

# 'EMPLOYMENT EQUITY'

## AFFIRMATIVE ACTION, CANADIAN STYLE

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What is called “employment equity” in Canada often amounts to a system of preferential hiring and promotion in many significant areas and levels of society for so-called “designated groups” (women, visible minorities, aboriginal peoples, disabled persons). This policy is often officially explained as being an attempt to utilize the talents of every person in society, as simply being about “fairness.” Officially, employment equity is said to offer an opportunity to a person from a designated group only when their qualifications are equal to those of a person from a non-designated group. Officially, the policy is supposedly based on employment “targets”—not “quotas.” However, looking at the workforce composition of many federal, provincial, and municipal government workplaces, as well as of, e.g., big-city bank branches, it is hard to avoid the conclusion that what is taking place must in fact be preferential hiring and promotion for designated groups. A prominent recent book that gives a comprehensive critique of these policies is Martin Loney’s *Pursuit of Division: Race, Gender, and Preferential Hiring in Canada* (McGill-Queen’s University Press, 1998).

The manager who wishes to be considered “sensitive” today is faced with constant dilemmas in hiring decisions, although they would be very unwilling to discuss these problems in public. Since these designated groups encompass such a large percentage of the general population, there is required a constant process of deliberation, as to which job candidate is the most appropriate. In some cases, where very technical skills are needed, or where some candidates are overwhelmingly stronger, hiring continues to be decided on merit. However, there are many jobs that can be done at a basic level of competence by most persons. From the politically correct standpoint, unless there are special circumstances, such as very ardent left-liberalism, or gay sexual orientation, there is a general consensus that an able-bodied white male will not get the position. It is then a matter of delicate judgment deciding on the relative weight of the “designated” categories. For example, should a disabled white male be hired instead of a black female? An Oriental female instead of a white female or an aboriginal male or an aboriginal female? The person who bridged the most “designated” categories would probably have the best chance of obtaining the position.

It should be remembered that in Canada there are several other areas of governmental and corporate policy that overlap with employment equity. For example, there is the federal bilingualism policy, which requires that, in many cases, civil servants be bilingual (i.e., speak both French and English). This has meant that French-speaking persons in Canada, who are far more likely to know English, have easier entry into and advancement in the federal civil service. It also operates in favor of the English-speaking elites (most of whom tend to be liberal in political orientation), who find it easier to educate themselves and their children in French. It effectively discriminates against ordinary, English-speaking Canadians. The province of Ontario, with a French-speaking population of about 5 percent, has also moved to extensive bilingualism in the *provincial* civil service. The province of New Brunswick in the Atlantic region, with a French-speaking population of about 35 percent, espouses full official bilingualism. However, the predominantly French-speaking province of Quebec—with about one-seventh of persons whose first language isn't French—is characterized by a unilingual provincial policy: French only.

### MULTICULTURALISM, IMMIGRATION & EMPLOYMENT EQUITY

There is also the multiculturalism policy, which valorizes the maintenance of distinct, non-English, non-French, cultural affiliations in Canada, and requires that they be to some extent supported by all levels of government. The federal budget for multiculturalism is officially said to be \$20 million (Canadian) a year (in the federal Department of Multiculturalism), but there are numerous funding initiatives through further areas of federal, provincial, and municipal governments. Although notions of multiculturalism in theory include “white ethnic” groups such as Ukrainian and Italian-Canadians, in practice, multiculturalism is increasingly defined as synonymous with *multiracialism*—signifying the enormous and enriching diversity of persons of color in Canada. Multiculturalism is now generally said to be the defining characteristic of Canada, and the touchstone of Canadian identity.

There is also the policy of aboriginal relations. The aboriginal peoples of Canada (Indians, Metis, and Inuit), are increasingly hoping to wrest vast resources from all other Canadians, based on claims of compensation for past abuses, and renegotiation of earlier treaties. It has been calculated that tens of billions of dollars are involved. The aboriginal peoples already receive support from all levels of government. In the Far North, a semi-sovereign entity called Nunavut has been created, and has already received \$580 million (Canadian) from the federal government in about a year, to cover its budget deficit. Aboriginal peoples are also exempt from most taxes. For many people, being relieved from income tax would in itself be a distinct advantage.

There are also Canada's immigration and refugee policies. Since the 1960s, Canada's immigration policy has emphasized non-traditional sources of immigration. Since the 1960s, about 75 percent of immigrants have been from non-European countries. The combination of wide-open immigration and refugee policies results in the constant increase of the percentage of visible minority populations in Canada, which means that the perception that there are not enough visible minorities in certain Canadian institutions becomes exacerbated.

There are also federal and provincial laws against discrimination and against “hate speech,” which tend to stifle the expression of any more pointed public criticisms of employment equity, aboriginal policy, multiculturalism, bilingualism, and current-day immigration and refugee policies. And a decidedly left-wing media elite reinforces this climate of political correctness, especially in regard to social and cultural issues. While a considerable degree of free-market, economic conservatism is openly debated, social conservatism (focusing on upholding traditional notions of nation, family, and religion) is usually excluded and pejoratively ridiculed.

Finally, there is extensive government support for feminist groups, who have—among various other causes—championed “pay equity.” Indeed, the wedge for employment equity in Canada was “pay equity” or “equal pay for work for equal value.” It could be argued that there is an important difference between “equal pay for work of equal value” and “equal pay for equal work.” The latter means that women should not be paid less than a man doing exactly the same job, whereas the former brings into play a vast, arbitrary adjudicating mechanism whose results are inevitably raising the pay of jobs where women predominate. So a secretary is supposed to earn practically the same amount as an engineer. In one major pay equity settlement, the “quasi-judicial” tribunal, the Canadian Human Rights Commission, ordered the Canadian Federal Government to pay \$3.5 billion (Canadian) in back pay to women working or formerly working for the Federal Government. (By contrast, the entire budget for the Canadian military in the year 2000 was \$10 billion.)

Indeed, employment equity is probably most strongly enforced in government workplaces. It has been argued that government, typically white-collar, jobs in many cases offer comparatively easy work at comparatively high salaries—especially when compared to most private sector jobs. They also offer generous pensions, and virtually ironclad job security, as layoffs in the public service are virtually unheard of, regardless of the economic situation. However, many government jobs demand a strong cleaving to politically correct orthodoxy, and those persons who are unwilling to step into line are unlikely to be hired, or, even if hired, they will probably find workplace relations very difficult, and have little hope of advancement.

Among the “designated groups,” the most intensive efforts are probably focused on visible minorities and aboriginal peoples. If such a person has at least average competence, the benefits offered him or her are perhaps the most unstinting, and would usually only be withheld if the person were perceived as excessively “pro-majority” (derided as an “Uncle Tom”). Attitudes in Canada are very similar to the U.S. where, for example, Supreme Court Justice Clarence Thomas is subject to considerable public criticism, for being a black conservative. In regard to aboriginal peoples, it has been argued that a small circle of official aboriginal leaders and activists—while living extravagant lifestyles themselves—often does not pass on too many benefits to their own group.

It could also be argued that most of the advancement of women happens only insofar as they quite strongly hold feminist outlooks. Of course, in Canada today, many women are indeed highly enamored of feminism—which is increasingly defined in an ever more radical fashion by a rather small, but very, very powerful leadership cadre. As far as disabled persons, they have probably been included as a “designated group” to give the employment equity policy an increased aura of “fairness” and “compassion.” It could be argued that there is not all that much being done for most disabled persons—apart from giving them disability pensions and some subsidies for housing and assistive devices—which are not excessively generous. However, because employment equity includes disabled persons as a “designated group,” publicly criticizing employment equity is given a stigma akin to kicking a person in a wheelchair.

It should also be noted that “white ethnic” groups such as Ukrainian, Italian, Portuguese, and Polish Canadians were never considered for inclusion under employment equity, although these groups had been subject to significant discrimination in Canada’s earlier history. They are now considered part of the “dominant majority.” How likely is it that a WASP liberal or visible minority manager will want to hire a member of a “white ethnic” group?

In the 1995 election in the Province of Ontario, the “employment equity quota law” of the New Democratic Party (Canada’s social democrats, elected in Ontario in 1990) was a major issue. Mike Harris and the Ontario Progressive Conservatives (who are certainly more right-leaning than the federal PCs) promised to abolish “the quota law” upon election. They won the election over the disenchantment of many Ontarians with the left-wing agenda of the NDP. However, only a few weeks after employment equity (in its most extreme variant) had been formally rescinded in Ontario, the Liberal federal Canadian government of Jean Chretien reintroduced it at the national level! Chretien has recently won (on November 27, 2000) a third majority government (following victories in 1993 and 1997), and employment equity continues to be supported by the federal Liberal government. Mike Harris was re-elected with a majority in the Ontario Provincial Parliament in 1999.

It is important to look just how far formal and informal “employment equity” extends in Canada today. The term “employment *equity*” could itself be seen as dishonest. The American term, “affirmative *action*,” is arguably more honest, as it identifies that extraordinary initiatives are being taken, and implicitly admits that equality of opportunity is not really being upheld. Unlike in the U.S., affirmative action-type policies are mostly considered a “closed issue” in Canada with no debate or questioning permitted.

### DOUBLE STANDARDS FOR CANADIAN WHITE MALES

What does “employment equity” in fact amount to? It might well be seen, despite its gloss of “equality for all,” as having the effect of significantly diminishing the career-prospects and life-chances of many men of British or European descent in Canada. Of course, the left argues that white males are the overarching power-elite in Canada today in that they invariably look out for each other’s interests, and, furthermore, this alleged dominance is a moral outrage.

It is true that a large majority of corporate heads are white males, however, do they actually collude with each other, in an exclusionary manner? Furthermore, how much influence do white males, *as white males*, have on the media, social, cultural, academic, and political sectors of society? Cannot a white male often be an ardent left-liberal, who would be totally disinclined to in any way help or promote another white male, unless they happened to be ideologically congruent? Also, considering the fact that the large urban areas of Canada have been truly multicultural for about twenty years (in a country with established European settlement of hundreds of years) is it at all surprising that Canadians of British or European descent are heavily represented in the nation's elites?

Another point to be made is that there are of course places in society where visible minorities are notably over-represented (for example in some sports, entertainment, and popular music areas). Those are highly prestigious, well-enumerated positions. Are white males allowed to complain that they are significantly under-represented in those areas? What should also be considered is that, while the concentration of economic wealth at the top of society is unlikely to change much, millions of middle-class, lower-middle-class, and working-class white men will be increasingly marginalized by the ongoing "equity" process. Should middle- and working-class white men be penalized for the sake of enacting the obsessions of the Canadian elites, who are in any case the most insulated from the possibly deleterious effects of "equity"?

Does the average person even realize how much of Canadian society is structured around employment equity? For example, virtually all universities have these formal or informal criteria governing such crucial aspects of their functioning as admissions (to undergraduate and graduate—including doctoral—levels, and especially to professional areas like law and medicine); the disbursement of scholarships; the hiring of academic faculty, of all support staff, of academic librarians and library assistants. College admissions in Canada, unlike in the U.S., are not determined by a standardized test like the SAT, although there are standardized tests for professional faculties such as law and management studies. Admissions to undergraduate studies at university are formally determined by looking at high school marks—although it is said that all of the more prestigious universities informally rely on ranking of high schools, to put the marks in some kind of context. Admission policies also definitely take employment equity into account—although it is not as easy to show what is happening as in the U.S., with its obvious disparities in the SAT scores of white/Asian and black/Hispanic students admitted. There is also the fact that such initiatives were pushed by the NDP onto the provincial justice system in Ontario: in the appointment of judges, crown attorneys, and police service board members; in the professional workings of the Law Society of Upper Canada (Ontario's professional legal body); and in the hiring of court support workers. For example, the NDP government tried to fire hundreds of (aging, white male) World War II veterans who worked as court support workers to make way for quota appointees.

The Ontario public service, many municipal workforces, and also the federal civil service have their own workplace equity programs. These principles have also been upheld for several years by all of the big charter banks in Canada. Many large and medium-size corporations, such as Bell Canada, have such plans in place. They are also being carried out in public library systems, in many school boards at all levels (teachers, senior staff, administrative staff, support services), and in many media outlets. Furthermore, the enactment of workplace equity policies is often a precondition for private firms being allowed to compete for lucrative federal, provincial, and municipal contracts, and for being considered for the vast cornucopia of government loans or subsidies.

With the increasing immigration of visible minorities to Canada, their “percentage of population” is continually growing larger, with the result that continual increases in the hiring of visible minorities become mandatory. There is also a deliberate ambiguity as to whether the “percentage of population” is supposed to be that in a given urban region (visible minorities are now over 50 percent of Toronto’s population), or of the country as a whole (which is far less, of course). These ambiguities are typically resolved in favor of visible minorities. This might mean that, in order to fulfill legally mandated employment equity obligations, no white males can be hired *at all* in some government institutions and private corporations! And then, the further complaint is made that, while designated groups may indeed be well represented at junior levels, they are still “drastically under-represented” at managerial levels.

As with affirmative action in the U.S., employment equity often tends to undermine the confidence of ordinary people in professionals who happen to be from “designated groups.” It raises suspicions about the objective credentials of such professionals. An honest outlook would generally prefer to have *one* doctor or lawyer from a given group, who had successfully completed training based on strictest merit, and whose credentials were unimpeachable, rather than *ten* doctors or lawyers, some with possibly questionable credentials.

The success in the rescinding by Premier Mike Harris of the particularly onerous NDP quota legislation in Ontario can be seen as only the first step in the long road to restoring genuine equality of opportunity throughout the province of Ontario, and throughout Canada.

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## REFERENCES

Loney, Martin. *Pursuit of Division: Race, Gender, and Preferential Hiring in Canada*, Montreal and Kingston: McGill-Queen’s University Press, 1998.