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Assessing Ten Years of the Pay Equity Act

Supportive to the Concept, but Legislative Changes Are Imperative

Montreal, February 28 - This past February 19, the National Assembly held consultations assessing the ten-year enforcement of the Pay Equity Act (PEA).

From the outset, the Conseil québécois du commerce de détail (CQCD) has outlined their support to the pay equity concept, i.e. equal pay for equal work. However, since its enactment, employers from the retail trade sector have had many problems implementing pay equity, a complicated and hard-to-enforce act.

Therefore, the Parliamentary Committee was the opportunity for the CQCD to highlight all of the problems retailers had to face in the last ten years of implementing pay equity.

We came to the conclusion that several legislative changes and relaxations are imperative to allow businesses that have fallen behind and smaller businesses without a human resource department to complete their pay equity process. We must reflect on the situation of businesses with 10 to 49 salaried employees and change the way they work. "The problem has nothing to do with culture changes—we need to move upstream and get to the root of the problems in order to find solutions," said Me Gaston Lafleur, Chief Executive Officer of the CQCD.

The Commission de l'équité salariale (CÉS)'s governance must be challenged, since management is under-represented. The CQCD has suggested developing a governance framework to further involve management partners before the CÉS so to establish guidelines matching the businesses' reality. Such action would:

- Help fulfil the CÉS's mandate, since they would benefit from improved support and have a Forum to validate their vision, values, areas of activity, processes, and rules
- Ensure the organization's management is controlled by all players involved
- Increase their credibility and legitimacy, since all stakeholders would be represented: employers, unions, workers, women's groups
- Improve the establishment of the PEA within businesses, making sure that its implementation matches the realities of the workplace.

Maintaining pay equity, a basic right, must be guaranteed by the Charter of Human Rights and Freedoms, and complaints must be heard by the Human Rights and Youth Commission.

Finally, the CQCD has suggested the creation of a working group including all partners, such as management, under the guidance of the Minister of Labour to deal with the issues and irritants preventing the establishment of the pay equity process with businesses subject to the Act.

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Information: Manon Beaudoin,
Conseil québécois du commerce de détail
Phone: 514-842-6681, ext. 202