



FAIRNESS FOR WOMEN

ACTION PLAN OF THE NEW DEMOCRAT CAUCUS

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**Jack
Layton**
NDP  **NPD**

I wish to thank everyone who helped in researching and writing the Fairness for Women Action Plan. I also wish to thank those who helped with changes for this version to make the Plan stronger and more effective for the women of Canada.

Sincerely,



Irene Mathyssen, MP
NDP Critic for the Status of Women

INTRODUCTION

Nearly 90 years ago, women got the vote and nearly 80 years ago they were legally recognized as 'persons'. Since then, many other important battles have been won for women's rights. But recently women have been losing ground in their fight for equality as Conservative and Liberal governments in Ottawa have cut programs and taken a step backwards on women's issues. After decades of progress towards equality, ordinary women in Canada are stalled economically, socially and politically.

Today, women in Canada are still not safe in their homes or on the streets. An estimated one in four women in Canada is a victim of sexual violence in her lifetime. In the workplace, women still only make 70% of what men make, and for university graduates it's getting worse, not better. Poverty affects almost half of single, widowed or divorced women over 65, and more than 40% of unattached women under 65.

Canada has a strong base on which to build when it comes to women's equality. We have guaranteed equality rights in our Charter; decriminalized abortion and birth control, and a strong network of women's services across the country, including emergency shelters and rape crisis centres.

But when compared to other countries, Canada is underperforming. The 2008 Global Gender Gap report by the World Economic Forum ranks Canada 32nd, behind Sri Lanka, Mozambique, the United States and most European countries. Canada's rank has fallen dramatically while the Conservatives have been in power. In 2006 Canada ranked 14th and in 2007 Canada dropped to 18th.

Lack of attention to women's rights from successive governments has stalled progress, and the outright opposition to women's equality from the Harper Conservatives has started to turn back the clock.

Women and their families deserve better.

There is only one party in Parliament which is steadfastly committed to women's equality and that's the New Democratic Party. The NDP believes that women's equality is fundamental to this country and is committed to achieving it in every walk of life – from the makeup of the House of Commons, to pay equity, to childcare.

New Democrats have always stood side-by-side with women's groups to support equality. Whether speaking out on issues like choice on abortion, breaking the silence on violence against women, electing the first female leader of a federal political party, pushing for proactive legislation on pay and employment equity or making sure that every piece of legislation is examined for its impact on women, the NDP is the party that has walked the talk when it comes to fighting for women's equality.

The NDP believes Canadian women deserve fairness, affordability, equal opportunity, equal pay for work of equal value, a decent standard of living and the freedom to live without fear.

Only the NDP has the plan to put the priorities of working and middle-class women first by making Canada a world leader for women's equality.

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ON AVERAGE,
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1. FAIRNESS FOR WOMEN AT WORK

In 2004, 58% of all women over 15 were part of the paid workforce, accounting for 47% of workers.¹ But women in Canada still aren't getting the equal pay and equal treatment they deserve. Non-standard forms of employment are increasingly being favoured by employers who are reluctant to offer permanent full time jobs with benefits. And cutbacks in public services often means eliminating well-paid jobs that are occupied by women. The NDP plan to ensure fairness for women at work includes:

a. Making 'equal pay' the law

On average, women still make only 70% what men make, even when employed full-time, year-round. Unequal pay hurts women and their families and makes women and their children more vulnerable to poverty.²

The right to equal pay is protected by the Human Rights Act and the Charter. However, the Harper Conservatives, supported by the Liberals have passed legislation that would remove the right to equal pay from the Canadian Human Right's Act. The legislation will force federal employees to try and bargain through contract negotiations for pay equity. The previous federal pay equity laws did not work, since they are only activated if someone makes a complaint, but was certainly better than trying to negotiate pay equity through contract negotiations. A human right should not be used as a bargaining chip. What Canada needs is proactive pay equity legislation that would force all employers to ensure that all employees are getting equal pay for work of equal value.

In 2004, the Pay Equity Task Force reported that federal pay equity legislation, Section 11 of the Human Rights Act, is woefully inadequate and recommended the adoption of a proactive pay equity law.

The Liberals, true to form, accepted that pay equity is a fundamental human right and then completely failed to act on the report's recommendations. The Conservatives have completely ignored the issue despite repeated calls from the NDP to implement the recommendations of the Task Force.

The NDP's plan to make Canada a leader in gender equality has the implementation of the Pay Equity Task Force, and the introduction of proactive federal pay equity legislation in particular, at its core.

b. Increasing access to Employment Insurance

Employment Insurance coverage rates have declined for unemployed women from 82.6% in 1989 to 39.1% in 2008.³

Changes to EI in the 1990s reduced EI access for part-time, seasonal and low-income workers. Women, who account for about seven in 10 of all part-time employees,⁴ were disproportionately affected.

The NDP plan to ensure access to EI includes an overhaul of the legislation governing employment benefits. In the 40th Parliament, the NDP introduced thirteen Private Members' Bills to improve access to this vital income support.

1. Statistics Canada, Women in Canada: A Gender-based Statistical Report, March 2006.

2. Statistics Canada, Women in Canada

3. Report of the Standing Committee on the Status of Women, Towards Improving Access to EI Benefits for Women in Canada, June 2009, 40th Parliament, 2nd Session.

4. Canadian Labour Congress, Submission by the Canadian Labour Congress to the Canada Employment Insurance Commission regarding the 2007 Employment Insurance (EI) Premium Rate Setting, (2003) 3 (1-11).

5. CCPA, Bringing Minimum Wages Above the Poverty Line, March 2007.

c. Establishing a \$10 minimum wage

Two-thirds of minimum wage workers over the age of 15 are women.⁵ Many minimum wage earning women are living well below the poverty line. Clearly, the federal government has a role to play in setting fair pay to ensure the welfare of all hardworking Canadians and their families.

The NDP has tabled a bill to re-instate the federal minimum wage at \$10 an hour.

d. Visible minority women

Visible minority women in Canada, despite having above average educational achievements, have difficulty finding employment and when they do, their earnings are significantly less than the average Canadian. Visible minority women have also been impacted by the cutbacks in social spending to services like language training, child care, and job training programs. Immigrant women are also deeply affected by the failure of Canada to recognize their education and experience obtained outside this country.

New Democrats believe that Canada needs new programs that ensure the recognition of international credentials and that funding be provided for language and job training for visible minority women.

Women immigrants and refugees and their children face particular difficulties as they settle into Canada. Special programs targeting women's settlement and the settlement of youth must be part of government programs.

New Democrats acknowledge that temporary foreign workers and live-in caregivers are often among the most exploited workers in Canada. The NDP believes that changes are necessary to these programs that recognize both the importance of the work and ensure the rights of the workers and employment standards that include landed immigrant status, living wages, benefits and enforceable safety standards.

2. A BETTER WORK-FAMILY BALANCE

More and more women are feeling the 'super-woman' crunch. Juggling work, child-care, elder care and other responsibilities is leaving ordinary women overstretched.

In 2004, 70% of women with children under the age of five worked for pay (up from 37% in 1976). The proportion of dual-earners among families with children under 16 at home rose from 36% in 1976, to 58% in 1992, to 69% in 2005. And yet in most families, women still have the primary responsibility for child- and elder-care.

Subsequent Liberal and Conservative governments have severely cut social programs and access to social and employment assistance. Since it is primarily women who pick up the slack when health care, long-term care and social services fail to deliver, women have become the de facto social safety net in this country.

The NDP plan to ensure a better work-family balance for women includes the following proposals:

a. Creating a national child care program

Women in Canada have the right – and often a need – to work outside the home for income or wages. And children's first years are vitally important. But Liberal and Conservative governments have failed to address the friction between these realities. They want to believe 'someone else' will take care of it. And by someone else, they mean women.

1 IN 3 MOTHERS
DOES NOT HAVE
ACCESS TO
THE MATERNITY
BENEFIT
PROGRAM

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As the primary caregivers, women are forced to make sacrifices. Our patchwork child care system is not made with either women or children in mind. Canadian women and their families have a right to regulated, accessible and affordable child care.

After much pressure from child care advocates and the NDP, the Liberals introduced a patchwork of agreements with provincial governments. Unfortunately, without a legislative framework approved by Parliament, the Conservatives were able to gut the agreements and introduced an ineffective so-called “universal child care allowance” that has nothing to do with creating new child care spaces. Child care is even less available in rural areas.

The NDP plan to ensure universal child care includes passing the NDP’s National Child Care Act and establishing a network of high-quality, licensed, non-profit childcare spaces.

b. Improving parental and maternity benefits

According to the National Association of Women and the Law (NAWL), one in every three mothers lacks access to maternity and parental benefits under Employment Insurance. Women are paying an economic penalty for having children.

The NDP plan to ensure a better work-family balance involves a dramatic overhaul of maternity and parental leave programs. Parental leave benefits should be extended to self-employed and farm workers; the ‘reach-back’ period that limits eligibility should be extended to five years; and the two week waiting period before coverage should be eliminated.

c. Providing dignity and care for seniors

In 2002, more than 1.7 million adults aged 45 to 64 provided informal care to almost 2.3 million seniors with long-term disabilities or physical limitations. Seventy percent of these caregivers also had jobs, and the majority were women.

After a lifetime of building this country, seniors deserve dignity and quality care in their later years. Often, older women are providing these services with virtually no governmental support. Of particular note are the widows of Canadian veterans whose pension benefits are not being honoured by the government.

The NDP plan to ensure a better work-family balance and dignity for seniors includes fixing the patchwork of home and long-term care, and ensuring high- quality care for seniors.

d. Increasing flexibility at work

Employed women are far more likely than their male counterparts to lose time from their jobs because of personal or family responsibilities.⁶ In order to make jobs work for women, we need to ensure flexible and family-friendly workplaces.

A growing number of states in the U.S. are adopting measures to allow workers time off for children’s educational activities, guaranteeing days off for family needs, and restricting mandatory overtime so employees can plan a reasonable home life.

The NDP plan to ensure a better work-family balance includes the creation of a federal task force to recommend a mix of government policies and laws that will provide better work-life family balance choices.

**7% OF
CANADIAN
WOMEN WERE
VICTIM TO
AN ABUSIVE
PARTNER IN
2004**

3. AN END TO VIOLENCE AGAINST WOMEN

Despite a marked rise in awareness of violence against women, half of Canadian women will experience criminal violence by men in their homes, communities, workplaces and schools in their lifetime. While rates of violent crime have been decreasing overall, rape and sexual assault have actually been on the increase. In 2004, an estimated 7% of Canadian women were victim to an abusive partner. Of those who have experienced this violence, 27% were beaten and 34% feared for their lives. Lesbian, bisexual, transgendered and transsexual women are the targets of violence and discrimination on the basis of their sexual orientation, gender identity and its expression. Women working in the sex trade are particularly vulnerable to violence and death resulting from gender-based violence.

Recent Conservative changes to Status of Women Canada's mandate, on top of cuts to funds for women's shelters and transition houses under the Liberals, have limited the options available to victims of abuse.

Aboriginal women living in remote communities often have no access to shelters at all. These women are making the impossible choice between losing their home or living in fear with an abusive partner.

The NDP plan to end violence against women includes:

a. Guaranteeing access to justice

In the 1990s, the Liberal government capped, then cut, federal funding for legal aid. The result was a dramatic decrease in the availability of legal services that has, according to 2004 research by the Canadian Centre for Policy Alternatives, been "devastating" for women. "Without adequate legal representation, women are losing custody of their children, giving up valid legal rights to [financial] support, and being victimized through litigation harassment"⁷.

The Conservative government added insult to injury by cancelling the Court Challenges Program, which allowed groups experiencing the effects of discriminatory laws to challenge those laws.

The NDP plan to ensure access to justice for women includes a reinstatement of the Court Challenges Program, the restoration of funding to legal aid and the re-institution of the annual consultation between the Department of Justice and women's groups to monitor progress on ending violence against women and progress on improving women's access to the justice system and legal services.

b. Stopping violence against Aboriginal women

Violence against Aboriginal women must stop. Young aboriginal women are five times more likely to die from violence than other women in Canada. Racism, the legacy of residential schools and the lack of housing and education opportunities work together to make Aboriginal women vulnerable.

The NDP is committed to supporting programs initiated and directed by Aboriginal women that develop community-led solutions to ending violence.

We are also committed to ending the 2% funding cap on social programming at Indian and Northern Affairs Canada that has left many women facing housing crises and without adequate supports in their communities.

7. CCPA, Legal Aid Denied: Women and the Cuts to Legal Services in BC, September 2004.

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The Native Women's Association of Canada and Amnesty International have been waging a campaign to point out the hundreds of aboriginal women who have gone missing from Canadian neighbourhoods and strategies to prevent more disappearances. Pauktuutit Inuit Women of Canada recently launched the first ever National Strategy to Prevent Abuse in Inuit Communities available to Inuit women in their own language of Inuktitut. The NDP supports the efforts of native women to develop healing centres and educational and training opportunities - including those that target root causes of violence and help families with prevention strategies such as learning to identify risk and develop safety plans.

c. Change the laws

Women have been the target of violence and hate crimes simply because of their gender. However, the criminal code does not recognize hate crimes against transgendered or transsexual women in Canada.

The NDP would amend the Criminal Code to recognize hate crimes against transgendered and transsexual Canadians and to allow judges to consider transphobic violence in sentencing.

d. Building more affordable housing

During times of economic growth, the government has failed to sufficiently fund housing for women trying to escape violence.

As a result, too many women in our society remain trapped in abusive relationships, unable to protect themselves and their children because the resources – affordable housing, shelters, government support, employment insurance, counseling, protection – are not there.

Building on the 2005 budget, in which the NDP won \$1.6 billion for affordable housing, the NDP plan to end violence against women includes a re-investment in a National Affordable Housing program.

e. Tightening gun control

The Conservatives want to throw out gun control laws that emerged after the Montreal massacre of 14 women – despite evidence that the presence of a gun in the home is strongly associated with the risk of homicide by a family member or intimate acquaintance.

Between 1995, when Canada tightened its gun laws, and 2003, the gun murder rate for women dropped by 40%. Instead of listening to the experts, the Conservatives rely on a law and order agenda that does little to stop violence against women.

The NDP sees halting the illegal import of handguns from the United States as essential to controlling gun violence. New Democrats support legislative, regulatory, and sentencing initiatives to embody the principle that handguns have no place in our cities, except in the hands of law enforcement officials.

4. MAKING SURE WOMEN ARE HEARD – IN PUBLIC, IN POLITICS

Public policy impacts men and women differently; equality therefore demands equal representation in decision-making and in public affairs. We need to ensure that women's voices are heard more consistently in the House of Commons, at all levels of government and in all areas of public life.

CONSERVATIVE
CUTS CLOSED
12 OF THE
16 STATUS
OF WOMEN
OFFICES
ACROSS THE
COUNTRY

Rural women have particular barriers to participation. Lack of public transit, child care, social programs, and seasonal jobs make it difficult for women in rural areas to participate meaningfully in public life.

The NDP understands the need for women's voices on Parliament Hill and for women's organizations who promote women's equality.

The NDP plan to make women's voices heard includes:

a. Strengthening Status of Women

The Conservative cuts to Status of Women Canada, and the closure of 12 of the 16 Status offices across the country, is a major setback for women's equality. By changing the requirements for funding under Status of Women, groups that do research and advocate changes to public policy to promote women's equality will no longer be eligible for federal funding.

Harper eliminated nearly half of the Status of Women staff responsible for the advancement of women's rights, and 40% of the operating budget for Status of Women Canada.

The NDP is pushing for an independent Status of Women department, with full funding and its own Minister. An effective Status of Women Department must be able to research, monitor and advocate for women's rights, and support women's groups who are promoting gender equality. New Democrats will also empower Status of Women Canada and other appropriate federal agencies, to work to implement the recommendations of the report on Canada by the UN Committee on the Elimination of All Forms of Discrimination Against Women.

b. Electing more women

Worldwide, Canada has one of the worst records for the representation of women in Parliament. Despite a lot of talk of the need for more women in politics, the Conservatives have only 16% women in their caucus, the Liberals only 25% and the Bloc and NDP lead the way with 31%. Overall, only 22 percent of all Members of the House of Commons are women.

When it comes to electing women, the NDP doesn't just talk, it acts. It was the first federal party to elect a female leader, Audrey McLaughlin, and has policies committed to having 50% female candidates in winnable ridings and giving women support to help them win nominations and elections.

c. Supporting advocacy

Given women's under-representation in Parliament, provincial legislatures and municipal councils, women's advocacy groups are critically important to ensuring that women's voices are heard in the corridors of power. But the Conservatives have placed a virtual ban on funding women's advocacy groups.

While the Liberals pay lip service to supporting women's advocacy groups, they massively cut funding to these groups over the years they were in power, and shifted the focus of funding from advocacy to research.

The advocacy, research and policy development of women's organizations and women's centres in this country has been, and will continue to be, vital in achieving systemic change for women's equality. These organizations need program-based funding, rather than population-based funding, to ensure that rural women and other women in smaller population centres get the funding they need to work for women's equality.

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The NDP plan to improve women's representation in public includes pushing the federal government to provide financial resources, including core funding to women's groups and aboriginal women's groups at a level that will allow them to fulfill their mandate, and re-instating the women's fund in Status of Women.

d. Reviewing public policy

Women are still underrepresented in key government policy consultations. Aboriginal women's groups are not funded nor participate in policy discussions in the same way as male-led groups. In consultations with farmers, only six percent of farmers consulted were women despite the key role women play on the family farm.

Gender-based analysis (GBA) in government departments are also lagging behind. The Auditor General, Shelia Fraser, released a report in 2009 that outlines how the government has failed to apply GBA to government programs. The report clearly outlined the failure to implement the 1995 "Federal Plan for Gender Equality". Canadians need to be sure that public policy and government budgets have been examined properly for the impacts on gender equality.

e. Reforming the electoral system

Proportional representation electoral systems tend to result in higher numbers of women in Parliament. The NDP plan to make women's voices heard — including women of colour, disabled and sexual minority women — features electoral reform to accommodate proportional representation.

f. Ensuring a women's right to choose

Abortion in Canada is legal and insured under the Canadian Health Act. However, access to abortion in Canada is under threat because some provinces refuse to fund abortion. Access to abortion is also threatened by the introduction of Private Member's legislation.

Because abortion is funded through provincial and territorial health plans, coverage varies regionally. Prince Edward Island refuses to cover any abortion services. New Brunswick will only fund abortion services performed in hospitals.

Several Members of Parliament have introduced fetal rights legislation under the guise of protecting pregnant women. If these bills are passed they could severely restrict abortion or possibly recriminalize abortion in Canada.

New Democrats are committed to a women's right to choose abortion. We will strenuously protect and promote the 1988 removal of abortion from the Criminal Code. The NDP will also promote the policy that includes abortion as a fully funded, universally accessible medical procedure under the Canada Health Services Act in each and every province and territory of Canada.

5. FAIRNESS FOR MARGINALIZED WOMEN

Nineteen percent of women are poor, 56% of single parent families headed by women and half of unattached senior women live below the poverty line.

Aboriginal women, women of colour, seniors, poor women, lesbian, bisexual, transgendered, transsexual, and women with disabilities face deeper discrimination with greater unemployment, lower wages and poverty than others.

The NDP plan to ensure fairness for marginalized women includes the following:

**19% OF
WOMEN ARE
POOR**

**56% OF SINGLE
PARENT
FAMILIES
HEADED BY
WOMEN**

**49% OF
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POVERTY LINE.**

a. Working with Aboriginal women

Aboriginal women face a range of disadvantages and discrimination, on and off reserve. The NDP makes a priority of listening to, and consulting with, Aboriginal women.

The NDP is committed to working with women's groups to ensure full consultation and accommodation of Aboriginal women's concerns before new legislation is passed affecting Aboriginal or treaty rights.

b. Fighting discrimination

Women of colour face particular barriers in the workplace and in society at large. They earn less money and face greater obstacles in the workplace in all kinds of occupations, not to mention discrimination in access to housing and other services. The NDP plan for equality for visible minority women includes opposing all forms of racism, better social services such as daycare, better access to unionized jobs and ensuring opportunities for youth in disadvantaged communities.

It is precisely because the NDP is concerned for the future of Afghan women that the Party is calling for the withdrawal of Canadian troops, a refocus on aid and development, and a negotiated resolution to the war in Afghanistan. The NDP advocates peace negotiations that ensure women are at the table in significant numbers and that their rights are foremost in the efforts that Canada deploys to defend human rights and development in the region

6. EQUALITY FOR WOMEN AROUND THE GLOBE

Of the 1.3 billion people living in extreme poverty worldwide, 70% are women and girls. Women are the majority of the world's poor, and are disproportionately affected by war. A small, but still unacceptable, number of countries still don't allow women basic human rights – including the right to vote. We still do not have a real UN agency devoted to the rights of women that would be comparable to UNICEF in staff and budget.

The NDP plan to support women's equality globally includes:

a. Increasing and improving aid

The Canadian International Development Agency (CIDA) has placed a high priority on projects supporting women's rights in developing countries. This work should continue, but more must be done. Women are agents of change in their communities – they are workers and mothers who want better for their children. Countries like Canada should support their efforts.

The NDP plan includes increased aid. Canada has failed to follow through on its commitment to devote 0.7 % of its Gross National Income to Official Development Assistance. The NDP introduced a Private Member's Bill to focus development assistance on poverty eradication and the promotion of human rights, taking into account the voices of the poor, particularly women.

b. Defending women's rights globally

Around the world, women's economic, civil and political rights are violated every day. The Convention on the Elimination of Discrimination Against Women (CEDAW) provides a comprehensive framework for women's rights globally, but there is still a long way to go.

The NDP believes Canada must actively promote and defend the rights of women both at home and abroad. This means advocating the abolition of discriminatory laws, ensuring women have equality in the workplace, funding and supporting civil society groups that defend women's rights, ensuring women are involved in peace processes and democracy building, and above

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all, attacking the desperate poverty that is confronting hundreds of millions of women and their families around the world. The NDP will also promote the adoption of important international statements on the equality of lesbian and trans women, such as the Montreal Declaration and Yogyakarta Principles on lesbian, gay, bisexual, transgender, and transsexual rights.

New Democrats support Stephen Lewis' call for international action on women's equality.

We will work for the creation of a UN Women's Agency to ensure that women's voices and concerns are represented at the highest levels of the international community.

c. Pulling Canadian troops out of Afghanistan

The Liberal and Harper governments have abused the good will of Canadians, and used women's rights to justify bombing and counter-insurgency warfare in Afghanistan. In fact, it is not Afghan women whose interests are being promoted by the counter-insurgency war against the Taliban in Afghanistan.

Afghan women are just as likely to be targeted by local police, their husbands or warlords as they are by the Taliban: the troops are hunting the Taliban – not protecting women from the various security threats they face. Women remain subject to arbitrary imprisonment, rape, torture and forced marriage.

d. Including women in peace negotiations

Women and children are the primary victims of war. The United Nations and other international bodies are still male-dominated, and the women of the world still have little voice in the global decisions that affect their everyday lives.

The NDP actively supports the UN Security Council resolution 1325 calling for women to be involved in all peace negotiations.

e. Fighting Human Trafficking

An estimated 2.5 million people a year are victims of human trafficking – the vast majority are women and children. It is estimated that 92% of human trafficking is for the purpose of sexual exploitation.

The NDP plan to promote women's equality globally includes working in collaboration with NGOs, victim services agencies, law enforcement and the international community to prevent trafficking, protect those who have been victims, and enforce laws against trafficking.

IF YOU WOULD LIKE MORE INFORMATION
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