

We believe that this is a positive and necessary step toward full recognition of the major impact that violence has on a victim. However, we hope that these changes will be accompanied by more meaningful measures in the workplace. For example, we would like to see the adoption, in collaboration with the union, of domestic violence prevention policies that include awareness-raising activities in the workplace and the appointment of a resource worker to assist victims.

Maude Lyonnais-Bourque,  
Attorney and Union Counsellor,  
FPPE(CSQ)

<sup>1</sup> Réforme de la loi santé et sécurité au travail : créer des milieux de travail sécuritaires et aidants pour les victimes de violence conjugale Brief presented as part of the filing of Bill 59, An Act to modernize the occupational health and safety system by consolidating women's shelters for victims of domestic violence, January 2021

<sup>2</sup> Boyer, C. and Chénier, L. (2015), La violence familiale et le rôle de l'employeur, Conference Board of Canada

<sup>3</sup> Wathen, C.N., MacGregor, J.C.D. and MacQuarrie, B.J., Peut-on être en sécurité au travail quand on ne l'est pas à la maison?, Preliminary findings from a cross-Canada survey on domestic violence and the workplace, University of Western Ontario and Canadian Labour Congress (CLC), Ontario, Dec. 6, 2014, p. 4

<sup>4</sup> Section 51 (16<sup>a</sup>) AROHS



# PAY EQUITY AUDIT

Conducting the pay equity audit and implementing its recommendations take a very long time. The Pay Equity Act requires employers (including the Treasury Board) to periodically conduct, every five (5) years, a pay equity audit in their organization, but the process remains incredibly time and energy consuming.

Auditing pay equity is a complex legal process, requiring diligent monitoring in accordance with the law. The organization must ensure that they do not recreate wage gaps that discriminate against female-dominated job classes. The Treasury Board (hereafter, TB) must therefore identify whether there have been changes or events during the reference period in the job classes, whether in their identification, their predominance or in their duties and, if so, pay salary adjustments accordingly.

## The 2020 Audit

The 2020 audit is the third audit conducted. The reference period is from December 21, 2015, to December 20, 2020. The audit cannot be postponed unless the employer requests authorization from the CNESST. Seeking a deferral, the TB requested authorization from the CNESST to fulfill its obligations at a later date. The CNESST authorized deferral to June 30, 2021, at the latest. It wasn't until 30 months later, on December 20, 2023, that the TB completed its posting. After reading and analyzing it, we note that several events were not considered.

As a result, the FPPE representatives sent their observations and questions to the TB in mid-February 2024. Please note that during the first posting, employees and/or accredited associations could request information or submit observations to the TB. The TB has 30 days to analyze the information and observations received. The second publishing is then made. During this second posting, accredited associations and/or employees can file their compliance complaint. Complaints may then be conciliated. Failing conciliation or a positive outcome, CNESST will analyze the complaints and render a decision.

As you can see, conducting the pay equity audit and implementing its recommendations is a lengthy process. Despite the cumbersome process, rest assured that FPPE representatives, in partnership with affiliated unions, will ensure that the rights and recourse of its members are respected.

## The 2015: A Brief Follow-up

In May 2016, FPPE representatives in collaboration with affiliated unions filed complaints regarding the 2015 audit. In the fall of 2023, CNESST investigators requested the claims for the categories under complaint from representatives of the FPPE and its affiliated unions. These were sent out last November.

After validation with the CNESST, we don't know how long it will take to analyze the case. You will be notified when we have further information.

For easier reference, here are the job categories that were the subject of complaints in 2015:

1

### Predominance Complaint

- Spiritual care and guidance, and community involvement animator (mixed)
- Education Consultant (mixed)

2

### Job class creation complaint<sup>1</sup>

- Archivist
- Accountant
- Art Therapist

3

### Evaluation Complaint

- Finance Officer
- Orthopédagogue
- Psychoeducator
- Psychologist

## The 2010 Audit: A brief Follow-up

In June 2021, FPPE and TB representatives settled all FPPE complaints for the 2010 audit. You may access the link to the agreement here: <https://www.fppe.ca/wp-content/uploads/2021/09/Entente-FPPE-et-SCT-M2010-14-juin-2021.pdf>. In September 2023, the CNESST rendered a decision concerning the unresolved complaints of the 2010 audit. Following this decision, the FPPE-CSQ filed an intervention request to make representations concerning the change in predominance for category No. 1549 for SCGCIA/ADPECs.

This CNESST decision means that several complaints from the education, health and social services sectors are still in dispute. The outcome of the 2010 audit disputes will further delay the 2015 and 2020 audits. Once again, you can see the incredible amount of time it takes to conduct a pay equity audit and implement its results. Despite this, we wish to assure you that the FPPE representatives, in partnership with affiliated unions, will ensure that the rights and recourse of its members are respected.

<sup>1</sup> Sections 54 and 55 of the Pay Equity Act



## Information Sessions

For more information, FPPE representatives will be holding two 60-minute information sessions on the pay equity audit process on March 15 at 12:00 p.m. and March 18 at 4:00 p.m. Voici le lien pour vous inscrire: (Simultaneous interpretation will be provided)

- March 15 at 12 H : [https://zoom.us/webinar/register/WN\\_d7E5Q8NGTfK6Bh1f2OGJew](https://zoom.us/webinar/register/WN_d7E5Q8NGTfK6Bh1f2OGJew)
- March 18 at 4 H p.m.: [https://zoom.us/webinar/register/WN\\_i-qAtfftSvyDOckBmNg4dA](https://zoom.us/webinar/register/WN_i-qAtfftSvyDOckBmNg4dA)

## The Importance of the Pay Equity Act

The main objective of the Act is to eliminate systemic wage discrimination against predominantly female job classes. It is clear that gender parity in the labour market is not being reached at all levels. As for the average wage, even though the gap is narrowing, the average wage of women is still lower than that of men for the same or equivalent jobs. This issue will not be resolved any time soon, but the FPPE, in coordination with the CSQ, will continue to be proactive and vigorous in its efforts to protect the rights and recourse of its members.

Pay equity is a non-negotiable right. We will not compromise on such an important issue. The right to a fair and just audit evaluation of pay equity for all professionals is one of our priorities. Remember that pay equity is a fundamental right.

Valérie Dubé, LL.M., CRHA  
Union Counsellor, FPPE(CSQ)

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Profitez des outils promotionnels et des tirages virtuels offerts en complétant le formulaire sur l'extranet de la CSQ sous la rubrique services aux membres Les Protections ResAut : <https://lacsq.sharepoint.com/sites/EXT-lesprotectionsresaut>



**PREVENTING,  
SUPPORTING,  
GROWING**

**CONFERENCE 2024**

**FPPE** FÉDÉRATION DES PROFESSIONNELLES ET PROFESSIONNELS DE L'ÉDUCATION DU QUÉBEC (CSQ)

**CSQ** Centrale des syndicats du Québec

## We are delighted to invite you to attend the first FPPE (CSQ) Conference on May 30, 2024!

The theme of the event is "Preventing, Supporting, Growing," and it was created especially for you. It represents an excellent opportunity for training and discussion among professionals in the public school network.

### SPEAKERS AND PANELLISTS

Among the 25 speakers and panellists, we're delighted to welcome Régine Laurent and Mélissa Généreux, who will be discussing the challenges and solutions for meeting students' needs.

Five school and professional network stakeholders will present their vision of the role and contribution of professional staff in the school environment: OOAQ president Paul-André Gallant, Coalition de parents d'enfants à besoins particuliers president Bianca Nugent, FPSS (CSQ) president Éric Pronovost, FQDE president Nicolas Prévost, and FSQ (CSQ) president Josée Scalabrini.

### INFORMATIONS

Simultaneous translation is available online for all conferences.

We invite you to mark the Annual School Staff Appreciation Day by registering now for the conference.

To learn more about the program of the event and to register, please visit the conference website by clicking here: <https://www.fppe.ca/colloque/home/>

### TOPICS

A number of inspiring topics will also be discussed, including the provision of direct student services elsewhere in Canada (REVERBERE), the evolving role of professional staff in supporting special needs students (Julien Prud'homme), inclusion and ethno-cultural diversity (Corina Borri-Anadon), the challenges of telecommuting (Yanick Provost Savard), collaboration in the school environment (Marie-Eve Gadbois) and Indigenous pedagogy (Diane Campeau).