



**ISSUES
THAT MATTER:
NATIONAL UNION
FACT SHEETS**

January 2021

The National Union of Public and General Employees (NUPGE) is a family of 11 Component and 3 affiliate unions. Taken together, we are one of the largest unions in Canada. Most of our 390,000 members work to deliver public services of every kind to the citizens of their home provinces. We also have a large and growing number of members who work for private businesses.

Larry Brown, President

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PUBLIC SERVICES

CHILD CARE

- The benefits of child care are manifold. Child care provides a nurturing environment for children that contributes to healthy development. It supports women’s workforce participation and economic security. A well-supported child care system would provide fair compensation to its qualified professionals. All of this contributes to a strong economy.
- Today, there is a patchwork system of child care across Canada, the result of insufficient funding and varying degrees of public management. This market model has resulted in barriers to accessing affordable and high-quality child care.
- Annual research by the Canadian Centre for Policy Alternatives (CCPA), which surveys child care fees in Canadian cities, has shown that child care remains unaffordable for families.
- While in recent years there has been some increase in licensed child care spaces, there continue to be wait-lists—even in regions with lower fees, like Quebec, Manitoba, and PEI. Many children live in “child care deserts,” where there is inadequate access to child care spaces.
- Early childhood educators (ECEs) and child care workers, the vast majority of whom are women, are chronically undervalued and underpaid.
- Labour unions, child care advocates, and researchers agree: child care must be affordable, accessible, and high quality. A universal public system would ensure that child care is available to all who need it, like the current education system.
- Many Canadian unions have endorsed the Affordable Child Care for All Plan, developed by Child Care Now, which provides a roadmap.
- Calls for a Canada-wide public child care system have grown amid the COVID-19 pandemic. The Trudeau government has committed to building a national system of high-quality early learning and child care, but we have yet to see action.
- Recent research by economist Jim Stanford shows that a national child care system would pay for itself.

PHARMACARE

- The federal Liberals have promised pharmacare, and we need to demand they deliver.
- Canada needs a comprehensive, single-payer prescription drug program, which follows the principles of the *Canada Health Act*.
- This program should be primarily paid through progressive taxation, and coverage should be universal.
- Currently about 50% of Canadians are covered through work-based benefits, but these are inconsistent in coverage. 20% pay out of pocket and 30% are covered by public systems.
- The current patchwork system of social programs, employer-based, and out of pocket payments is inefficient, expensive, and not sustainable.
- The federal government should fund half the program, as it initially did with Medicare, to encourage provincial participation.
- The cost of the program will be used to discourage implementation, but this is a false argument. The savings to the whole society could be as much as \$11 billion each year, and accessibility will improve greatly leading to better treatment and outcomes for patients at a far lower cost. Even very conservative estimates claim annual savings of \$4 billion would be achieved.
- Canada is the only country which has public health care that does not cover prescription drugs.
- The last federal election had 3 of the 4 federal parties promising pharmacare. Only the Conservatives did not.
- Only the US and Switzerland pay more for prescription drugs than Canada.
- The federal Liberals commissioned an advisory panel which provided a blueprint towards implementing pharmacare. This panel is known as the Hoskin's panel as it was chaired by former Ontario Health Minister, Dr. Eric Hoskins.
- Those recommendations and timelines need to be followed as they are a path to single-payer universal pharmacare

- The 'fill-in-the-gaps' proposal is not universal pharmacare and will do nothing to lower costs. It will expand coverage, but without cost reductions from bulk-buying and negotiations, this plan makes no fiscal sense. It is not sustainable and is preferred by insurance companies.

HEALTH CARE

- Canada's public health care system is our most cherished social program but requires investments and enhancement. COVID-19 has stressed the public health care system and exposed areas which urgently need attention.
- In general, health care is primarily delivered by provinces but is a shared responsibility with the federal government providing large transfers to support health care spending, as well as, delivering health care on reserve, in the military, etc.
- Health care costs are rising faster than inflation and an aging population and rising pharmaceutical costs are compounding this trend.
- The federal Liberals have continued with the Harper funding formula, which is leaving a massive shortfall in health care investment in Canada.
- The rate in federal transfers has gone from 6% increases per year during the last 10 year Health Accord, to the current minimum 3% increases, tied to GDP.
- A 3% rise in transfers, year-to-year, is lower than health care costs are rising and is an effective cut in the federal overall funding rate. Since the 1970's the federal share of health care spending has been cut in half, leaving provinces to fill in the shortfalls.
- Canada's current system is still based on funding doctors and hospitals. What is needed is a more comprehensive approach that also includes Pharmacare, dental care, mental health, homecare, long-term care, etc.
- Health human resources is a critical issue as an aging population and an aging workforce is leading to shortages of skilled workers just as demand is increasing.
- Health care spending in Canada is 11.5% of GDP, which is relatively high in relation to OECD countries. Canada has a mixed-system with 30% private and 70% public. This is a relatively high degree of private funding.
- Health care takes up anywhere between 35% and 45% of provincial budgets.
- The key threats to Medicare are attacks and non-enforcement of the *Canada Health Act*, cuts to investments harming the system, constitutional challenges which use individual rights arguments as a way to implement a two-tier system.
- The recent Cambie ruling has dealt a major blow to those who would use the charter to implement two-tier health care, but this ruling is being appealed and the Supreme Court will likely hear the case because of its profound implications.

- Issues we need to press forward are Pharmacare, dental care, seniors' care, and mental health care. COVID-19 has exacerbated the weaknesses in our health care system and stressed the system overall. Frontline health care workers have been put under unprecedented stress and we can expect this to impact retention of older workers and lead to even greater human resource shortages in key areas. Government austerity is a looming risk in health care, inadequate funding for health care would do great harm to a system already experiencing damage from chronic underfunding.

CRIMINAL JUSTICE ISSUES

I. Correctional Facilities - Inmates

- Too many jails are dilapidated, old, crumbling, many of which the living conditions are described as inhumane (the oldest operating jail in Canada is Her Majesty's Penitentiary in St. John's, which has parts originally built in 1859 - the same year Charles Dickens published a *Tale of Two Cities*).
- Dangerously overcrowded with triple bunking common place (far more than designed to hold)
- Growing problem of remand (temporary detention of legally innocent people awaiting trial or sentencing): since 2006-2007 number of remand inmates exceeds the number of sentenced inmates ratio of 1:5:1
- Inadequate physical and mental healthcare: increasing number of inmates with mental health problems
- Inadequate addictions treatment: jails becoming treatment centre of last resort
- Incidences of violence increasing
- Probation officers: extremely high workload
- No meaningful access to programming or rehabilitation services
- Over-representation of Indigenous people (First Nations, Metis, Inuit) in prison
- Segregation: extensive use of solitary confinement ("segregation") without safe alternatives; e.g., In Ontario 23,667 segregation placements, with over 4000 exceeding 15 days—a majority of which had "mental health alert" on their file

II. Correctional Facilities - Workers (Front-line corrections staff)

- Consequence of all the above: exposure to extremely unsafe work environments and serious health and safety risks
- Numerous incidents of violence (assault) directly related to overcrowding: threats, spiting, punching, kicking, attacks with feces, urine, and weapons
- Lack of proper resources, training, support to protect safety

- Mental injury: according to studies in *Canadian Journal of Psychiatry* (2018) & *Canadian Journal of Behavioural Science* (2019), public safety personnel (PSP), (correctional workers, call centre operators, firefighters, paramedics, municipal/provincial police, RCMP) are almost 4.5 times more likely than the general population to screen positive for clinically significant symptoms consistent with one or more mental disorders (44.5% compared to 10.1%).
- But if we examine each of the categories separately, the specific rates for some PSP are higher.
- Among all public safety personnel, those with the highest-reported symptoms of mental injury are correctional workers: 55% of these workers report symptoms consistent with at least one mental disorder.

COMMUNITY SERVICES

- Canada has a broad range of community services available to its citizens. These programs were won through the efforts of past generations of Canadians demanding action from their governments. They were paid for collectively through a progressive tax system.
- Community services strengthen our democracy by reducing the amount of inequality between citizens.
- In 1995, the federal Liberals introduced the Canada Health and Social Transfer (CHST) which cut over \$7 billion in transfer payments for things like health care, post-secondary education and social services. Continued underfunding has devastated these programs. The impact of underfunding can be felt in every community and in almost every family. As a result we are seeing increases in the number of homeless, inmates, youth, and seniors waiting for support and adults struggling with a crisis alone and in silence.
- Since there isn't a built-in reporting mechanism with transfer payments, it is difficult to determine how much is spent on community services but we do know that the provinces and municipalities have been left to try to pick up the pieces. The current funding is inadequate. Underfunding community services results in large sums being paid out to deal with someone in crisis who is now in our hospitals, jails, or nursing homes.
- The workers who care for people in our communities are some of the lowest paid across Canada. These jobs lack benefits, job security, pensions and often pose health and safety risks. The pressure of caring for some of the most vulnerable in society can impact worker's health and that of their families.
- Unfortunately, people know very little about the important role that community services and the workers play in our communities, unless they benefit from their efforts. Many of these services are delivered in isolation from each other. Or worse, these services are forced to compete with each other for funding.
- A reinvestment in public social services is the only way to ensure people receive the care they need. Stable, adequate funding from federal and provincial governments would increase services available to those in need, improve working conditions and provide workers with decent wages and benefits including a pension plan.

SENIOR CARE IN CANADA

- It is estimated that in 2036, between 23%–25% of the Canadian population will be 65 or over—double the share in 1990.
- Currently Canada does not have an effective seniors' care strategy, nor do we have a health care human resources strategy to address our aging population.
- We have a patchwork of services that offer support to seniors but nothing that helps people transition easily through the stages. We continue to lack the expertise and adequate services to manage the increase in complex conditions of seniors including a rise in Alzheimer's and dementia.
- Workers are facing pressure to accept reduced pensions, if they have any, in the form of defined contributions instead of defined benefits. Looking to the future this will have a devastating impact on the health and well-being of the elderly in Canada.
- Very few people are saving enough privately to cushion the loss of full-time income. People are delaying retirement but are also working for less.
- As the demographics shift, there will be a dramatic increase in the use of our social and health services putting further pressure on our existing systems.
- As governments cut back and increase their tax breaks to the wealthy and corporations, our public services suffer. The lack of affordable housing and the high cost of private assistance eat into whatever savings seniors may have.
- We need a federal government that provides adequate funding for health and seniors' care across the country. The government needs to listen to frontline health care and community service workers to ensure the needs of seniors and their families are being met.

CANADIAN PUBLIC POLICY

MENTAL INJURY (PTSD)

Terms:

- **Mental Injury:** clinically significant symptoms of mental disorder from exposure to traumatic events—e.g., post-traumatic stress disorder, major depressive disorder, panic disorder, anxiety disorder
- **Public Safety Personnel (PSP):** typically defined as correctional workers, firefighters, paramedics, municipal/provincial police, RCMP
- **Justice Workers (JW):** broader category than PSP—those who work in similar conditions of law enforcement, or under the rubric of public safety occupations & justice systems. So, the term *justice workers* refers to all PSP, as well as, call centre operators, probation officers, sheriffs, highway safety officers, and conservation officers.

Data on Mental Injury

Credible empirical evidence—in the *Canadian Journal of Psychiatry* (2018) & *Canadian Journal of Behavioural Science* (2019) shows that JW have substantially more difficulties with mental disorders than the general population:

- Some JW are almost 4.5 times more likely than the general population to screen positive for clinically significant symptoms consistent with one or more mental disorders (44.5% compared to 10.1%).
- For others, rates are higher: among all JW, those with the highest-reported symptoms of mental injury are **correctional workers**: 55% report symptoms consistent with at least one mental disorder.

Cross-Canada Comparison—Existing Policy Framework: presumptive coverage

Despite progress regarding laws on presumptive coverage, public policy needs improvement. Since workers' compensation is the constitutional jurisdiction of provinces and territories (hereinafter *jurisdictions*), there's disparity across Canada: no consistency regarding type(s) of mental stress covered, triggers, scope of presumption(s), type of disorder(s), and type(s) of worker covered. This hodgepodge highlights flaws in the way mental injury is addressed: workers are not treated equally.

- Resources focus almost exclusively on 1 type of mental disorder (PTSD) neglecting other mental injuries.
- Some jurisdictions cover any mental disorder; others cover only PTSD.
- Some jurisdictions cover any worker exposed to workplace trauma or stressors; others cover only some workers (for example PSPs).

- Some jurisdictions cover both acute and chronic onset mental injuries that develop gradually and cumulatively over time, while others cover acute events only, ruling out any chronic mental stress.
- Some jurisdictions cover mental injuries triggered by traumatic events and workplace stressors; others cover injuries triggered only by traumatic events.

ANTI-AUSTERITY

Overview

- The increase in public spending and the drop in government revenues during the COVID-19 pandemic means government budget deficits at both the federal and provincial level have increased.
- Predictably this has led business groups and the think tanks they fund to call for austerity policies to be introduced now or as soon as the pandemic is under control.
- The call for austerity policies ignores the fact that very little of the spending is from provincial sources and that there is a lot the federal government can do to increase revenue.
- If austerity policies are introduced, it will cause considerable pain for working people and will delay the recovery from the economic downturn caused by the COVID-19 pandemic.

Public spending and government revenues

- Because only a small percentage of the spending on measures to respond to the pandemic came from provincial sources, provincial governments cannot legitimately use the pandemic to justify austerity policies.
- Research by the Canadian Centre for Policy Alternatives shows that over 90% of spending to respond to the COVID-19 pandemic came from the federal government.
- That includes almost \$24 billion that was transferred to provincial governments and was repackaged as provincial spending.
- On the revenue side, when many large corporations and wealthy individuals aren't paying their share in taxes, tax fairness measures provide an alternative to austerity policies.

Austerity will delay the recovery from COVID-19

- Cuts to public services that come with austerity policies will make life more expensive for low- and middle-income Canadians.
- Public sector workers will see restrictions on compensation and layoffs.
- In both cases, austerity policies will take money out of communities and, as a result, slow or even prevent a recovery from the economic effects of the pandemic.

MANUFACTURING STRATEGY

COVID-19 has shown the need for a manufacturing strategy

- The COVID-19 pandemic has shown the need to rebuild Canada's manufacturing sector.
- Early in the pandemic, our country's reliance made it harder to get the personal protective equipment essential workers needed.
- More recently, the lack of drug manufacturing facilities means that Canadians will be waiting longer for the COVID-19 vaccines.

“Hands off” approach to the economy

- Since the 1980s successive governments have taken a “hands off” approach to the economy.
- The only role for government in the economy was cutting taxes and negotiating trade and investment agreements.
- As a result, over the last 40 years, manufacturing employment as a percent of all jobs has dropped by over 50% with a net loss of over 400,000 jobs.

Role for government

- Federal and provincial governments need to relearn of the lesson Canadians learned during World War II – that governments have a vital role to play if the economy is to meet the needs of Canadians.
- In the 1940s, government intervention ensured we were able to fight fascism.
- Today, government intervention is needed to make sure no one is left behind as we recover from the downturn caused by the COVID-19 pandemic and transition to a green economy.

INCOME INEQUALITY

- High income inequality hurts us all. It has shot up by 10% since the 1980s to the highest level since just before the Great Depression—and we're all suffering as a result.
- A growing body of evidence shows that there are a variety of consequences when income inequality is this high: people become less healthy, less well educated, less social, and less safe. The economy suffers too: high income inequality means less growth and less prosperity.
- Fortunately, high income inequality is not inevitable. It is the direct result of decisions made by governments. Unfortunately, recent Liberal and Conservative governments have made a variety of decisions that have worsened income inequality in Canada.

These decisions include:

- Cutting taxes to corporations and the wealthy
 - Cutting and privatizing public services
 - Restricting labour and other human rights
 - Taking a hands-off approach to industrial development, giving corporations free rein to exploit workers and the environment alike
- It is time for a government that will make decisions designed to reduce income inequality to a less destructive level.

We need:

- Tax fairness – We don't have a spending problem, we have a revenue problem. Every time a government promises to cut taxes for the wealthy and corporations, it is giving away money meant for serving the public.
- Investment in public services – Public services like health care, education and social assistance programs help everyone in society play a contributing role to our economy and our communities. Public services ensure that everyone can build a prosperous and productive life, no matter how wealthy their parents, where they were born, or the colour of their skin.
- Good jobs – One of the most important responsibilities for a government is ensuring full employment—that people are able to work at safe, sustainable jobs that have decent wages. We need a government that will

reverse the trend that encourages tax cuts for corporations. Government must play a key role in guiding, supporting, and investing in industries that provide solid and sustainable jobs.

- Strong labour rights – Research has shown that strong labour rights improves democracy in a country. They allow workers to speak their minds and assert their rights. This leads to higher wages for union and non-union workers, lowers inequality, creates a stronger economy, and increased equality for women, people with disabilities, people in the LGBTQ2SI and visible minorities. Governments need to make it easier for people to join a union, bargain collectively, and exercise their *Charter* right to strike.

PRIVATIZATION

What is privatization?

- Privatization is the selling off of assets (roads, utilities) or contracting out services.
- Newer methods of privatization are things like public-private partnerships (P3 privatization schemes) and social impact bonds (SIBs) and proponents try to deny they are privatization.
- All methods of privatization turn public services into an opportunity for private profit taking.

Why it's Taking Place?

- Privatization originated with conservative ideologues who believed private companies rather than governments should provide services.
- Now it's being pushed by those profiting from privatization, including banks, accounting firms, law firms, consultants, and lobbyists.
- The (false) claim that there isn't the money to adequately fund public services has made people who are having difficulty getting the services they or their families need, desperate enough to embrace any change.

Higher Costs

- Additional costs that come with privatization include profits for investors and the extra layers of administration needed for privatization schemes.
- Because governments can borrow at lower rates of interest, borrowing costs are higher when services are privatized—particularly for infrastructure projects.

Poorer Service

- Because the only way privatization can reduce costs is cutting services, quality suffers when services are privatized (unless governments increase funding after privatization).
- Cuts to wages and benefits that come with privatization further harm quality by increasing staff turnover and causing staff shortages.

Loss of Accountability

- Key information about privatization schemes is kept hidden, with “commercial confidentiality” (protecting the interests of companies wanting to run privatized services) used as the excuse.

TAX FAIRNESS

Overview

- Loopholes, tax havens, and tax cuts mean that the wealthiest 1% pay a lower overall effective tax rate than everyone else.
- These gaps in the tax system also benefit large corporations.
- Allowing the wealthy and large corporations to avoid paying their share means problems like the underfunding of public services and income inequality get worse.

Tax Loopholes

- 5 of the worst loopholes in the tax system cost the federal government over \$16 billion a year in lost revenues, but only benefit a small number of individuals.
- These are: the stock option deduction; the business meals and entertainment expense deduction; the corporate dividend tax credit; and taxing capital gains at a lower rate than earned income.

Tax Havens

- Tax havens are countries or US states where tax rates are very low or are non-existent.
- Large corporations and wealthy individuals avoid paying taxes by shifting money to tax havens.
- Canada is losing between \$12.5 billion and \$68 billion a year in tax revenue and Canadian corporations have at least \$353 billion in tax havens.
- A study by the Tax Justice Network estimated that, globally, the amount lost to tax havens every year is equivalent to the annual salaries of 34 million nurses—and this is a conservative estimate.
- All political parties talk tough on tax havens, but to date governments have not provided the funding, political will, and changes to tax laws needed to successfully prosecute those using tax havens.

Income Tax Rates

- In the last 20 years the rate for federal corporate income taxes has dropped from 28% to 15%.
- Cuts to tax rates have disproportionately benefited those with higher than average incomes—for example, only people earning over \$97,000 received the full benefit of the “middle class tax cut.”

- While it was claimed, cutting income tax would stimulate the economy, this has not happened in practice—instead income inequality has increased and corporations are sitting on billions in “dead money.”

COVID-19 and a Wealth Tax

- Since the COVID-19 pandemic began, the wealth of billionaires in Canada has increased by over \$53 billion
- A wealth tax would help address that increase in income inequality, as well as generating almost \$20 billion in new revenue
- COVID-19 has also shown the consequences of failing to modernize the tax system to respond to the business models used by multi-national digital companies
- Multi-national digital companies like Amazon are making record profits, but gaps in the tax system allow them to avoid paying the taxes their competitors based in Canada are paying

PENSION SECURITY

Canada Pension Plan (CPP) Overview

- Until 2019, CPP pensions were 1/4 of average work earnings up to the maximum annual pensionable earnings (\$61,600 in 2020).
- The phase in of the CPP enhancement started in 2019 and will gradually raise benefits from 1/4 to 1/3.
- The maximum annual pensionable earnings will also increase.
- There are provisions for some years with low earnings to be excluded from the pension calculation, including for years that people were primary caregivers of children under 7.

CPP Enhancement

- The increases in contributions for the CPP enhancement are being phased-in between 2019 and 2025.
- Because the benefits each person receives are based on what they contributed, the increase people receive as a result of the enhancement will depend on how many years they are making the increased contributions.
- This is an improvement, but the original goal of the labour movement was increasing CPP benefits to half of average work earnings.

Old Age Security (OAS)

- Everyone who is 65 and over, and whose income is less than the Maximum Income Recovery Threshold (\$126,058 in 2020) is eligible. For incomes above the Minimum Income Recovery Threshold (\$77,580 in 2020), an increasing portion of OAS payments are clawed back—the official term is “recovery tax.”
- Payments are also reduced for people who have lived in Canada for less than 40 years as adults at the time they apply.
- At the beginning of 2020, the maximum monthly payment was \$ 615.37 a month.

Guaranteed Income Supplement (GIS)

- GIS is a non-taxable benefit for people with low incomes.
- The amount people receive is based on income.
- An individual would need to have an income of less than \$18,648 (excluding OAS payments) to be eligible for even a very small payment.

Most Canadians Aren't Able to Save Enough for a Secure Retirement

- Only 37.5% (23% of private sector workers) of Canadians have workplace pensions and this percentage is steadily dropping.
- Less than half of workers without pension plans contribute to RRSPs and in many cases what people are contributing won't provide enough for a secure retirement.

Different Types of Pension Plans

- Even for workers with pensions, different types of pensions provide very different levels of retirement security.
- Defined-Benefit (DB) Pension Plans offer workers the greatest security because benefits are guaranteed and shortfalls in the pension fund are made up by increasing premiums rather than cutting benefits.
- With Defined-Contribution (DC) Pension Plans, the amount people receive in retirement varies depending on how well plan investments do and there is a danger people will outlive their pension savings.
- Target Benefit (TB) Plans fall between two, with the goal being made to provide a benefit that is a certain percent of pre-retirement income, but with shortfalls in the pension fund made up by cutting benefits.

Protecting Pension Plans in Bankruptcy Proceedings

- Under current federal legislation, when companies enter bankruptcy protection or are wound up, unfunded pension liabilities are only paid after all other creditors get their money.
- On a number of occasions, this has resulted in workers and pensioners seeing their benefits reduced.
- To date, the federal government has refused to amend the *Bankruptcy and Insolvency Act* (BIA) and the *Companies' Creditors Arrangement Act* (CCAA) so workers and retirees have priority in insolvency proceedings.

Legislation undermining DB Pension Plans

- The last two governments (the Harper and the first Trudeau government) introduced legislation to make it easier for employers to convert DB plans to TB.
- The legislation was never passed, but there remain concerns it could be revived.

EQUALITY AND HUMAN RIGHTS

LABOUR RIGHTS IN CANADA

- Labour rights in Canada have been under consistent attack by right-wing governments and their allies.
- Fortunately, recent Supreme Court rulings have bolstered charter and human rights arguments for labour rights in Canada, including the right to strike, the right to choose their own union, and protecting collective bargaining rights.
- Unfortunately, right-wing provincial governments have targeted public servants, claiming budget deficits, even as they implement large tax breaks for corporations and the wealthy.
- Right-wing provinces are increasingly implementing legislation that clearly violates workers' constitutional and charter rights.
- This includes imposing wage restrictions on collective bargaining, thus violating the core principles of collective bargaining. They are also using back-to-work legislation and essential services legislation as means to undermine workers' rights.
- Manitoba, Nova Scotia, Ontario, and Alberta have all pushed forward wage restraint legislation which completely undermines authentic collective bargaining. Each of these cases is being challenged in court, but that is very expensive and takes years. In the interim, government negotiators are demanding adherence to these wage restrictions, even though they may not yet even have the force of law.
- Related to these legislated attacks, we have also seen an increased willingness by governments to use Section 33 of the Charter, the 'notwithstanding clause', allowing provinces to temporarily override charter rights.
- The Kenney government in Alberta has passed legislation, known as Bill 32, that is clearly anti-union. It will require unions to release itemized financial statements and require members to opt in to the portion of their union dues used for "political and general social causes." The legislation signals a move towards a US-style approach to labour relations.
- The Pallister government in Manitoba recently introduced changes to the *Labour Relations Act* that would make it easier to decertify workplaces, eliminate binding arbitration except for first collective agreements, and require public sector unions to disclose where staff and officers earn over \$75,000 per year.

- The New Labour Trilogy, as the recent Supreme Court rulings are known, provide some clear victories for Canadian workers, but it is good to understand that these victories can also be overturned and even ignored if workers do not push for our laws to be respected. The Supreme Court clearly affirmed that workers' rights are protected under Section 2(d) of the Charter.
- Internationally, Canada has finally signed on to ILO Convention 98: *The Right to Organize and Collective Bargaining Convention, 1949*. This a positive step forward, but again requires vigilance from workers to demand governments respect their international obligations.

RACISM IN CANADA

General

- It's important not to generalize when talking about racism as you run the risk of homogenizing the experiences of different ethnic groups (i.e. the experience of Black people with anti-Black racism has different elements than the experience of Indigenous peoples with anti-Indigenous racism).
- HSABC completed their 2020 Workplace Racism Survey and wrote *Confronting Racism with Solidarity*. The survey found that racist remarks, comments, and behaviours at work are widespread and pervasive. It also found that individual cases of institutionalized discrimination based on race are common, but difficult to prove. Formal reporting of workplace racism is very low, due to fear of backlash and because members don't feel their representatives are equipped to deal with problems of racism in the workplace.
- The lack of confidence in union reps on issues of racism were echoed from other Components at a meeting of NUPGE's Special Anti-racism Committee. Reasons for this lack of confidence were: because reps were from a different racial group and members were afraid, they wouldn't understand the issue, because reps lacked training on how to handle racism in the workplace, and because existing union mechanisms don't do enough to protect BIPOC workers.
- In 2016, racialized women had the highest unemployment rate at 9.6%, followed by racialized men at 8.8%, non-racialized men at 8.2%, and non-racialized women at 6.4%. Overall, in 2016, the racialized population had an unemployment rate of 9.2% compared to the non-racialized rate of 7.3%.
- According to Statistics Canada, in July 2020, South Asian (17.8%), Arab (17.3%), and Black Canadians (16.8%) had the highest rates of unemployment. It should be noted that "Arab" is the only non-race to appear on this list. Statistics Canada states that it's a list of the unemployment rate of "population groups".
- Research from the University of Toronto has revealed a tendency for Canadian employers to discriminate against applicants with non-anglophone sounding names.
- Many institutions and workplaces have good policies in place to fight obvious forms of racism, but few have policies to fight racially motivated microaggressions, and many fail to recognize microaggressions at all. This makes it exceedingly difficult for racialized persons to speak up against microaggressions. Racialized workers who report microaggressions often experience gas lighting and are told they're imagining the problem, or are

labelled as angry or difficult to work with by employers who fail to comprehend the situation. The amount of emotional energy expended and the fear of blowback, or job loss, means many microaggressions go unreported. Statistics Canada does not currently track microaggressions, though independent MP Celina Caesar-Chavannes has spoken openly about microaggressions occurring on Parliament Hill.

- In July 2020, two protesters were attacked during a Black and Indigenous Lives Matter protest in Winnipeg. The two white women involved in the attack were charged with two counts of assault.
- Between April and June 2020, at least 4 people of colour died during police wellness checks in Canada.
- CBC News reported that 70% of the 461 people who died during encounters with police between 2000 and 2017 suffered from mental health or substance abuse problems. They also reported that Black and Indigenous people were over-represented in these deaths.

COVID-19 and Anti-Asian Racism

- Though it already existed, COVID-19 has led to a rise of anti-Asian racism. A survey of more than 500 Canadians of Chinese ethnicity reported 50% report being called names or insulted as a direct result of the pandemic and 43% further say they've been threatened or intimidated.
- A report from the Chinese Canadian National Council - For Social Justice issued in September 2020 found that Canada has a higher number of anti-Asian racism reports per capita than the United States.
- Many racist incidents towards Asians were actually two-pronged, as Asians of non-Chinese descent were harassed or assaulted due to mistakenly being thought to be Chinese.
- More than half of the respondents in the Asia Pacific Foundation of Canada's annual opinion survey felt like anti-Asian racism is unlikely to go away after the pandemic ends.

Anti-Black Racism

- After George Floyd was killed as a result of excessive force by police officers, a wave of Black Lives Matter protests swept the world, including Canada.

- 2 days after Floyd's death, a Black Indigenous woman named Regis Korchinski-Paquet fell to her death while police were responding to a call at her address. A rally was organized in Toronto in response to her death and to protest other instances of anti-Black, anti-Indigenous racism. In August 2020, the Special Investigations Unit (SIU) cleared the police of any wrongdoing in Korchinski-Paquet's death. In December 2020, Korchinski-Paquet's family filed a complaint with the Office of the Independent Police Review Director (OIPRD) asking for the agency to recommend an investigation into various aspects of the case, and the SIU's response, centering on allegations of police misconduct and neglect of duty. The incident also questions police readiness to respond to incidents where mental illness is a factor, as Korchinski-Paquet's parents are quoted as saying "she was living with a disability she did not understand; and the side effects of which she could not control".
- In July 2016 Abdirahman Abdi, a Somali-Canadian, died during an encounter with the Ottawa police. SIU charged the officer involved in the incident with manslaughter, aggravated assault and assault with a weapon. In October 2020, the officer was acquitted of all criminal charges, after which groups like the Justice for Abdirahman Coalition issued calls to reform and defund the police. Abdi's family said Abdi struggled with mental health.
- In 2016, a 6-year-old Black girl was handcuffed by police at an elementary school. The Ontario Human Rights Tribunal has awarded \$35,000 in damages to the child and Peel police recently entered into a memorandum of understanding (MOU) with the Ontario Human Rights Commission requiring the force to make changes in how it provides services to children under 12.

Anti-Indigenous Racism

- The Canadian Anti-Hate Network marked an uptick in far-right activity during the conflict in the Wet'suwet'en Nation and solidarity protests throughout Canada.
- Hundreds of comments urging for people to run protestors over for blocking roads and railways were posted on social media and under articles covering the protests.
- Mi'kmaq fishers were subject to harassment, assault, and property damage during the conflict with non-Indigenous fishers over the Sipekne'katik First Nation's moderate livelihood fishery. Sipekne'katik leaders said the RCMP didn't do enough to stop the vigilantism. Harassment and violence against Mi'kmaq fishers continued around Pictou Landing's moderate livelihood fishery where a Mi'kmaw fisher was shot at in December 2020.

- In 2017, a white man threw a trailer hitch out of a moving car and struck Barbara Kentner in the abdomen. Kentner’s sister heard the assailant say “got one” as the car drove away. Kentner was forced to undergo emergency surgery and required medical care for the rest of her life. She died in July 2017. The assailant was found guilty of manslaughter at a trial in 2020. His sentencing has been scheduled for February 9, 2021.
- In 2008, Brian Sinclair was sent to the Health Sciences Centre’s Emergency Department in Winnipeg for a routine catheter change. 34 hours later he was found dead in his wheelchair, waiting to be seen. Health care workers had, “assumed Sinclair was drunk and “sleeping it off,” had been discharged previously and had nowhere to go, or was homeless and had come to avoid the cold.” The inquest into Sinclair’s death concluded in 2014 with 63 recommendations to overhaul the emergency department, but was criticized by Sinclair’s family for not addressing the racial stereotypes that led to Sinclair’s death.
- In September 2020, Joyce Echaquan died in a Quebec hospital, shortly after livestreaming healthcare workers making racist comments directed at her. An investigation has been launched into her death. Premier François Legault apologized to Echaquan’s family, but denied that systematic racism existed in Quebec.
- In October 2020, Georges-Hervé Awashish died in a Quebec hospital. In the days before his death, he reported hearing nurses laughing about Echaquan’s death and said, “we have an Indian here too,” presumably in reference to Awashish. Awashish was moved to a different floor and his family was in the process of having him transferred to a different hospital. The regional health authority that oversees the hospital ordered an external investigation and concluded that the hospital “has nothing to reproach itself for with respect to the delivery of care and services”.
- In March 2020, Chief Allan Adam of the Athabasca Chipewyan First Nation was approached by the police in a casino parking lot for having expired licence plate stickers. Dashcam footage shows nearly 12 minutes of the incident, which includes Adam saying he’s tired of being harassed by the RCMP, and one of the officers taking a flying leap at Adam, tackles him to the ground, and punches him repeatedly in the head. Adam was arrested and charged with resisting arrest and assaulting a peace officer. The charges were dropped in June 2020. The officer

that inflicted the majority of the violence faced charges of assault, mischief, and unlawfully being in a dwelling house from an incident in 2019. Those charges were dropped after the officer agreed to enter into a one-year peace bond that includes mandatory domestic violence counselling. The officer remains on active duty.

RISE IN HATE CRIMES IN CANADA

General

- According to Statistics Canada, hate crimes have been steadily rising in Canada since 2014.
- In 2017, police-reported hate crimes jumped up 47% from the previous year, from 1,409 to 2,073.
- In 2018, the number of police-reported hate crimes dropped to 1,798, but Statistics Canada warned that 2018 still saw the third-highest number of police-reported hate crimes since data collection began in 2009.
- In 2019, police-reported hate crimes rose to 1,946. Race or ethnicity remains the largest given motive for the crime, followed by religion and sexual orientation.
- Statistics Canada notes that the majority of hate incidents in Canada (approximately 2/3rds) go unreported.
- The data Statistics Canada collects on hate crimes is grouped into categories: race or ethnicity, religion, sexual orientation, language, disability, sex, age, other similar factor (such as profession or political beliefs), and unknown motivation. This means we are unable to gain insight into hate crimes related to gender identity, real or perceived race or religion (e.g. mistakenly identifying NDP leader Jagmeet Singh as Muslim and shouting Islamophobic slurs when he is actually Sikh), and other, more specific categories.
- The data from Statistics Canada is also not intersectional so there's no way of knowing if people were targeted for two or more elements of their identity.
- Additionally, there is no standard definition of what constitutes a hate crime in the Criminal Code. The Criminal Code includes, "recognition that the action was motivated by hatred," but a hate crime isn't a chargeable offence. Previously, Section 13 of the Canadian Human Rights Act dealt with online hate crime, but the provision was repealed in 2013 by the Harper government over criticism that it was too broad and potentially infringed on freedom of speech.
- This means how crimes are identified as hate-motivated differs from region to region and even among police officers investigating complaints.
- It also means it's impossible to get a clear picture of how prevalent hate crime really is and where we should be funnelling resources and counter-measures.

- These crimes are not occurring in isolation. They are increasing as more politicians are claiming that it's acceptable if people from particular ethnic or racial groups are excluded or not entitled to share in our country's wealth. And as we are seeing, if hate crimes are left unchecked, they will increase in severity.
- A report from Statistics Canada stated in 2017 that of the hate-crime incidents reported to police in that were solved, 61% were cleared with charges laid and 39% were "cleared otherwise," meaning an accused was identified but charges weren't laid. In addition, between 2009 and 2017, Statistics Canada recorded only 37 hate-crime cases that were completed in courts; of the few cases that ended in a finding of guilt, the accused was mostly sentenced to probation.
- Most of those accused of hate crimes in Canada are young, and typically male. The median age of those accused of hate crimes is 25, and teenagers – those between the ages of 12 and 17 – comprised a quarter of all people accused of hate crimes between 2010 and 2017. Of youth accused of hate crimes, 85% were male. This is worrisome as it seems to indicate perpetrators are consuming hate material online. New strategies must be created to address this trend.
- The age of perpetrators varied depending on the crime. The median age of those accused of hate crimes targeting sexual orientation was 23, while the average age of those accused of targeting the Muslim community was 42.
- Those targeting transgender or asexual people were more often violent, with 74% of incidents involving a violent violation.
- On April 23, 2018 a Canadian man killed 10 people and injured a further 16 in an event now called the Toronto van attack. The majority of the victims were women. The case is currently waiting for a verdict as to whether the attacker can be held criminally responsible for his actions due to his being on the autism spectrum. Regardless of the outcome of the trial, the attacker said he had spent time on incel ("involuntarily celibate" men who harbour an extreme hatred for women) forums since 2015. He claims that he doesn't believe in incel ideology and that the victims of the attack were random, but he did say that should he commit a second attack in the future, "he would probably target women between the ages of 18 to 30 to be consistent with his media narrative." He also knowingly tied his attack to the incel movement by posting a message about the "incel rebellion" on Facebook prior to the attack, claiming he knew it would bring increased notoriety to his attack. The long-lasting effects of tying his attack to the incel movement remain to be seen.

Islamophobia

- In June 2016, during Ramadan, the Great Mosque of Quebec City was the location of a high-profile hate crime and Islamophobic attack when a pig's severed head was left outside the mosque. In January 2017, a terrorist entered the mosque during prayer hours where he shot and killed 6 Muslims and injured 19.
- Liberal MP Iqra Khalid introduced a private member's motion (which is not legally binding like a bill which can become law), M-103, calling for Parliament to "condemn Islamophobia and all forms of systemic racism and religious discrimination."
- While a similar NDP motion had passed previously, M-103 became a lightning rod for anti-Muslim backlash, with Khalid personally receiving thousands of hateful emails and death threats. While it eventually passed in the House of Commons in March 2017, the racist reaction of some politicians, organizations, and citizens served to emphasize the deep-seated Islamophobic sentiment that exists in Canada.
- The New Zealand terrorist who attacked 2 mosques in March 2019 (killing 51 people and injuring a further 49) referenced the Quebec Shooter in his action.
- In 2019, Quebec passed Bill 21. The bill's stated goal was to eradicate religious symbols in the public sector. In the months that followed, many organizations reported an increase of hate-fuelled incidents against Muslims, particularly Muslim women who wear a hijab or niqab.
- In December 2020, two separate attacks on Black Muslim women occurred in Edmonton less than 2 weeks apart.

Anti-Semitism

- Statistics Canada reported that hate crimes targeting the Jewish population accounted for 19% of hate crimes in 2018, making them the most targeted group in 2018.
- In 2015, Toronto Police Services reported that 23% of the hate crimes reported within the city were against Jewish people. Jewish people only make up 3.8% of the religious population of Toronto.
- B'nai Brith Canada recorded 2,207 anti-Semitic instances against Jewish people in 2019. It marked the fourth year in a row when anti-Semitic instances rose in Canada and the second consecutive year in which more than 2,000 incidents occurred. This suggests that Canada has reached a new baseline for anti-Semitism.

- Of the 2,207 anti-Semitic instances, 91.1% were harassment, 8.2% were vandalism, and 0.6% were violent. 83.2% of anti-Semitic harassment occurred online.

INDIGENOUS SOVEREIGNTY AND RECONCILIATION

Access to clean water

- The Safe Drinking Water for First Nations Act was passed in June 2013 and came into force in November 2013.
- As of February 15, 2020, the federal government reports lifting 98 long-term drinking advisories since 2015.
- There are still 58 long-term drinking water advisories in effect in 40 communities.
- The federal government previously maintained that all long-term drinking water advisories on reserves will be lifted by March 2021. In December 2020, Prime Minister Justin Trudeau stated that advisories would remain in approximately a dozen communities after March 2021. Indigenous Services Canada expects 22 to remain after the March 2021 deadline.
- But even reserves not affected by long-term drinking advisories face problems of aging infrastructure and a lack of federal funds to upgrade or replace systems.
- The federal government continues to push the idea of P3s to manage water on reserves, despite P3s coming with a long history of being more expensive than public services and delivering lower quality services.
- P3s also bring a loss of community control and take jobs out of the community. In short, P3s work against Indigenous sovereignty and against the recommendations in the Truth and Reconciliation report.
- In October 2020, approximately 260 members of Neskantaga First Nation were evacuated after high levels of hydrocarbons were discovered in their water supply. The evacuated community members were allowed to return home at the end of December, though the 25-year long boil water advisory is still in effect.

Residential schools

- The Truth and Reconciliation Commission (TRC) was established to hear from Indigenous people about the damage done by the residential school system and to look at how to "redress the legacy of residential schools and advance the process of Canadian reconciliation."
- Many of the 94 Calls to Action issued by the TRC reflected the fact that the federal government has often failed to provide the funding needed for Indigenous people to receive the services that almost all other Canadians are able to rely on.

- The Indian Residential Schools Settlement Agreement (IRSSA) is the largest class action settlement in Canadian history.
- The federal government is still refusing to turn over some unredacted documents needed by residential school survivors to assess whether they should have their compensation cases reopened. Some of those documents are scheduled to be destroyed in early 2021.
- Despite inconsistent data and record keeping, we know that Indigenous children are removed from their families at a rate at least 10 times higher than non-Indigenous children.
- In 2013, it was estimated that 62,428 children were in foster care. It was also estimated that half of the children in the foster care system were Indigenous—despite Indigenous people only being 4.9% of the population of Canada.
- On September 6, 2019, the Canadian Human Rights Tribunal issued its 8th non-compliance order against the federal government for failing to compensate First Nations children and families who suffered as a result of discrimination in child welfare services.
- Intense opposition from Conservatives in the Senate caused Bill C-262 to die, preventing it from becoming law. Bill C-262 represented an attempt to have Canada align its laws with the global minimum human rights standards for Indigenous peoples (the United Nations Declaration on the Rights of Indigenous Peoples or UNDRIP). In November 2019, British Columbia became the first province to implement the UN Declaration, followed shortly after by the North West Territories.
- Conservative Senators also blocked Bill C-369, which would have designated September 30 as a statutory holiday known as the National Day for Truth and Reconciliation.
- In December 2020, Minister of Justice and Attorney General of Canada David Lametti introduced Bill C-15, an act respecting the United Nations Declaration on the Rights of Indigenous Peoples, which is based on Bill C-262. Bill C-15 has support from some Indigenous groups, but has faced criticism from others for failing to consult Indigenous people during the drafting process and for writing it in a way that places UNDRIP beneath existing Canadian law (i.e. UNDRIP would still be subject to the Canadian Constitution).

- Intergenerational trauma caused by colonialism, current policies, and the residential school system is continuing to affect Indigenous people. True reconciliation goes beyond recognizing the abuses inflicted by the residential school system and healing survivor trauma; it acknowledges the ongoing nature and impact of colonialism and actively works to remove it from current government policy.
- In 2019, 174 Indigenous people were victims of homicide, an increase from 141 in 2018. The risk of homicide for Indigenous people in 2019 was 6½ times higher than the risk of homicide for non-Indigenous people.
- In December 2020, the Commissioners of the Truth and Reconciliation Commission of Canada released a [statement](#) calling for greater urgency in implementing the calls to action. They also warned that there's a danger of losing the gains of the last 5 years.
- Similarly Marion Buller, the former chief commissioner for the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), said there's been a lack of action on the 231 Calls to Justice issued in the final report. The final report was published in June 2019. In December 2020, the MMIWG National Action Plan Core Working Group issued a statement saying work to develop MMIWG National Action Plan is underway.

DOMESTIC VIOLENCE AND THE WORKPLACE

- Domestic violence (DV) is synonymous with terms like intimate partner violence or spousal abuse. It is a pattern of behaviour used by one person to gain power and control over another with whom they have or have had an intimate relationship.
- It is encompassed within gender-based violence.
- Anyone can be a victim of DV, but women and girls are more likely to be affected, as are gender diverse people.
- The prevalence of gender-based violence, including DV, is disproportionately higher for women who are racialized, Indigenous, living with disabilities, transgender, immigrants, and refugees. Marginalized women and gender diverse people also face barriers in accessing supports and avenues for justice.
- Why is DV a workplace issue? For a person experiencing violence, it impacts all aspects of their life, and that includes their work.
- This was confirmed by the Pan-Canadian Survey on DV and the Workplace, conducted by the CLC and the Centre for Research and Education on Violence against Women and Children (CREVAWC).
- Of workers who have experienced DV most (81.9%) said that it negatively impacted their work performance, primarily because they were distracted, tired, or feeling unwell. Over half (53.5%) experienced some type of abusive act at or near the workplace (e.g., abusive calls or texts, stalking or harassment) and over 1/3 (37.1%) reported their co-workers were affected.
- Governments have a role to play. The ILO Convention 190 on violence and harassment in the world of work outlines steps governments can take to eliminate workplace violence, including measures to mitigate DV in the world of work. To date, Canada has not ratified Convention 190.
- In Canada, protections for workers experiencing DV are piecemeal. DV leave has become a key policy tool. Time off may be essential to leaving an abusive partner, finding housing, and/or caring for children. Legislated DV leave now exists in every province, in the Northwest Territories, and for workers in federally regulated industries, though the number of days and whether leave is paid or unpaid varies. Where legislation doesn't exist, some unions have bargained for DV leave. Advocates continue to call for paid DV leave in all jurisdictions. NUPGE's publication *Domestic Violence, Workers, and Workplaces* provided an overview of domestic violence and how it affects workers and workplaces in Canada.

- There are many other factors and corresponding policy areas that relate to DV and responses to it (e.g., job insecurity, pay inequity, child care, housing, and health may impact a person's ability to leave an abusive situation).
- Access to affordable housing and adequately-resourced shelters, transition houses, and community supports are crucial to one's immediate safety and long-term healing.
- NUPGE's publication *Domestic Violence and the Workplace: How Non-Canadian Jurisdictions Have Implemented Workplace Protections for Victims of Violence* highlighted that Canada needs to step up to the plate. There are several countries that are far ahead of Canada in providing the necessary provisions and protections for those that are trying to escape DV. It underscores the importance of dedicated domestic leave that is paid, flexible work arrangement and anti-discrimination provisions. NUPGE has developed a list of 8 recommendations which have been forwarded to the Prime Minister and to the provincial and territorial premiers.
- Unions have a role to play. Canadian unions provide support to members, fight for better protections, engage in research, education, and training, pressure employers to create workplace violence prevention programs or create their own, and advocate for legislative and policy change, and fight to eliminate gender-based violence.
- The COVID-19 pandemic has caused an alarming increase in domestic violence and the severity of violence being experienced (stabbing, strangulation and broken bones.) Government stay-at-home orders have increased isolation and made it difficult for victims to reach out for help such as shelters because the abuser is often at home full time. The demands on shelters in terms of capacity and in dealing with more severe cases of abuse have only increased as the pandemic continues. A national action plan to address domestic violence and gender violence is imperative.

TRANSGENDER AND GENDER-EXPANSIVE RIGHTS

Terms:

- **Gender Identity:** is each person's internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender identity may be the same as or different from their birth-assigned sex. Gender identity is fundamentally different from a person's sexual orientation.
- **Gender Expression:** is how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender.
- **Trans or Transgender:** includes, but is not limited to, transgender women (male-to-female), transgender men (female-to-male), transsexual, cross-dresser, gender non-conforming, gender variant, or gender queer.
- **Gender-Expansive:** is an umbrella term some people use to self-identify. A gender-expansive person could be transgender or have a non-binary identity, as well as, those whose gender in some way is seen to be stretching society's notions of gender. Not all people who are transgender self-identify as gender-expansive.

Highlights:

- 2017 amendments to the *Canadian Human Rights Act* and the *Criminal Code* were landmark decisions in the field of gender rights by adding "gender identity and gender expression" protected categories.
- Statistics on transphobia and mental health are bleak. A survey of trans people living in Ontario found that 96% of participants had heard that trans people were not normal, 73% had been made fun of for being trans, and 77% worried about growing old as a trans person.
- A national survey of trans youth found close to 70% of participants had considered suicide in the previous 12 months, which far exceeds the national average.
- Surveys and scientific studies have shown that people who live in their felt gender (i.e., the gender they identify with) have higher quality of life and better mental health.
- Yet only 15% of trans youth with a family doctor report feeling comfortable discussing their transgender-specific health needs.

- There is currently no universal way for Canadians to access gender-affirming surgery (formerly referred to as sex change surgery). Not all procedures are covered by health care (i.e., psychological assessments and surgeries deemed cosmetic) and there are high costs associated with travel and being absent from work during the recovery period.
- More psychologists, doctors, surgeons, and other front-line medical staff who are trained to handle all parts of the gender-affirming surgery process would be a great asset to cut down on wait times and costs associated with travel. Increasing medical and non-medical funding to support citizens as they transition would also be hugely beneficial.
- In 2018, Scotland became the first country in the world to embed the teaching of LGBTQI2S rights in the school curriculum. Their curriculum covers topics such as the history of LGBTQI2S movements, fighting homophobia and transphobia, and exploring LGBTQI2S identities. Canada needs to do more and embed lessons about LGBTQI2S in more than just the physical education curriculum.
- In a December 2019 mandate letter, Prime Minister Justin Trudeau has instructed Minister of Justice and Attorney General of Canada, David Lametti, to amend the *Criminal Code* to ban the practice of conversion therapy and take other steps required with the provinces and territories to end conversion therapy in Canada.

PAY EQUITY

- Pay equity is based on the principle that workers should receive equal pay for work of equal or comparable value.
- Despite progress, pay inequity (or wage inequality, gender pay gap, or wage gap) continues to exist in Canada. This means that, on average, women earn less than their male counterparts.
- Although the size of the gender pay gap varies, depending on the calculation method and which workers we look at, the gap is clear.

On average:

- When comparing hourly wages, women earn \$0.87 for every dollar that men earn.
 - When comparing annual earnings of full-time, full-year workers, women earn \$0.74 for every dollar that men earn.
 - When comparing annual earnings for both full-time and part-time workers, women earn \$0.69 for every dollar that men earn.
- Multiple gaps: pay inequity is greater for racialized women, Indigenous women, women with disabilities, immigrant and migrant women, and LGBTQI2S people.
 - Pay inequity is the result of gender bias that leads to the devaluing of women's work. Women may be outright paid less than their male counterparts for the same work.
 - Women are over-represented in low-paying jobs. Wage discrimination is present in occupations with a higher percentage of women workers (e.g., health care, child care, teaching, administrative work, retail, and food services).
 - Women are more likely to work part-time and to work fewer hours, on average, than men due to gendered caregiving responsibilities. Although their participation in the labour force has increased over time, women continue to do the bulk of unpaid care work—often referred to as the “double burden” or “second shift.”
 - The gender wage gap grows when women experience career interruptions due to caregiving responsibilities, known as the “mommy tax” when women take time off to have or care for children. The lack of affordable child care affects pay continuity and progression, employment security, and retirement income.

- Pay secrecy is an obstacle and perpetuates a system of gender discrimination.
- Unionization is shown to lessen the gender pay gap.
- The labour movement has advocated for legislation guaranteeing pay equity. Most provinces have legislation that applies to the public sector, though details vary.
- In December 2018, federal legislation for pay equity (applying to federally regulated workplaces) received royal assent. Implementing the *Pay Equity Act* is included in the new Minister of Labour, Filomena Tassi's mandate letter.
- Complementary programs and supports are needed to address the wage gap such as: universal public early learning and child care, adequately funded parental leave, supports to Indigenous communities, and reducing or eliminating tuition.
- Pay equity is a way of eliminating discrimination in the wage-setting system and honouring human rights, reducing the income inequality women experience, and strengthening women's economic independence.

INTERNATIONAL ISSUES

TRADE AND INVESTMENT AGREEMENTS

Definitions & Acronyms: 4 major treaties on trade and investment

- **The Canada-US-Mexico Agreement (CUSMA)** entered into force on July 1, 2020. CUSMA replaces the North American Free Trade Agreement (NAFTA) between Canada, USA, and Mexico which entered into force on January 1, 1994. NAFTA, in turn, replaced the Canada-United States Free Trade Agreement which came into force January 1989
- **Comprehensive Economic and Trade Agreement (CETA):** Canada & the European Union, in effect provisionally since September 2017.
- **Comprehensive & Progressive Agreement for Trans-Pacific Partnership (CPTPP),** formerly TPP: Canada + 10 Pacific Rim countries, entered into force December 2018.
- **Canada-UK Trade Continuity Agreement (Canada-UK TCA)**
On November 21, 2020 Canada signed a Canada-United Kingdom Trade Continuity Agreement, an interim post-Brexit trade agreement. It substantively replicates CETA, modifying it as necessary to suit a bilateral context.

Aim/Design of agreements: liberalize trade and foreign direct investment

- Facilitate trade and eliminate trade barriers by eliminating tariffs either immediately or over a certain number of years.
- Designed to *liberalize* sectors of economic activity, or goods and services

Reality of “Free Trade”

- Some studies show tiny impact on overall growth of the economy.
- The removal of tariffs is a very small part of these agreements—so they actually have little to do with trade—many regulatory provisions affect all regulations even if not trade related.

Dangers/Concerns

Overall concerns:

Creates and enforces comprehensive, complex, bureaucratic, confusing regimes of rules and obligations each country must follow guaranteeing rights/powers of investors.

Specific concerns:

- Weakens public safeguards and is a threat to public safety (CCPA research).
- Erodes/threatens quality public services through specific mechanisms designed to lock in liberalization and privatization (once privatized, cannot be reversed).

THE ROHINGYA GENOCIDE

- The Rohingya are an ethnic minority in Myanmar (also known as Burma). At the beginning of 2017, there were around 1 million Rohingya living in Myanmar.
- Rohingya Muslims make up the largest number of Muslims in Myanmar, a predominantly Buddhist country.
- Although the Rohingya have lived there for generations, the Myanmar government has denied them citizenship, viewing them as illegal immigrants from Bangladesh.
- In August 2017, the Myanmar military launched a crackdown, committing mass rape, torture, and murder of the Rohingya, and destroying their villages. Rohingya women and girls have been systematically targeted by these horrific acts of violence.
- The attacks caused over 700,000 to flee Myanmar, joining the hundreds of thousands previously driven out by violence. Many now live in refugee camps in Bangladesh.
- The United Nations (UN) has called the Rohingya's situation the world's fastest-growing refugee crisis. UN Secretary-General António Guterres has described the Rohingya as "one of, if not, the most discriminated people in the world."
- The situation has become widely considered to be an ethnic cleansing or genocide.
- In January, the International Court of Justice (ICJ) made an initial ruling in the case against Myanmar brought by The Gambia on allegations of genocide. The UN court ruled that the Rohingya face "serious risk of genocide" and called on Myanmar to "take all measures within its power" to prevent the atrocities against the Rohingya. In September 2020, Canada and the Netherlands announced their intention to intervene in the case before the ICJ.
- The International Criminal Court is also investigating Myanmar for allegations of crimes against humanity that drove out so many Rohingya.
- In April 2018, Bob Rae, Canada's Special Envoy to Myanmar, issued a report to the federal government. It called on Canada to take a leadership role by stepping up humanitarian and development efforts in both Bangladesh and Myanmar.

- In September 2018, the House of Commons unanimously voted to call the Rohingya killings a genocide. It also stripped Aung San Suu Kyi, Myanmar’s State Counsellor, of her honorary Canadian citizenship due to her role in the genocide. She had received honorary citizenship in 2007 for being a leader of her country’s opposition forces and for having spent nearly 2 decades under some form of house arrest.
- Human rights experts, social justice advocates, and labour unions in Canada have condemned the violence and called on their governments to take stronger action.
- Canadians and their elected officials have a moral obligation to speak out against these atrocities and to take action to hold Myanmar accountable, stop the genocide, and to support the Rohingya—both in Myanmar and those who have fled, including refugees here in Canada.

CURRENT STATE IN COLOMBIA

- Civil unrest and protests have been increasing in frequency in Colombia in recent months.
- This is linked but also exclusive of the issues related to the ongoing civil-war which raged for decades, leaving over 200,000 dead.
- The peace accord of 2016 was hopeful but the government has broken the agreement and there have been targeted killings of labour and left-leaning leaders by right-wing paramilitary groups.
- The right-wing government of President Duque has allowed over 1000 activists on the left, including Indigenous leaders, progressive activists, Revolutionary Armed Forces of Colombia (FARC) members and labour leaders, to be killed since the signing of the peace accords.
- The Canadian labour movement has long been concerned by the human rights violations in Colombia and ongoing attacks on union leaders and activists.
- FARC has responded by again taking up arms and this conflict has become intertwined with mass protests which began late last year after cuts to pensions were announced.
- There has been a number of national or general strikes in the last few months and labour has been at the forefront of mobilizing against the Duque government and demanding change in Colombia.
- Unfair free trade agreements, income inequality, attacks on public services including water privatization, attacks on Indigenous rights, attacks on labour leaders, and violations of the peace accords all work against lasting peace in Colombia.
- It is critically important that groups in Colombia, which are engaged in fighting for human rights and demanding accountability, be supported against those who feel they can perpetrate violence with impunity.

CONFLICT IN KURDISTAN

- The Kurdish people live in the historical Kurdistan region, which is divided amongst present-day Iran, Iraq, Syria, Turkey, and Armenia.
- The Kurds share common culture, community, and language though there are various dialects. They are largely Sunni Muslim, but practice other faiths as well.
- The Kurds are often referred to as the largest ethnic group without their own state. The Western Allies were promised a Kurdish homeland following World War I and the fall of the Ottoman Empire, but it was never delivered.
- The Kurds have fought for autonomy and/or an independent state (Kurdistan) across the countries where they live. Efforts have been defeated, often through brutal suppression and persecution. The Kurds and human rights advocates continue to call for the Kurds' right to self-determination.
- Kurds did not have full voting rights in Syria until 2011, before which their cultural and linguistic freedoms were limited. Efforts by Iran's Kurds to establish a Kurdish government in 1946 were suppressed by the Iranian government.
- In the 1970s, Iraq's Kurds were forcibly displaced and their villages destroyed under Saddam Hussein's Arabization policy. A Kurdish rebellion for autonomy in the 1980s was met with systematic attacks, resulting in tens to hundreds of thousands of Kurds killed by the late 1980s in what is known as the Anfal genocide.
- For decades, Turkey's government has quashed Kurdish political organizing and independence efforts. Turkey's constitution does not recognize many ethnic groups, including the Kurds. After Kurdish uprisings in the 1920s–30s, many were resettled, Kurdish names and dress were banned, and their language was outlawed until 1991.
- The Kurdistan Workers Party (PKK) was created in 1978 to call for an independent state within Turkey, often engaging in armed conflict since 1984, except for a short ceasefire from 2013 to 2015. Estimates are that tens of thousands have been killed and hundreds of thousands displaced. Although there have been attacks from both sides, there is a clear targeting of the Kurds. After a coup attempt in 2016, the Turkish government ousted public officials and political representatives with Kurdish ties, and shut down Kurdish media, NGOs, and women's rights centres.

- Kurds have been pulled into the ISIS conflict since 2013. The Kurdish People's Protection Units (YPG), the armed wing of the Syrian Kurdish Democratic Union Party (PYD), the Women's Protection Units (YPJ), the all-women brigade of the YPG, and the Peshmerga forces of Iraq's autonomous Kurdish region have played a key role in the fight against ISIS, working alongside Arab militias and the US-led coalition.
- In October 2019, Turkey invaded Kurdish-controlled northern Syria after US troops suddenly withdrew from the border because Turkey announced a plan to create a "safe zone" to resettle Syrian refugees. The move was widely seen as an attack on Kurdish YPG fighters in Syria, which Turkey views as terrorists allied with Kurds in Turkey. The international community condemned the US and Turkey for undermining Kurdish control in the region and, potentially, gains made against ISIS.

ILO CONVENTION No. 190

- In June 2019, the International Labour Organization (ILO) adopted a new treaty, known as the Violence and Harassment Convention (No. 190), breaking ground as the first international standard on violence and harassment in the world of work.
- It reaffirms the right to a world of work free from violence and harassment.
- The Convention defines violence and harassment as behaviours, practices, or threats “that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.”
- Broad scope: It acknowledges that violence and harassment occur in private and public sectors, rural and urban settings, and informal and formal employment. It also applies to the entire world of work (i.e., the workplace, as well as, work-related communication, travel, training, commuting, or events).
- Equity lens: It recognizes (and seeks to address) that violence and harassment have disproportionate effects, with women and marginalized workers facing higher risk.
- Governments that ratify the Convention will be required to: implement preventive and protection measures, including national laws that prohibit workplace violence and require workplace policies on violence; engage in awareness-raising and training; provide access to remedies; and protect victims and whistleblowers from retaliation.
- The Convention is legally binding, while the accompanying non-binding Recommendation (No. 206) provides guidance.
- The Convention acknowledges the work-related impacts of domestic violence, and outlines standards and measures to mitigate work-related effects.
- Worker representatives, including core involvement from the CLC, played an important role in developing the Convention.
- Violence and harassment remain far too prevalent in and around workplaces in Canada, with pronounced impact on women and marginalized workers. Ratifying the Convention would play a key role in addressing violence and harassment—in both unionized and non-unionized workplaces—and in fighting gender-based violence.
- Canadian unions have called on the Canadian government to ratify the Convention.

- Working to ratify the Convention was included as a priority in the mandate letter of federal Minister of Labour, Filomena Tassi.
- To date the only countries that have ratified ILO Convention 190 are Argentina, Ecuador, Fiji, Namibia, Somalia and Uruguay.

ENVIRONMENT

CLIMATE CHANGE

- Climate change may be considered the greatest challenge we face, but it also presents an opportunity for structural change, to create a more just society.
- Communities in Canada and around the world are already seeing the impacts of climate change: rise in extreme weather and disasters like wildfires, floods, storms, and droughts; sea ice and permafrost melting; species loss; polluted air and waters; food shortages; and displacement and forced migration or “climate refugees.” Marginalized communities are disproportionately affected.
- Climate change affects us all—as members of communities, but also as workers. Workers are on the frontlines (e.g., providing care and emergency response, coordinating evacuations, battling fires and floods, repairing damaged infrastructure).
- A 2019 report by Environment and Climate Change Canada (ECCC) found Canada is warming twice as fast as the rest of the world, with pronounced effects in the Arctic. It confirmed that extreme weather and disasters will likely become more common.
- The science is clear that we must act urgently and radically. The Intergovernmental Panel on Climate Change (IPCC), the world’s leading climate scientists, has identified an ever-narrowing window to limit warming and prevent climate change impacts becoming even more catastrophic. This decade will be crucial.
- Under the landmark 2015 Paris Agreement, countries committed to reducing greenhouse gas emissions (GHGs) to limit global temperature rise to 2°C above pre-industrial levels, but to strive for 1.5°C. Under the Paris Agreement, Canada promised to reduce emissions by 30% below 2005 levels by 2030. The Trudeau government has since pledged a new target of net-zero GHG emissions by 2050.
- According to the UN Emissions Gap Report 2020, the world is not on track to limit warming to 1.5°C. According to ECCC, as well as independent monitoring bodies, Canada is not on track to meet its Paris commitment.
- In 2020, the Trudeau government introduced climate accountability legislation. It is supposed to hold governments accountable through enshrining binding targets, but still lacks clear consequences for failing to meet them. In December, the

government released its updated climate plan. It contained positive elements, like the increased carbon price, but continues to fall short of what is needed. A key shortcoming is the absence of steps to phase out fossil fuels and, in turn, to proactively protect the workers and communities affected by the transition.

- As a wealthy and high-emitting country, Canada has a responsibility to contribute its fair share to the global efforts for climate adaptation and mitigation.
- There is public will for action: widespread protests, polling, and federal election debates.
- Political will and government action through a strong public sector are needed: invest in renewable energy, sustainable infrastructure, and green transportation; eliminate fossil fuel subsidies; regulate polluters; and support public services.
- Workers have an important role to play in climate change mitigation and adaptation. Workers and their unions can pressure governments to take action. Through collective bargaining, they can build greener work and workplaces.
- We need a Just Transition strategy, a worker-centered approach that ensures the shift to a sustainable economy does not overlook workers or recreate inequities. It must include both workers employed in the energy sector and those in indirect sectors (e.g., retail, food services, accommodation). Every sector and job will be affected.
- Economic and social justice must be part of the struggle for ecological sustainability.
- It is crucial to respect Indigenous rights and sovereignty, and to value Indigenous knowledge, expertise, and skills to tackle climate change and restore sustainability.



NATIONAL UNION OF PUBLIC AND GENERAL EMPLOYEES

- B. C. General Employees' Union (BCGEU)
- Health Sciences Association of British Columbia (HSABC)
- Health Sciences Association of Alberta (HSAA)
- Saskatchewan Government and General Employees' Union (SGEU)
- Manitoba Government and General Employees' Union (MGEU)
- Ontario Public Service Employees Union (OPSEU)
- Canadian Union of Brewery and General Workers (CUBGW)
- New Brunswick Union of Public and Private Employees (NBU)
- Nova Scotia Government and General Employees Union (NSGEU)
- PEI Union of Public Sector Employees (PEI UPSE)
- Newfoundland & Labrador Association of Public and Private Employees (NAPE)

The National Union of Public and General Employees is an affiliate of the Canadian Labour Congress and a member of Public Services International.

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