

## **Increasing Access to Unionization, Poverty Reduction and Women's Equality**

To be effective, Ontario's poverty reduction strategy must address labour market poverty and women's inequality.

- Women, and in particular racialized women, are more likely to be poor than other groups in the population. Just under half of female lone-parent families are living in poverty.<sup>1</sup>
- Almost 42 per cent of children whose families are living in poverty have at least one parent working full time, full year. The vast majority families living in poverty are in the labour force. They are working in jobs with insufficient pay, hours and benefits to enjoy a living standard out of poverty.<sup>2</sup>

### **Why Greater Access to Unionization Will Decrease Women's Poverty**

- Having a union increases fairness at work, wages, and benefits.
- Unionized women workers earn more than non-unionized women workers.
- Unionization also reduces the gap between men's and women's wages.
  - In 2007, women who were union members earned \$6.26 more per hour than women who were not. The wage gap between male and female non-union workers was \$4.53 while it was \$2.02 for unionized male and female workers.
  - While there are a number of factors that affect these differences in wage rates, the union advantage has been estimated to be 7.7 per cent.<sup>3</sup>
- If you are unionized you are more likely to have a benefit plan and a pension plan.<sup>4</sup>

**Table #1**

### **Average Hourly Earnings in Ontario, 2007**

	<b>Men</b>	<b>Women</b>	<b>Gap</b>
Union member	25.88	23.86	2.02
Non-union	22.13	17.60	4.53
Union advantage	3.75	6.26	
Source: Statistics Canada, Special Runs			

## **What is Card Certification?**

In Ontario, the legal process that a group of workers who decide that they want to join a union embark on is called ‘certification.’

- To join a union, workers have to demonstrate that a majority of the employees at a workplace want to become members of the union.
- The way in which workers show this is by signing a union card.
- For decades in Ontario, if a clear majority of employees at a workplace signed a union card that was sufficient evidence of their desire to join a union. Their union or “bargaining agent” was then “certified” under the *Labour Relations Act*, and they would become members of a union.
- In 1995, the legislation was changed, so that even if a clear majority of members identified that they wanted to join a union; they would have to go through a two-stage process. First they must sign union cards; and afterwards, they have to participate in a secret ballot vote.
- In 2005, the current government brought back the card certification for workers in the construction industry.
  - This was an important step forward. However, this right should be extended to all workers.

## **When is a Secret Ballot Not the Best Indication of Voters’ Desires?**

- Secret ballot votes are an important part of our electoral process.
- However, it is important to understand the differences between a union representation vote and an election.
- In a political election, a vote determines which party will form the government. In a union representation vote, the workers do not decide the new ‘government.’ A successful union campaign leaves the employer in the position of governance.
- It is illegal for unions or management to coerce or intimidate employees during an organizing campaign. If they do so, it is an ‘unfair labour practise.’
- Requiring a vote give employers an opportunity to try and to persuade their employees to defeat the union.
- This opportunity must be understood in the context of the power that management holds over employees; over their livelihood, pay, hours and working conditions.

- The empirical evidence shows that overwhelmingly, employers are more likely than unions to employ coercive tactics. There are hundreds of unfair labour practice complaints that have been decided by the Ontario Labour Relations Board against employers, and a handful of cases against unions.

### **What has the Impact of Mandatory Votes Been?**

- The introduction of mandatory votes has decreased the number applications for certification that occur each year; the share of those applications that are successful, and the number of employees unionizing in the province (see table 2).
- Requiring both a majority of members to sign union cards and a mandatory vote, increases the number of unfair labour practice complaints, and increases the effectiveness of unfair labour practices in making the attempt to join a union unsuccessful.
  - Research shows that employer unfair labour practices are twice as effective at reducing the likelihood of certification under a compulsory vote system as under a card-based system.<sup>5</sup>
- Mandatory votes also make it more difficult for vulnerable workers to unionize.
  - Empirical research shows that there is a significant difference in the characteristics of the bargaining units when a mandatory vote is required. Workers are more likely to have successful certification applications if they are in larger bargaining units, in the manufacturing sector. They are less likely to succeed in the service sector or if they are part-time workers.<sup>6</sup>
  - Precarious employment is more likely to occur in smaller workplaces, in the service sector and where there are part-time workers. These are the sectors where women's employment is concentrated.

**TABLE #2**

**Access to Unionization in Ontario**

<b>Fiscal Year</b>	<b># of Certification Applications</b>	<b>% of Successful Applications</b>	<b># of workers</b>
1993 - 94	829	73%	25,798
1994 - 95	762	77%	32,116
1995 - 96	510	67%	20,564
1996 - 97	387	59%	21,496
1997 - 98	424	64%	21,049
1998 - 99	415	62%	27,299
1999 - 00	313	55%	19,763
2000 - 01	521	56%	36,901
2001 - 02	307	45%	16,255
2002 - 03	318	51%	14,026
2003 - 04	301	52%	12,173
2004 - 05	428	53%	11,610
2005 - 06	352	53%	14,461

Source: Ontario Labour Relations Board Annual Reports 1993-94 to 2005-06

**NOTES:**

- 1993 - 94 (Bill 40: Reforms implemented)
- 1995 - 96 (Bill 7: Restricts organizing, mandatory votes, etc.)
- 2000 - 01 (Minus SEIU/CAW displacements total is: 24,206)
- 2005 - 06 (Bill 144: Reforms implemented)

\* Each year there are a number of "displacements" from one union to another. Exempted here is only the major "displacement" of SEIU and the CAW which totalled approximately 12,695 in the OLRB fiscal year of 2000-01. This leaves a new certification total of 24,206 in that year.

\* Percentage of successful applications are calculated as the number of certifications granted as a percentage of total certifications disposed of by the OLRB.

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<sup>1</sup> Ontario Campaign 2000, 2007 Report Card on Child and Family Poverty in Ontario, Toronto, 2008

<sup>2</sup> Ontario Campaign 2000, 2007 Report Card on Child and Family Poverty in Ontario, Toronto, 2008

<sup>3</sup> Statistics Canada Unionization. *Perspectives on Labour and Income*, August 2008, p8.

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- <sup>4</sup> Akyeampong, E. Unionization and Fringe Benefits *Perspectives on Labour and Income*, (2002) Vol 3, No.8.
- <sup>5</sup> Riddell, C. "Union Certification Success Under Voting vs Card-Check Procedures: Evidence from British Columbia, 1978-1998" *Industrial and Labour Relations Review*, Vol 57, No. 4, July 2004.
- <sup>6</sup> Slinn, Sara. The Effect of Compulsory Certification Votes on Certification Applications in Ontario *Canadian Labour and Employment Law Journal* 10 pp. 367-395.