

# REPORT ON THE INTEGRATION OF WOMEN IN TRADITIONALLY MALE SECTORS OF EMPLOYMENT

SUMMARY OF LOCAL SUCCESS AND FAILURE FACTORS  
FINAL RESULTS OF CASE STUDIES

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## ACKNOWLEDGEMENTS

I conducted the interviews, with the assistance of three research assistants: Marise Lachance, Chantale Lagaçé and Sylvio Plouffe.

This accounts for the fact that both “I” and “we” are used in this document. Although I assume full responsibility for my analysis of the interviews, I used “we” when referring to the interviews in order to highlight the fact that a team of people gathered the comments from the individuals interviewed.

Considering the importance of this task, it was assigned to individuals who understand the meaning of professional responsibility and know how to assume it. I would like to take this opportunity to thank them for performing their duties discretely, smoothly and efficiently. They earned my full confidence.

## INTRODUCTION

This document contains the initial results of an empirical study made of six organizations operating in various sectors which have implemented initiatives to integrate women in sectors of employment that are not traditionally female (NTSE).

### **Method**

Seventy-one interviews were conducted in the six organizations recruited: five with women, the same number with their male colleagues, one or two with management representatives, and one or two with union representatives, in the case of unionized organizations. These organizations operate in urban transit (A), food wholesale (B), finance (C) and funeral services (cemetery) (D) sectors.

Although this sampling may be considered very small, it should be noted that in *each* of the organizations studied, interviewing five or six women who hold traditionally male occupations means interviewing between half and all of the women who hold that type of position. Of course, the same cannot be said for men in the same occupations. Yet, when the results were presented to the various representatives (both the Human Resources executives and the union executives, in the case of unionized organizations, received copies of reports containing more than 100 pages and filled with anonymous extracts from the interviews), they all said they recognized the usual, daily discourse of the men they employ or deal with.

Moreover, since I was an independent university researcher, and not an investigator, both managers and unions voluntarily agreed to receive me with my team, although several of the organizations initially approached did refuse our visits. Therefore, the organizations in question can definitely be considered as a sample that is not representative of all organizations, particularly since they are more prepared to open themselves up for examination and comparison. However, instead of downplaying this aspect of the make-up of my sample, I consider it an asset for the following reasons.

Considering the meager results obtained in all of the organizations that have implemented programs, primarily with respect to increasing the representation of women and reducing sexual segregation in employment, I believe that it is relevant to discuss the problems encountered in organizations where the process is implemented without major obstacles and by vanguard employers. It is based on the premise that the problems encountered in these organizations cannot be attributed to a lack of motivation on the part of the company. In this case, it is highly likely that any such problems are inherent in the process. As a result, one of the arguments often used to explain the failure of such programs is no longer

valid since both management and the union are committed to implementing the program and improving employment equity within their company. Therefore, there are other problems, which this investigation has helped me to identify.

This study is original in one respect, among others, because the case studies made of each company included both men and women, managers and union executives, thereby giving us an opportunity to study the relationships between the groups that have been set up locally to promote these experiments. Although other studies include interviews with representatives of each of these groups (Garon, 1993), they did not result in individual company profiles.

The semi-structured interviews, which lasted approximately one and a half hour, focused on:

- the management of the Affirmative Action Program (AAP) or the Workplace Equity Program (WEP), namely the commitment of senior management, the appointment of someone to take charge of the program, the creation of committees, corrective measures, the feminization of job titles and discourse, the effect of the economic situation on the program, etc.);
- recruiting procedures (recruiting sources, the harmful effects of certain procedures, etc.);
- selection procedures (assessment of skills at hiring, selection criteria, interview practices, delegation of authority in hiring matters, the perceptions of both male and female employees with respect to quantitative hiring objectives, etc.);
- the welcome given new recruits (the welcome program, communication, the provision of the information needed by the employee to do the work, the employee's integration into the predominately male group, the strategic role of the team leader, etc.);
- training (training measures taken, the training given to new recruits, the computerized human resources management system, etc.)
- the management of staff movements (employee mobility, promotions, career management, etc.)
- longer term integration (social contacts among employees, the attitude of clients, etc.);
- policies and practices for dealing with harassment; and
- policies and practices for reconciling work and family.

The content of the interviews was also examined in keeping with the various written documents each Human Resources (HR) department was asked to provide:

- company organization chart;
- the document describing the AAP or the WEP;
- the collective agreement for the employees in the bargaining unit concerned, if any;
- the analysis of availability and diagnosis of under-use, from the *Commission des droits de la personne et des droits de la jeunesse du Québec* (CDP), if possible;
- policies prohibiting harassment and promoting the reconciliation of work and family, if

- possible; and
- the hiring, training, promotion, appraisal, and human resources management policies used.

Finally, the information collected was compared to the data obtained in an earlier study of approximately ten organizations that had implemented WEP programs ten years ago.

### **Desired results**

The starting point of all the research was a HSRC grant in the "Strategic Research" program, for a partnership research.

For each Human Resources department and each union concerned, the investigation was intended to identify the success and failure factors in the experiences related and to propose action to be taken. For this reason, they were given final reports of the conclusions, presented by theme and anonymously, including success and failure factors.

On a longer-term basis, and for research purposes, I was able to use all of the information collected to prepare a portrait of the issues involved in implementing a gender mixture at work. I assume that there is no single organizational culture within organizations or that, if there is one, is an official management version that corresponds more closely to what management wants in terms of a culture, in the anthropological sense of the term. My premise is that each organization has several cultures and that those which appear when women are integrated in traditionally male positions, originate in the gender groups. I believe, in fact, that there are such things as feminine and masculine cultures, both within society and within organizations. There is also a union culture, which, in the settings I studied, often includes the masculine culture since the large majority of unionized employees are male.

## **CONTEXT**

According to the reports by Quebec<sup>1</sup> and Canadian<sup>2</sup> affirmative action agencies, the results of the programs implemented are not encouraging. Progress has generally been slow and meager. The programs do not meet their objectives, namely they do not increase the representation of the target groups (in this case, women) or reduce the segregation (sexual, among others) of jobs.

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<sup>1</sup> *Commission des droits de la personne et des droits de la jeunesse du Québec (1998).*

<sup>2</sup> Each year, *Human Resources and Development Canada* publishes the *Employment Equity Act Annual Report* which provides data from the annual reports of the organizations that are subject to that law, namely organizations that hire 100 employees or more and which come under federal jurisdiction according to the Canadian Constitution.

### **Small increase in the representation of women**

In a context where the concept of employment equity is losing its popularity, certain organizations are still making major efforts to fight sexual and ethnic discrimination in jobs, although they are for the most part only barely meeting their objectives. First, it is difficult for organizations to attain their hiring objectives particularly, based on both official reports and my study, in the construction and production industries, which are very closed to women and members of cultural minorities.

One of the first reasons given is often hiring freezes and job cuts in the organizations concerned. All the reports from both the Quebec and Canadian governments suggest that this is a very important factor in the failure of these programs.

But hiring freezes and job cuts are not solely responsible for the results observed since the preferential hiring of members of the target group is not the only tool company managements can use. Internal mobility is another human resources management practice that must be reviewed. By reducing the barriers that prevent women from gaining access to certain types of jobs, management can reduce professional segregation and improve employment equity. (CDP, 1988).

Several obstacles concerning access to training also limit the mobility of women (Carnevale, Gainer and Villet, 1990, Chicha, 1995, Granier, Barthélémy and Lapied, 1992, Holtmann and Idson, 1991, Larocque, 1997, Legault, 1997, Tremblay, 1992, Veum, 1993).

Moreover, so-called departmental seniority systems used for internal mobility also limit access to positions to those who are already on the corresponding promotion track where members of the target groups are often absent (Black, 1990, Dulude, 1995).

### **Persistence of professional segregation**

Yet hiring is just one step in the cultural transformation required to improve equity. The organization must still oversee the long-term integration of the new recruits. The attrition rate caused by multiple integration problems effectively cancels out the effect of hiring (Front, 1997, Itzin, 1995, Thobani, 1995).

This is one avenue my research has invited me to explore (Legault, 1999, 2001a and b). Through five case studies, I have observed resistance and exclusion mechanisms in the workplace that are consistent from one site to another and may help explain the failure to integrate the new recruits into the workplace on a long-term basis. Likewise, I have observed that certain essential criteria for success have now been attained.



## SUCCESS FACTORS IN THE ORGANIZATIONS STUDIED

### Factors specific to women

#### *Egalitarian attitude of the women hired*

One of the first success factors observed consistently throughout the investigation was the attitude of the women who were hired by the organizations we visited. They generally take care to refuse any "preferential treatment" in the true sense of the word, such as avoiding certain duties (lifting weights, demanding or dirty work) or certain shifts (unpleasant schedules). They even refuse to have welcome procedures implemented specifically for them. They demand the same conditions as their male colleagues and do not ask to be spared inconvenient or unpleasant work.

Since they are not numerous, they are very rapidly assimilated into the majority group. This is very important for their integration<sup>3</sup>.

In certain locations, the women in traditionally male occupations do ask to be treated differently because they are women, despite the warnings frequently found in studies on this topic. This compromises the success of their integration since men find such demands inconsistent with their demands for equality. I will discuss this in the section on obstacles.

#### *Response and survival strategies*

The women employed by the organizations we visited spend a remarkable amount of energy developing the best strategy for dealing with the irritation caused by certain hostile male reactions that are both too frequent and too banal to result in a formal complaint. Although some of the actions of their male colleagues cannot be ignored because the situation could quickly deteriorate, however, these actions may not justify a complaint or the injured party feels that making a complaint would cause the situation to deteriorate.

For this reason, it can be said that the women working for the organizations we visited have demonstrated a great deal of initiative and skill in these situations. Furthermore, the strategies that the women spontaneously develop are often better for defusing hostility than a formal complaint. This does not mean that the complaint procedures are useless. Just the opposite, in fact. But the usefulness does depend on the severity of the action taken.

The women have also demonstrated a great deal of ingeniousness with respect to developing strategies that are suitable for defusing the insecurity or hostility the men feel towards them<sup>4</sup>. They often do so to their own immediate detriment, but in keeping with their long-term goal, namely integration: responding to an unpleasant remark or gesture in private

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<sup>3</sup> See Garon (1993), pp. 38-43 and p. 88.

<sup>4</sup> See Garon (1993), p. 87, since this finding was not exclusive to this investigation.

rather than in public in order to respect a male colleague's pride, censoring their own responses to certain types of behavior that they consider purely provocative, joining forces with their male colleagues in the case of issues that are important to them, particularly union struggles, etc, ignoring the past insults and even if the claims do not benefit them at all.

In order to earn respect, apart from doing her work successfully, each woman draws her own line between what she considers acceptable and unacceptable behavior. Each sets her own personal limits and there are no absolute criteria for doing this. One element is consistent, however. It is the women who have to live with the situation on a daily basis and they are the ones that want to remain in the workplace. They do not generally set the limits where they would "like to", but where they feel that they can, given the situation, the average tolerance of the group of women and the group of men, etc.

Moreover, there are significant variations in the way in which the work setting tolerates responses from women. I will return to this in the section on "watchwords". There are places where masculine solidarity is impregnable regardless of the "merit" of the female response. Censorship of "sharp" responses is total. In other settings, when a woman responds to a male colleague in anger, the incident ends without turning bitter. The employees accept it when a female colleague expresses her anger, even in front of their peers.

Of course, several of these women are weary inside; they are fed up and eager for the number of women to increase in order to change the balance of power to a certain extent and make their jobs easier. But, above all, many of these women are convinced that this tolerance is needed to "break the ice" if they are to "make their place". There is nothing to prove that they are wrong, even if their colleagues' behavior is irritating, since there is nothing to prove that complaints or force would help their cause.

As two authors of an important quantitative investigation on women in traditionally male jobs wrote:

It is likely that the female workers believe that, based on their minority status, acceptance does more to ensure their professional survival than confrontation<sup>5</sup>.

### *Work quality*

Management at the organizations investigated is generally appreciative, even very appreciative, of the work done by the women. The respondents drew attention to a fact which, although it has already been identified, is nonetheless important, namely the fact that women have to prove themselves when they take on a traditionally male job. Their place is not guaranteed and they are watched very closely. An international, comparative study

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<sup>5</sup>

Berthelot and Coquatrix (1989), p. 40, unofficial translation.

commented on this (Chicha, 1996):

When a woman makes a mistake, it is amplified. In fact, when a man makes a mistake, it's just a mistake; but when a woman makes a mistake, it's a sign of her incompetence. As a result, women have to work doubly hard to prove that they are competent. (unofficial translation)

This affects their performances, in terms of both quality and quantity. This is essentially excellent, no doubt, for their integration in terms of their relationships with management. But it does pose problems with respect to their male colleagues. It's a two-edged sword since, in certain settings, their male colleagues will view them as competitors in terms of performance. I will come back to this later.

## **Factors specific to Human Resources departments**

### *Mastering the process*

The Human Resources departments of the organizations visited are very familiar with the Affirmative Action Programs (AAP) of the *Commission des droits de la personne et des droits de la jeunesse du Québec* (CDP) and are very experienced with them, particularly because they have voluntarily made a commitment to these programs. In particular, they have frequently hired specialized resources that are very qualified in matters of equity, further demonstrating their motivation.

### *Improving information about personnel*

The Human Resources departments have generally made a serious effort to break down their employment statistics. Such statistics can be used to provide a clearer portrait of the situation and, as a result, are a definite step towards the success of their program. These statistics could be used to extend the program objectives to other categories of jobs. The Human Resources departments keep these figures up to date and they have implemented methods for tracking them.

### *Commitment of senior management*

The Human Resources departments visited have sought a firm commitment from senior management, which is very important if the measures are to be implemented effectively and remain in effect. In addition to demonstrating the importance placed on the program, the creation of an equity department, for example, ensures that the individual who manages the program will spend most of his/her time on the program. This is one of the essential employment equity issues within organizations. The abolition of the equity position or the marginalization of that position in the duties assigned to the individual who assumes several

responsibilities is generally an indicator that the program will have few results or fail<sup>6</sup>.

*Genuine, self-induced desire for equity*

Most of the organizations visited have an intrinsic desire for equity, in addition to their obligations under the law. For example, they want equity in order to satisfy a clientele that is increasingly diverse and requires service from people who reflect their diversity. In this respect, market diversification has served to trigger efforts to implement equity. Through their desire to represent their clientele, and to link equity measures to their corporate strategy, the Human Resources departments demonstrate an intrinsic desire for equity, thereby fulfilling an important prerequisite for success since this triggers commitment and persistence within the organization.

The social demand arising out of the environment (for example, pressure from the women movement and their lobby for access to jobs) and pressure exerted by the union can also serve as a trigger and motivator for a Human Resources department and provide support through reasons other than contractual or legal obligations.

The fact that the organization is not dealing with its first affirmative action program and that there is a previous example in another unit is also a significant success factor. On the one hand, the organization has had a relatively successful experience with respect to increasing the representation of women which management, the union and the employees can build on. On the other hand, many of the stages involved in learning the mechanisms of affirmative action programs have already been completed.

Some managements make their management employees responsible for their performances in terms of equity, which is an undeniable sign of their commitment and, in this respect, an important success factor. In this respect, we must congratulate organizations that have adopted programs, which include responsibility for equity in the criteria for assessing the performances of vice-presidents, department managers, supervisors and foremen. It is hoped that encouraging women to take part in training programs and apply for promotions will also be included in the accomplishments assessed for this purpose.

*Employee consultation*

In a similar manner, increasing the time spent consulting employee representatives demonstrates the organization's interest in pursuing and attaining the objectives that have been set. The Human Resources departments of the organizations visited consulted the unions and joined forces with them in certain parts of the undertaking, as we will see later. This confers a great deal of credibility to the operation and ensures that the affirmative

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access program will be accepted within the organization.

*Recruiting in cooperation with the women's organizations*

In certain cases, the Human Resources departments work with placement and affirmative action organizations dedicated to women working in traditionally male jobs and this goes a long way to helping them attain their quantitative recruiting objectives, among others, as well as to making them aware of the major measures to be implemented. In fact, it is not enough to call on the “universal” placement organizations (Emploi-Québec, HRDC) and indicate that a particular position is open to both men and women, or put an ad in the papers. This type of gesture is frequently useless given the current state of affairs<sup>7</sup>.

When hiring practices focus on the organizations operating in the field and, in addition, both management and the union take the initiative rather than passively waiting for women to come to the company's doors, this ensures not only the success of the local program, but results in a ripple effect that is not negligible.

One of the organizations we visited provided a particularly interesting example of a joint effort involving the Human Resources department, the union and a provincial organization that is responsible for placing women in traditionally male jobs (*Femmes regroupées en options non traditionnelles* (FRONT)). Encouraging women to apply to schools in larger numbers through the well-organized network established by an organization with a mandate to integrate women in traditionally male jobs is already an excellent initiative, but organizing joint undertakings with other employers in the same sector (particularly in the public and parapublic sectors) and encouraging the sector to become more open towards hiring women demonstrates a commitment that goes beyond a single business and focuses the major forces in the sector on the same objective. Other organizations that took part in this investigation have also developed interesting joint undertakings with *Options non traditionnelles* (ONT).

In fact, joint undertakings involving management, the union and an outside organization guarantee success in several respects: not only do such undertakings promote recruitment, but they also facilitate the work upstream – with the schools – and the agreements for effectively placing young female graduates.

This is, in fact, a very important success factor since the organization has centralized information about the women who have received the training required for the traditionally male jobs available within the hiring company, which means that management does not have to waste its energy and time studying inappropriate applications. The organization

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<sup>7</sup> See Garon (1993), p. 65; as a result of a few unfortunate experiences, circumspection is required in this matter.

often serves as a hiring agency for these women and can provide a good pool of candidates for the employer.

For the employer, having recourse to organizations that help women find traditionally male jobs has another advantage, which is not negligible, namely it helps the employer avoid too many hiring failures, and keeps it from serving as a “guinea pig” for new female graduates who have received training for traditionally male occupations. This is not simply a fantasy on the part of an unmotivated employer. Women who are applying for traditionally male positions for the first time, particularly if they have no professional training (since training makes them aware of their minority status in a traditionally male position), may have a rather “romantic” or inappropriate idea of traditionally male occupations.

Finally, for reasons grounded in the collective experience of women in traditionally male jobs, the candidates will often hesitate to apply for traditionally male jobs in a company that does not demonstrate its openness to affirmative action. In fact, when management is not already familiar with the issues involved when women enter into these sectors, not only will applications from women be poorly received, or refused outright, but the necessary policies and practices will not have been implemented. The women, if they have a choice, will prefer to apply to organizations that are already familiar with the process in order to save their energy for work rather than using it to adapt to the workplace and “educating” their colleagues.

#### *Awareness of the problems of harassment and reconciling work and family*

With respect to dealing with harassment and reconciling work and family, most of the Human Resources departments visited are well ahead of other organizations operating in their sector, although there is still room for improvement.

The people we questioned during the investigation generally feel that the Human Resources department must have a policy for dealing with harassment because harassment occurs within these organizations as elsewhere and because the repression of harassment is an essential condition for integrating women into traditionally male jobs. In this respect, it would appear that there is no longer any need for raising awareness. The Human Resources departments are also familiar with the phenomenon of the “shockwave” that results when a company announces that it is implementing a policy to deal with harassment. In fact, it has been observed that after the initial shockwave that follows the advertising and communications concerning the implementation of the policy has run its course, the policy is forgotten, to the extent that many of the employees questioned do not know such a policy exists. I observed this phenomenon in all of the organizations studied.

When the union gets involved in the undertaking, it is all that much easier to implement a

harassment policy. In fact, when management implements the program on its own and develops new policies that could result in disciplinary sanctions, the unionized employees tend to view the arrival of women as a source of new problems for them. But when the unionized employees have come out in favor of integrating women and even included this in their collective agreement, the new harassment policy can be implemented without difficulty.

In the policies on reconciling work and family which the organizations we studied adopted, we found a wide variety of familiar measures: maternity leave, child care leave, the reimbursement of daycare expenses, daycare centers set up in the work setting, etc. Moreover, in certain organizations, we also found other measures such as:

- time arrangements (flexible schedules, voluntary part-time work, job sharing) intended to make the employees more efficient and productive and to integrate parental responsibilities in the work schedule;
- leave for family reasons, which allows the employees to be absent from work for extreme emergencies that require them to attend to their child, their spouse or a member of their immediate family.

These measures demonstrate management commitment to reconciling work and families.

#### *Changing selection practices:*

##### *a) Criteria*

The selection criteria and practices used in the organizations visited have been desexualized. Some organizations have, for example, managed to use their former hiring procedures to promote the hiring of women. For example, in organizations where management can impose specific selection examinations and job categories, this can be used to hire trainees who have not yet graduated but who do satisfy the company's hiring criteria.

Selection criteria that are increasingly based on training at a recognized institution that is certified by diplomas do not exclude either young people or women, who attend such institutions in larger numbers. In this way, ability is assessed by means of standard tests for both men and women and particular attention is given to tests that are systematically failed by members of the target groups. In this situation the results are standardized and any possible prejudice that the tests may contain is examined.

##### *b) Medical examinations*

A great deal of effort has already been made to ensure that medical examinations comply with the provisions of human rights and labor legislation, thereby eliminating systemic discrimination not only against women, but also against anyone, including white, North American males... who have physical disabilities. Better yet, the investigation confirms that

the increased concern for the ergonomic suitability of equipment and facilities has had positive effects for all workers and they acknowledge this. The entry of members of the target groups into the workplace has often sharpened the concern for the notion of *bona fide occupational requirements* (BFOR) developed to promote the application of various charters. This legal concept formalizes the criteria that a court can use to judge whether an employment requirement is justified or discriminatory, based on a complaint. Frequently, this type of examination results in a revision of hiring criteria that are needlessly stringent, to the benefit of all.

#### *Opening up sectors where little education is required*

There are several objectives with respect to encouraging women to take on traditionally male jobs: the free choice of women with respect to their professional orientation, the fight against discrimination, and the fight against poverty since predominately male jobs are generally better paying and enjoy better working conditions. From this last point of view, we must be proud that certain traditionally male jobs that require little education have been made available to women. Access to this type of jobs gives women with little education an opportunity to quickly access these jobs, complete their training quickly and earn more than women who hold traditionally female jobs, with the same working conditions.

#### *Awareness of problems concerning the welcome given women*

Certain Human Resources departments have observed problems with respect to the way in which women are welcomed into their organizations and are trying various means for resolving them, including distributing guides to new employees.

Other solutions may be considered to facilitate the welcome process, such as setting up networks of women who perform the same duties. However, the competition that reigns with respect to jobs that sell professional services makes it difficult to set up such networks for those positions, compared to other types of jobs such as trades or manufacturing positions within the organizations investigated. Entrepreneurship is very important in the case of sales professionals since the success of some is measured by comparison to others. This could cause problems when it comes to networking. Only experience will tell.

Among other things, management must pay attention to the traditional, informal welcoming practices of the male employees, which often take the form of "initiations". During these initiation rites, new employees, both male and female, undergo a sort of test that measures their "sense of humor" among other things.

For new female recruits in a traditionally male environment, this rite can be very painful and the test is often specific to their gender:

- in the sense, specifically, that the test would not be given to a man because it would be



- meaningless (for example, displaying his male attributes during a banal conversation is something a man would not do in front of a new colleague);
- or in the sense that the test is common for men, but unacceptable for women (such as undressing the individual who wins the company's weekly lottery);
  - it is also possible that the test calls the competence of the new recruit into question, but only in the case of women or more specifically in the case of women.

When we compare the discourse of the women and men with respect to the "tests" imposed on new recruits at the start, men have little to say whereas women have a lot... These men are "at home" in their work environment since they have been there a long time. They're playing the game, while women are taking up a challenge. Therefore, men and women do not experience the initiation rite in the same way. For the women, who know they are being watched closely, the test is as important for their social integration as their ability to do the required work.

The welcome is an important time. The management that is concerned about the employees' practices in this respect, without denying their importance or preventing the group from having fun, will avoid problems in the future.

*Training policies that encourage the internal promotion of women*

When the employer offers to finance training for employees so that they can fill certain vacancies within the organization, and women have as much access to such training as the men do, the women are generally very enthusiastic. In terms of promotion ambitions, the differences are striking. It should, of course, be noted that the average age of the women is frequently lower than that of the men in the organizations studied, for obvious reasons. These women, who are ambitious, have made traditionally male choices and are very interested in the possibility of increasing their training and applying for new positions within the company, as indicated by a vast quantitative investigation of this topic<sup>8</sup>.

Management must be congratulated for this type of initiative. If there are any risks in this type of behavior, they must be sought elsewhere: in the perceptions that some people may have that the women are benefiting "from preferential treatment". It's not that I believe this perception is founded but, whether it is founded or not, if male colleagues are convinced that it is, it will influence their behavior. Psychology has long demonstrated that what we view as reality is a matter of perception. The managers who implement such programs must deal with these perceptions and it is often these perceptions that motivate the resistance that blocks the programs...

Now, is it not more a matter of age that causes men to be less inclined to take advantage of

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<sup>8</sup>

Berthelot and Coquatrix (1989), p. 41.

these training opportunities in the organizations studied? The men we questioned are looking for stability and, in certain cases, are already preparing for retirement. They do not harbor any plans for training or promotion. That does not prevent them from believing that management is giving women “preferential” treatment when it offers them such programs, which did not exist when they first joined the company.

Only communication and awareness raising can overcome this prejudice.

## **Factors specific to Human Resources departments and unions**

### *Changing infrastructures*

Occupational health and safety equipment has been adapted for women working in the trade and manufacturing positions in the organizations studied, much to the satisfaction of all, both men and women. In fact, the new equipment often gives all men, and particularly the older ones, an opportunity to work in safer conditions and avoid injuries and accidents.

Union pressure, in the unionized organizations, is often a major factor in this. Likewise, union pressure has also played an important role in adapting washrooms and showers and adding sanitary facilities for women.

### *Awareness of the contribution of internal mobility*

In the truly committed organizations, both management and unions are open to implementing pathways to facilitate internal mobility to enable employees to move from one group or one bargaining unit, composed traditionally of men. Individuals who want to join another job sector, within the company, namely those who want to move from one bargaining unit to another, or from one job to another within a job class covered by the collective agreement, can take advantage of the company’s policy concerning the reimbursement of tuition and acquire the skills they need to apply.

In this way, it is possible for a women who is hired for a predominately female job to apply for a trade position as long as she obtains the required training. Moreover, certain collective agreements now take into account the seniority of temporary employees when positions are assigned, which will favor those who are most recently hired, who are frequently women.

## **Factors specific to the unions**

### *Union commitment to the undertaking*

This commitment often takes the form of pressure that is exerted on management to implement and improve the program. In fact, unlike the *Pay Equity Act*, for example, the Quebec *Charter of Human Rights and Freedoms* (RSQ, 1977, c. C-12) does not require management to consult their employees or their unions and, unlike the *Act Respecting Occupational Health and Safety*, it does not insist on joint management/labor committees for

managing equity programs.

Nevertheless, unions have done a lot to promote affirmative action programs and the hiring of women: negotiating and signing letters of understanding that provide for the program or preferential hiring, implementing joint committees, often involving an organization responsible for hiring women to manage the progress of the program and oversee hiring and provide a framework for problems that arise along the way.

When the union gets involved in the undertaking, cooperates, and takes the initiative, the problem has much more chance of succeeding. In fact, when the Human Resources department operates on its own, the union executive will be suspicious about the effects the new program will have on the way in which the collective agreement is applied and will not try to accelerate the process. On the other side of the coin, when the union executive instigates the program, it will do everything possible to accelerate the implementation of the program and the application of measures and will eventually provoke certain changes with respect to the Human Resources department and, even better, will encourage unionized employees to support the program objectives and, as a result, the hiring of women. When the initiative or the union's support is debated and adopted at a general meeting, male colleagues are more accepting of women. This consequence of union support is by far the most important when it comes to the integration of women.

It also has an effect on the acceptance of the policy against harassment. In fact, when the employees demanded that women be hired for traditionally male jobs, it is easier for management to ensure the acceptance of such a policy than when it is viewed as "another aspect of the equity program". This is one finding of our comparison of the organizations we studied.

In my opinion, making the program a matter of labor relations is not harmful. What often hinders the program is the fact that the union was excluded from the process and protests about that. In this case, the affirmative action program becomes a labor relations issue. This study revealed that if the union executive takes part in the process to the extent that they make it a labor relations issue, this accelerates the implementation of the program and its measures.

For example, in one of the organizations we visited, the union did more than demand the implementation of the program; it implemented a union policy against harassment, which is a truly remarkable instrument. In general, in the absence of such actions, in the case of harassment, the position of the union is paradoxical since the victim and the harasser are both members of the union. It is very difficult – not to mention impossible – for the union to try to defend both points of view. The victim, in fact, is charging a member of her own union,

thereby risking isolation from her co-workers and her union.

Nevertheless, what is remarkable with respect to the union implementing a union policy against harassment is the clarity of the message sent to the unionized personnel of the organization; regardless of which party institutes a policy, management or the union, the worker cannot find any support for harassing behavior. The message is unique, even if the methods each side uses are different: sexual harassment is not tolerated within our organization. This removes a certain amount of ambiguity that would, if it remained, authorize hostile behaviors. This has been observed in several organizations when women make inroads into traditionally male jobs, as we will see later.

This goes a long way towards changing the climate in the organization, particularly in a context where violence against the women in the traditionally male jobs is a very troubling phenomenon (Legault, 2001a and b).

## GENERAL OBSTACLES

### **Obstacles specific to women**

I found very few obstacles that are specific to women and this is not a sign of the "inherent virtue of women"! I believe that this is a result of a combination of a fight for survival and the effect of pre-selection:

- The women who go into these sectors of employment are few in numbers and have to fight for their survival in the workplace. Their place is not guaranteed and, as a result, they act accordingly. Since they have chosen a difficult path, it can be presumed that they are very determined to attain their objective and, as a result, make the necessary compromises.
- As a corollary, the women who have committed "errors" while integrating into the environment frequently leave it afterwards. There are simply no longer there. In a manner that is specific to this type of experience, it is difficult to survive after behaving in a manner which is poorly viewed by the environment and those who behave like that are vigorously pressured to leave. But those who remain speak about this situation a little.

#### *A few attitudes that compromise integration*

Therefore, certain obstacles specific to women can be deduced from the comments made about women who have left, namely:

- asking for a reduced workload because they are women;
- making a formal complaint as soon as a problem occurs, before trying to resolve it on an individual basis (I'm not commenting as to whether the hostile reaction of the environment to formal complaints is justified, I'm simply noting this reaction, which was

- brought up many times by both women and men). It has been noted. One of the unions dealt with a part of this problem by setting up a union policy against harassment);
- demonstrating an obvious intolerance for crude words, sexist jokes, "teasing", etc. (once again, I'm not commenting on whether the hostile reaction of the environment to this lack of tolerance on the part of women is justified);
  - demonstrating a skill that is superior to that of her male colleagues;
  - demanding major changes in local traditions and costumes, from the time they join the organization, or asking for a single transformation with respect to a taboo subject such as pornographic postings (once again...).

On their own, these obstacles reveal the dominant character of the integration of women into traditionally male sectors of employment, namely their minority status.

#### *The ambiguity of women to preferential hiring*

The women who support the principle of quantitative objectives and preferential hiring are very militant and political in declaring their position. However, certain women hesitate to support these measures. Is this a result of the prejudice faced by women hired in this way and the stigmatization resulting from the reputation of American quotas? This reason dominated the discussion in several of the firms studied and is the subject of recurrent debate in organizations that represent women in traditionally male positions (*Femmes regroupées en options non traditionnelles* (FRONT), 1996). The women are tired of hearing that they are incompetent because they were hired as part of an affirmative action program. It's difficult to fault them, but are they focusing on the right target when they denounce affirmative action programs? Doesn't the problem really lie in the ignorance of the requirements of the program? In fact, no employer is required to hire someone who does not have the required skills (see the appendix at the end of this report).

Is it a result of a lack of knowledge as to the arguments that led to the implementation of affirmative action programs? Does the conviction of belonging to such a small minority make the objectives useless, perhaps even detrimental? It would appear that the women are somewhat confused with respect to the intentions of the legal provisions concerning equity. Some of them seem to believe that organizations can be forced to employ certain percentages of women.

Moreover, the women are divided among themselves with respect to the intention to increase the representation of women in traditionally male jobs. In fact, a portion of the women who are moving into traditionally male jobs (and this observation recurred throughout the investigation) are motivated by a desire to work in a male environment because they do not enjoy working in primarily female environments. Several of the women we questioned do not like working or living in female environments and prefer their gender

to be in the minority. Curiously, the massive hiring of women is not always one of their objectives. This type of attitude reveals a certain amount of reticence towards increasing the representation of women in the work environment.

It should not be concluded that this is representative of the status of relationships among women in traditionally male sectors. Just the opposite, in fact. Another portion of the women in traditionally male sectors particularly appreciate the nature of the work they do, but attach no particular importance to the fact that their social group is male or female or would even prefer the social group to be female. Several congratulate themselves on the successes of others on behalf of the survival of the local initiative and the collective project to give women access to traditionally male jobs. When they integrate into a male work environment successfully, women with the same objectives share their victory. This says a lot about the size of the burden that certain women shoulder, namely the victory of a cause that is larger than their single job.

*Asking to be exempted from certain duties inherent in the job*

Men are very strongly opposed to women who hold the same jobs as they do but ask for help to do some of their duties that they say they are unable to do. This is a universal risk. Every time women are integrated into traditionally male jobs, men react badly when the women say they are unable to do all of the duties inherent in the job because they are women and ask the men for help.

Let's get this straight. The women who are learning a job will, now and then, have to ask for help as they run into problems, just as men do. Let's distinguish two types of requests for help: the help that any colleague could ask for, sooner or later, on a circumstantial or temporary basis, and the assistance that is requested because "I am a woman, I cannot do it" and, as this implies, "since I am a woman, I will never be able to do it". Male colleagues poorly view this second form of request.

The men may be open to women coming into their work environment, but they become intolerant of a certain inconsistency which, for women, involves wanting a job but then asking not to do this or that, of asking for help with this, etc. For men, this is a good opportunity to get rid of equity.... There is, in fact, a very real danger for women, in terms of equity, of demanding access to jobs and equitable treatment and then asking to do less than male colleagues who hold the same position and are paid the same wages. When women ask to be exempted from a portion of their duties as a result of their physical condition, their colleagues view this as asking for preferential treatment and this is an important factor in their rejection of the experience.

Although women promote the principle of equity between genders, it should not be forgotten

that the unions promote the principle of equity among all workers and, in this respect, women do not have a monopoly with respect to equity. The union message is generally very clear in this respect; from an ergonomic point of view, jobs have to be transformed as much as possible so that individuals of varying strengths can do the duties in question without incurring health problems. From this point of view, the male colleagues are prepared to be of assistance, particularly when they have asked to have women integrated into traditionally male jobs. However, when neither assistance nor ergonomic adaptation is sufficient, and a woman is unable to perform a particular task, the union position is clear: the woman should not have that position and should turn it down if it is offered to her.

However, some male colleagues, even when faced with a legitimate request to which they would respond if a man had made it, systematically refuse to respond when it comes from a woman. The line between the rejection of preferential treatment and resistance is not always clear. "Preferential treatment" for women who hold traditionally male jobs is a matter of perception, not fact. Whether this perception is justified or not, it takes precedence and determines the behavior of the women's male colleagues.

Not requesting an exemption is a major factor in the integration of women and, inversely, refusing to do certain tasks is a major factor in failure, which does depend a priori on either male colleagues or management – except if we can establish that the women were exposed, through hostility, to extreme conditions in an effort to discourage them.

When the refusal arises out of resistance, new female recruits face a particular problem. The workers must be able to determine the source of women's questions accurately: are they requesting special treatment as a result of their gender or are they making a normal request for help which any male could also make? It is also important that we help them make this distinction. The successful integration of women depends on this.

It is a fact. Training is often done on the job, with colleagues. Now, the attitude of those work colleagues is important. When they are hostile to women, they will neglect this task and the women will suffer various inconveniences, ranging from slowness or unpleasantness to actual danger.

It is easy to come up with ways in which to deal with this problem concerning the perceptions of assistance in the case of newly recruited women:

- organize a systematic buddy system for their first few days in a position, to be provided by employees who have been trained to do this and who are not closed to women coming into the work environment.
- consider a buddy system among women, as long as the women who are assigned to this are open to other women coming into the work environment. It should not automatically

be presumed that they are.

- increase the amount of formal or organized training, given by a trainer, to the detriment of the buddy system.
- channel all requests for assistance made during the initial days in a position to the same person, such as a team leader, so as to be able to systematically compare the requests made by both men and women, in order to overcome certain tenacious prejudices.

### **Obstacles specific to the Human Resources Departments**

#### *Management reticence with respect to the notion of quantitative objectives and preferential hiring*

Certain Human Resources departments have demonstrated a certain amount of apprehension with respect to the possible problems inherent in establishing quantitative objectives since their personnel has a poor understanding of the concept. Among other things, people working for certain organizations still believe that management can be forced to recruit individuals who do not have the required skills (see the appendix at the end of this text). Such problems are not a concern for governmental authorities, which are generally criticized for timidity in such matters (CIAFT, 1994, CSF, 1993).

However, when the representation of women becomes a labor relations issue, it is not impossible that, as a result of union pressure to respect quantitative objectives or a certain sense of urgency, organizations may hire recruits quickly, neglecting certain criteria. Such problems have not yet been observed in studies or in actual situations and there appears to be no need for concern in this respect. In the event that a labor conflict arises, separating the parties on this issue, information and awareness raising measures would be required since hiring women who do not have the appropriate qualifications is a serious factor leading to failure for the women in question and for the undertaking.

#### *The risk inherent in a desire for equity based on client diversity*

When management bases its affirmative action program on a concern to ensure that its staff reflects the diversity of its clientele, this concern may also have unwanted effects. This type of reasoning is faulty since, in the event that the company's clientele is not diversified... the argument becomes an additional obstacle for the members of the target group, for example, in regions where the target groups are not part of the company's clientele.

In this event, should organizations employ a homogenous staff when their clientele is homogenous or, worse yet, fire members of their staff when the clientele once again becomes homogenous? Does the argument of market fit promote the hiring of people with disabilities to the same extent as ethnic minorities or women? The demographic breakdown of a company's clientele cannot be the sole factor behind the importance granted to staff



diversity.

*Too few for too long*

The women in traditionally male jobs, even in organizations that have taken the initiative, are far too few in numbers. All too often, the program makes slow progress because hiring is “frozen”, and the company takes no interest, for example, in internal promotions in the meantime. Also, far too often, organizations hire the number of women provided for in the program without taking care to plan the number of women per building, department, job category, shift, etc. It is easy to hire twenty or so women without those women ever seeing one another. In this case, each woman is as isolated within her work environment as if management had only hired a single one.

This has an effect on all of the problems I will further raise. Numerous studies have concluded that, without a certain minimal level of representation, the lives of the members of the target groups are very difficult. Until they have attained a minimum level of representation – this varies between 15% and 35%<sup>9</sup> according to the authors – women encounter a multitude of obstacles that sheer numbers alone would eliminate.

Four movements account for this situation<sup>10</sup>:

- the ripple effect which hiring members of a target group has on other members of that group, when the fact of applying for a position becomes more plausible and openness is signaled, which serves to counteract the chilling effect.
- the effect of solidarity among the members of a single target group, within a given company, which enables them to help one another and hang on.
- the effect of promotion, when members of a target group are hired in a job group that leads to employment or when the affirmative action program includes measures that facilitate their access to company training;
- the effect of dissemination, when the members of the target groups leave their employment ghettos and demonstrate their skills, prejudice loses its weight.

The importance of this factor can be summarized as follows:

Women face many difficulties. These are not just problems concerning physical resistance, but rather problems concerning relationships with male colleagues and the masculine hierarchy: for the few women who are lost in a male world, exclusion phenomenon are part of daily life, except when these women form a group<sup>11</sup>.

When they attain a minimum level of representation, it is harder to make them the target of

<sup>9</sup> Kanter (1977), Rinfret and Lortie-Lussier (1996), Lortie-Lussier and Rinfret (2000).

<sup>10</sup> Chicha-Pontbriand (1989), p. 96-97.

<sup>11</sup> Maruani (1985), p. 42, unofficial translation

exclusion movements, they then have less need to demonstrate that they are qualified, to minimize the differences between the men and the women, to use strategies to react to irritants or harassment, to defend their abilities and their right to employment, etc.

When a company hires only a very limited number of representatives of each target group, there is a strong chance that these individuals will be isolated and will have to fight merely to stay within the company. On the other hand, when a sufficient number of these people are hired that they can develop networks, they can integrate the company other than as members of target or “minority” groups. As a result of their numbers, neither management, nor the union executive, nor their work colleagues can relegate their concerns to the background. Moreover, recruiting candidates from each of the target groups is facilitated by the recourse to the networks of each group<sup>12</sup>.

Not only have several studies demonstrated the importance of attaining this important threshold, but the highest court in Canada also upheld this when imposing an affirmative action program in its final decision in *Action travail des femmes vs. the Canadian National Railway Company*<sup>13</sup>. In this case, this factor was explicitly recognized for the first time in Canada, first by the Human Rights Tribunal then, more importantly, by the Supreme Court of Canada.

According to the Supreme Court decision, the vicious circle of systemic discrimination, in which the low representation of women is a result of their small numbers, can be overcome, to the benefit of women, by increasing their number. Otherwise,

[...] the small number of women in non-traditional jobs tended to perpetuate their exclusion and, in effect, to cause additional discrimination<sup>14</sup>.

The Supreme Court ruled that, without an accelerated catching up process, there was no way to compensate for an accumulated disadvantage since the risk of discrimination decreases when a certain “critical” mass of people from a target group is maintained.

*Recruiting:*

a) *The disparity between the supply and the demand for women in traditionally male jobs*

When it comes time to hire candidates from outside the company to fill certain trade positions, the supply does not always seem to meet the demand, because:

- sufficient numbers of women still do not go for training in the fields that lead to the jobs to be filled for a given company at the appropriate time;

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<sup>12</sup> Blumrosen (1975), p. 5.

<sup>13</sup> *Action travail des femmes vs. Canadian National Railway Company*, [1987] 1 RCS 1114.

<sup>14</sup> *Action travail des femmes vs. Canadian National Railway Company*, [1987] 1 RCS 1114, p. 1141.

- more importantly, the information about the availability of work does not necessarily reach the applicants at the desired time.

When faced with this type of problem, the Human Resources departments can and must change their recruiting practices and look for candidates outside their traditional recruiting areas when women are not to be found there and try approaching associations and schools for example. These elementary recommendations are still applicable.

It is disturbing to note that the quantitative objectives of certain programs are not attained while more and more female graduates in the corresponding fields are entering the job market. In order to recruit these graduates, the organizations should definitely consider partnerships with the universities or schools and their students. This would be an opportunity for the Human Resources department to encourage young women to get the training they need to hold traditionally male jobs. After all, the Quebec approach to equal opportunity is to stimulate the supply.... by increasing the demand for members of the target groups!

As we have seen, the more enterprising organizations generate supply on their own by setting up joint programs with schools, women's groups, company managements and unions. Although we can't force all organizations to take part in this type of initiative, we can recommend that they do so.

*b) Freedom to hire internally or externally*

Moreover, certain managements tolerate certain unsettling internal contradictions. For example, according to certain hiring procedures, in non-unionized organizations, among others, the managers responsible for recruiting new members for their teams can choose not to consult the internal bank of candidates. This sends a discouraging message to the women in that company who would take advantage of the possibilities of internal mobility that are promoted elsewhere by management.

It would be expected that a company that considers career planning important would place more emphasis on the internal promotion of employees. Internal mobility is an essential component in a good career management system and this type of practice also develops a feeling of loyalty towards the organization.

But recourse to internal recruiting does not generally involve recourse to the informal network since there is another risk involved in this.... The informal network is an advantage for several men, but rarely for women. Increased recourse to internal positing would be preferable.

Certain organizations in which the Human Resources department has demonstrated

initiative when it comes to employment equity have implemented very efficient career management systems that are intended to identify and prepare employees for management positions by giving them the training they need. However, it has been observed that they have little recourse to such systems.

It is important to identify the factors for this. Since being implemented, these strategies for identifying female potential for training have had to be assessed. If not, could it be considered? Among other things, as long as the senior positions are organized in such a way that the criteria are incompatible with the family obligations of women, fewer women will apply for such positions. I will come back to this later.

*c) Masculine job titles*

In certain organizations, the job titles are still all masculine and increasingly so higher up in the company hierarchy: “directeurs de comptes”, “vice-présidents”<sup>15</sup>, etc. The message sent by these job titles is not that of an organization that represents both men and women and, as a result, curiously does not reflect the commitment of senior management to equity.

*The selection process:*

*a) Hiring requirements*

Hiring requirements or selection criteria based on years of experience – when such is the case – may be detrimental to both young people and women. If we change these criteria, it should be noted that hiring young recruits, who have their diplomas but do not have experience, requires certain measures. For example, the company will have to make sure that it has enough experienced employees or a foreman or team leader who can initiate the newly hired recruit with respect to the particularities of local operations. Any changes to selection criteria that are based on years of experience should take into account and change the training policy. Otherwise, the operation will backfire on women and young people.

Whether unionized or not, several organizations have set a minimum period that an employee must spend in a position and in the job unit as a criteria for internal promotion. Now, in the case of women, certain transitions from one level to another are more difficult because the women have less experience than their colleagues do. It is essential that we assess the effect of this criterion on women and determine whether it actually is necessary, in the event that it is detrimental to women.

Pre-hiring medical examinations are not sufficiently aligned with the actual practices of the

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<sup>15</sup> It should be noted that this investigation was conducted in French and concerned Quebec-based organizations. This document is a translation of the original French-language report. The matter of job titles is an important issue in the French language, where the masculine and feminine are differentiated.

various trades. In the case of the analysis of the job system, planned as part of the process for implementing an affirmative action program, we must consider the examination protocol used. The medical examination should take into account the equipment available to support the physical exertion required by the jobs and assess physical conditions in keeping with up-to-date information so as not to require superfluous conditions. According to those questioned, the equipment generally serves to avoid efforts that could cause injuries. If we do not take this into account, some candidates could be wrongfully eliminated.

Recent court decisions in terms of *bona fide occupational requirements* (BFOR)<sup>16</sup> should help raise the awareness of employers who are not already aware of these factors.

*b) Selection tests*

If the selection criteria are revised, certain selection tests should be touched up as well. Occasionally, they are based on old technology, which the experienced workers are familiar with, but is no longer taught in the schools. This disadvantages the new recruits, who are younger and received their training more recently. In order to avoid discriminating against candidates systemically, selection tests must be adapted to the training received by the recruits and not require out-dated knowledge.

*c) Disparity in practice*

Selection tests must be standard for both male and female candidates and reflect organizational consistency. In order to promote equity, a uniform procedure must be implemented. Certain comments made by those questioned lead me to believe that interviews differ according to the individual who conducts them. Some are formal whereas others are unofficial.

*d) Interview questions*

The content of the interview extracts suggests the subtle presence of possible discriminatory questions with respect to plans to have children, the importance of the family, etc. It is desirable that this type of question be standardized and even eliminated from hiring interviews in the event of discriminatory effects.

Moreover, there is still a certain amount of protectionism on the part of employers, even the most motivated. Women undergo a more rigorous selection process and are subjected to a larger number of determining selection criteria. The primary criteria, the knowledge of the type of work to be done and experience, are common to both men and women.

Moreover, for the women, the knowledge or at least a hint of what it means to be a minority as a woman in a traditionally male job is also a selection criteria. Yet, these matters did not

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<sup>16</sup> Among others, the Supreme Court of Canada decision in the case of Meiorin: British Columbia (Public Service Employee Relations Commission) vs. BCGSEU, registry no. 26274, September 9, 1999.

perturb the women we questioned. On the contrary, they seemed to be both prepared to hear them and sympathetic to these concerns, which they consider appropriate and not in the least exaggerated. Yet, even with the best of intentions, this procedure requires the women to adapt to the environment, even if that is not the purpose. I quote the international comparative study already cited earlier (Chicha, 1996):

Let's start at the beginning, when they go through the selection interview. We have observed that, from the start, the employer presumes that the female employee will have to adapt to the men, to her colleagues, and not the other way around. As a result, during the selection interview, there are a number of simulation exercises in which the female candidate is asked what she would do in response to such and such a negative reaction on the part of her male colleagues. Those conducting the interview want to see if she can handle such reactions, if she is motivated enough.

Initially, it appears normal to base a selection on this type of criteria and to make the female candidate aware of a reality she may not be familiar with. However, we have to examine the message that the employer is sending in this type of situation: the message is that the female employee has to adapt if she wants the position. Therefore, from the start, it is the women who bear the burden for adapting. As for the male candidates, they are not told that they have to treat the women appropriately and they are not required to take part in simulation exercises. (unofficial translation)

Unfortunately, this type of selection criteria makes the women feel responsible for their integration since their colleagues are not asked this type of question.

Moreover, the management at certain organizations prefers to hire women over the age of 30 since the employers feel that younger women run a greater risk of being harassed, which they are not prepared to endorse. This is problematical since no similar age limit is set for hiring men. I have no desire to deny that the situation would be uncomfortable for a young woman, given the current state of affairs. That's not the issue. But is the employer entitled to exclude them? Shouldn't the employer, instead, work on the ambient sexist atmosphere that could improve to the benefit of all women, and not only the younger ones?

In the case of *Dothard vs. Rawlinson* 433 US 321 [1977], the United States Supreme Court reminded the management of a penitentiary that was known for the toughness of its prisoners that the argument to the effect that, management wanted to protect women from a situation which was dangerous for them is not admissible since the *Civil Rights Act, Title VII*

gave women the opportunity to chose for themselves<sup>17</sup>.

This has the same negative effect as the selection criteria; namely it makes women responsible for their integration instead of addressing the matter of their colleagues' behavior.

*e) Decentralization of the selection process*

It is not unheard of for corporate re-organizations to have an impact on the delegation of power in matters of hiring. They often accompany a certain decentralization and devolution of objectives that turn local units into accountable "profit centers".

These re-organizations are very hard on affirmative action and Affirmative Action Programs and are a good test of management's determination to maintain the objectives. The Human Resources management suffers the cross-pressures of such re-organizations and, when hiring is decentralized, must coordinate the maintenance of equity objectives throughout the organization.

In this situation, leaving the decision to hire internally or externally or the candidate selection to the discretion of the foreman, team leader or supervisor can be problematic since that individual may have his own prejudices. This devolution of responsibility can easily transform a priority in principle for equity to a pious wish in practice.

In addition to other obstacles, the decentralization of recruiting decisions multiplies the number of people who need training in non-sexist recruiting. It is very onerous to train all those who may be involved in the process on non-sexist hiring practices and often, only a minimal effort is made. It would be preferable if management made sure that those responsible for conducting interviews are thoroughly familiar with the equity issues involved in interviews and use an adequate procedure. Better yet, management could require the presence of an individual who has been trained in non-discriminatory hiring practices on each hiring committee. Despite the price of this type of training initiative, if such training is not given, organizations increase the risk of decisions based on sexist prejudices.

How much leeway do decision-makers actually have with a decentralized process? It is often difficult to know. But it does seem likely that many foremen will not cooperate with the overall effort promoted by the affirmative action program for hiring women. In a similar manner, can we follow up on the results obtained by these individuals? For example, how many men and women are hired, for which type of positions, etc.?

*f) Contradictory messages*

Out of respect for a need to cut costs, certain Human Resources departments issue

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<sup>17</sup>

P. 335 of the decision cited in Landrine and Klonoff (1997), p. 184.

directives requiring those hiring to reduce the amount of time spent selecting candidates. This injunction to reduce the amount of time spent hiring can be very dangerous for equity. It takes time to eliminate sexist prejudices from the recruiting and selection processes, time to explore new hiring sources, to solicit applications from people who would not apply spontaneously, to verify qualifications, etc.

*The welcome:*

*a) Disappointment upon arrival*

In the very competitive environments of professional service sales, the women spoke to us more than the men did about the disappointment they experienced upon their arrival: left to their own devices, given only minimal training, with no information about the resources needed to do their jobs. Although both men and women suffer, to a certain extent, from the absence of any official welcome, men seem to find it easier to get through this period because:

- they manage to integrate into the informal network quicker and, in this way, obtain information from their new allies;
- the women say that they have to reconcile their family responsibilities with their work and, as a result, miss out on the various social activities and, although the men may face this same situation, they do not talk about it.

Yet, in any case, there appears to be certain negligence when it comes to disseminating the information that is needed to do the job and on the part of the availability of colleagues to provide *ad hoc* training. This results in situations that are uncomfortable and needlessly stressful for new women recruits.

These current difficulties bring to light a type of behavior that is more common with men than women: competition rather than cooperation, networking (most frequently among men) to overcome a lack of training, assurance and temerity rather than the systematic verification of any procedure, etc.

While women complain about this lack, the men seem to view it as a good selection test for new female recruits for internal promotion since it demonstrates how enterprising both male and female candidates are. These "self-fulfilling prophecies" must be taken with caution. In fact, if the rules of the test are set by the masculine culture, particularly the rules of the fight for survival and the survival of the fittest, men are better, to the detriment of women. So, is it credible when they view these tests as reliable? Is that belief based on a comparative assessment of the long-term results of those who win and lose in these competitions?

*b) Need for mentoring*

Some people may be inclined to retort that, in a competitive environment, the men are just



as isolated when they arrive. Of course they are, but that does not take certain factors into consideration. This obstacle will not automatically affect the men and the women in the same way. They don't have the same starting point and, as a result, they are not affected by the problems in the same way. The men may have access to limited informal networks, spontaneous mentoring relationships formed with experienced people on the basis of mutual sympathy. These relationships are promoted by the phenomenon of identification, which is more likely to occur between men than between men and women. They make up for the absence of a formal mentoring system.

Nevertheless, there are ways in which these obstacles can be overcome:

- By setting up a network of women from different organizations in the same sector or even different sectors, as in the case of organizations such as the *Femmes regroupées en options non traditionnelles* (FRONT) for women who work in trades or in production.
- Two-person mentoring groups could be set up to develop cooperation, outside the competition that is more the norm within the company.

Developing a mentoring system, in which the procedure for partnership would have to be considered, would be an interesting way in which to solve problems involved in welcoming new recruits. Foreign studies have been conclusive in this respect. The female mentors can guide new recruits through the behaviors, reactions and decisions that they may find surprising and upsetting. They will guide the women through the structures and help them attain their career objectives (promotions or transfers). They will demystify power, as practiced by senior manager, for aspiring candidates.

### *c) The absence of elementary infrastructures*

The absence of washrooms and showers for women is still surprising. In fact, the absence of washrooms and showers for women in all sectors is important for both the inconvenience it causes for women and the message it sends. Without washrooms for women, how can management demonstrate its commitment to the affirmative action program? How can management make people understand that it seriously intends to hire women?

In the case of work clothing that is adapted for women, which is still occasionally lacking, the issue is the same. Providing suitable clothing is important, first of all because the daily life and work performance of the women may suffer (some women stop working before the end of their shift in order to use the men's showers or work in inappropriate clothing). However, it is also important to solve these problems because, more important than words, actions demonstrate management's decision to hire – and retain – a significant percentage of women.

*Training:**a) The shortcomings at the time of arrival*

The men do not point out shortcomings in training as much as women do.

The women willingly criticize the lack of in-house training and the fact that they must go elsewhere for training. Some of them seem to believe that formal training is less necessary as a result of the large degree of disparity between the various situations, which promotes mentoring. The men seem to appreciate the focus on outside training. This difference may be a result of the problems involved in reconciling work and family.

In certain settings, where the women have to work with machinery which can be dangerous, the women are more willing than the men to express their dissatisfaction with respect to “on-the-spot” training which is too rudimentary. The women are also more willing than the men to express a request for more formal training with a trainer and training tools.

The risks described are not specific to the women and all of the people working for the company could benefit from more formal training. In fact, formal, systematic and complete training is not influenced by the “defensive strategies of the trade” (Carpentier-Roy, 1995), the fact of being used to danger, and the lack of sensitivity that goes along with it, namely a risk taking culture. From this point of view, the older employees who are put in charge of on-the-spot training are not always the most suitable people for transmitting safety rules, since they have learned to find ways around them.

*b) The shortcomings in management information*

In terms of training, certain Human Resources departments do not have reliable data, since the management information system cannot adequately and accurately generate statistics on this topic. What actually is happening training? Do women have the same access to training? It's impossible to know. Nevertheless, it is worrisome to note that, despite the promotion of training, several Human Resources departments cannot provide accurate figures with respect to employee training, particularly in terms of training given by gender and job class.

*c) The importance of training for internal promotion*

Little in-house training is done in Quebec and, in addition to the inconveniences already studied, there are also the negative impacts on employment equity, as a result of the limited number of opportunities for internal promotion.

Today, the growth in employment has slowed and many organizations are cutting staff. Therefore, affirmative action initiatives cannot rely solely on hiring on the external market. They must also rely on internal mobility. As a result of this situation, management could use

in-house training to fill traditionally male positions and implement measures to give certain female employees access to such positions.

*d) Resistance to preferential training measures*

In the absence of a consistent communication policy concerning employment equity, any measure that gives women a preferential advantage will run into resistance from men and could be viewed as “preferential treatment”, as I have seen in all of the organizations studied. In this case, information about preferential measures, their role in the equity program, their legality, etc. plays a strategic role.

*Managing personnel movements:*

*a) Gender differences with respect to the “visibility” required for promotions*

It is public knowledge that jobs that are linked to the sale of professional services require more than handling files during business hours and that a large amount of personal involvement is also necessary.

The women do not manage their career aspirations the same way men do. In fact, the interviews revealed two gender-related differences with respect to professional priorities:

- the women find it harder to invest the time needed to take part in the social activities that promote business, largely as a result of difficulties in reconciling work and family.
- the women place as much value on the “aggressive” recruiting of new clients as maintaining good relationships with their old clients. Although this attention to detail is praiseworthy, it can serve to hold back the women who spend a great deal of time on paperwork and customer relations but less time on their other aspects of their duties and who recruit fewer clients.

As a result, according to these women, they do not get as much attention as their colleagues do when it comes to promotions. This may be an example of an evaluation criterion that includes sexist prejudice.

In order to avoid placing women at a disadvantage when it comes to promotions, managers could consider adopting new evaluation and promotion criteria: the ability to maintain clients over the long run. Care must be taken to give this new criteria at least as much importance as recruiting new clients. In addition to the effect of facilitating the reconciliation of work and family, the company’s strategic interest would also be well served by this new criterion.

*b) Is the bar always set at the same height?*

The women are also of the opinion that they must demonstrate their knowledge and their abilities to a greater extent in order to be considered for a promotion. Moreover, once they have started moving up in the hierarchy, they cannot allow themselves to make mistakes.

This is a very heavy burden for women. When the bar is set this high, we should not be surprised that there are few women interested in jumping over it. Although it is to be hoped that the women who think this are wrong and that they are entitled to make errors, we must continue to support them when they do make mistakes...

As impossible as this equation is to resolve, it would appear that it is essential to employment equity. In fact, if we accept the principle that men and women do not start from the same starting line, in terms of both credibility and their acceptance by their peers, the intention to increase the representation of women must take into account the concrete obstacles they face and deal with them, otherwise the intention is just empty words.

### **Obstacles specific to HR departments and unions**

#### *The seniority systems in collective agreements*

The collective agreement establishes the rules for internal progression in which seniority plays a determining role. Since women automatically have less seniority for the time being, they generally occupy a lower position in the hierarchy. According to both the men and the women, the situation is generally clear and equitable in keeping with the union acceptance of the term; namely the seniority rules are the same for both women and men. There is little difference in the comments made by men and women in this respect.

Things are harmonious as long as the women respect the "rules of the game" as established in the collective agreement before they joined the company. But the situation is completely different if they do not respect those rules. Female employees and unions have serious problems when the rules of seniority are brought into question.

There is, in fact, some discussion as to the effects of seniority clauses on women who have recently taken on traditionally male jobs. The seniority systems used for internal promotions are in fact very important rights with respect to the arbitrary, but they do have significant effects on the internal promotion of the target groups, which are all new by definition.

For example, according to the results of the Cloutier study (1996), in a large public Quebec firm, the 51 women working in a traditionally male sector of employment have an average of 2.4 years of seniority and the 251 men have an average of 10.2 years. Seniority is definitely a variable that is statistically related to the gender of the people working in a traditionally male sector. As a result, union members are divided on the basis of whether they belong to the target groups or not and the effects of the seniority provisions.

Louise Dulude (1995) documented the harmful effect of seniority provisions on women. In fact, as a result of the type of job and the employment link specific to the job, the women have less seniority and enjoy fewer benefits from such provisions.

A Quebec study on women in traditionally male sectors of employment in the Lanaudière region, also concluded that:

Two factors are also important in preventing women from obtaining non-traditional jobs: the men have more seniority and women are discriminated against<sup>18</sup>.

According to this study, one organization of the nine studied offer both women and men equal opportunities to obtain positions in keeping with seniority since women have accumulated as much seniority as men and there is no discrimination. In four organizations out of nine, the men have more seniority. In the two remaining organizations, the women generally have as much seniority as the men, but do not obtain the jobs they apply for.

Measures can be taken to ensure that recently hired women do not reach a ceiling or are not the first to be dismissed. These measures do not bring into question the very existence of seniority systems, but are intended to modify how the system works so that it takes equity objectives into account. In general, compensatory seniority or constructive seniority, the selective suspension of seniority, the expansion of seniority zones, the attribution of compensatory seniority or super-seniority, for example, protect new female recruits and the extension of the zones to which seniority applies promote internal mobility.

But things sometimes work out differently because changes are made without anyone studying the effects on the women. For example, in one of the organizations visited, larger groups of jobs were established in which seniority was transferable. In the company in question, before these groups were set up, when a regular position was posted, the most senior employee holding a position in the same classification got the position posted which, in the current economic situation, could be to the disadvantage of women since they generally have less seniority (some of them have more than ten years of seniority.... but the average level of seniority there is high). When the jobs were re-classified in the larger groups, the number of male competitors increased in fact. Although the initiative was interesting in certain respects, it was not beneficial for the women hired through affirmative action.

The relationship between the strength, in numbers of the members of the target group and those of the dominant group is more likely to affect the willingness of the members of the union to accept changes to the seniority system. This type of situation is better suited for ensuring that such changes are accepted than situations in which such solutions are imposed by the courts since it is the result of an internal consensus and avoids the internal tensions and hostility that is directed towards the members of the target groups. In this case, an open clientele and the union executives play a decisive role.

<sup>18</sup> Garon (1993), p. 53, unofficial translation.

But few work settings are prepared to make such changes to the seniority system because the most senior employees stand to lose, without finding a reason for which the change would be appropriate. And the most senior are in the majority. On the other hand, they generally respond to any proposal in this sense with a great deal of disdain for any effort to integrate women in traditionally male jobs....

*The absence of a women's network within organizations that have not achieved a "critical mass"*

When women first join a company it can be very difficult for them because they are not very numerous. The new recruits have to face a group that consists primarily of men who are watching them closely. Setting up a network of the women working for the company would be a good move since it would give the women an opportunity to support, if only a little, the new recruit, discuss her impressions, exchange tips, etc. As a result, she would feel less alone and the women as a group would be more visible and better informed, thereby preventing rumors from replacing information.

Moreover, in this study, the women constantly expressed a need for such a network. Networking was also proposed in response to the fact that it is often difficult for the women to integrate into the more informal social network, particularly with respect to meal outings (we will come back to this later).

But any discussion of this matter brings two very different worlds into conflict. All too often, according to the union executives, there are no specifically female demands, with the exception of pay equity. We observed a certain resistance to the division of the employee collective within the union. Focusing on the particular circumstances of women causes fear<sup>19</sup>.

### **Obstacles specific to the difficult pursuit of the integration experience**

*With the clients*

According to the women, the clients are still off balance and confused by the presence of a woman among the sales professionals for certain services. They say they have to reassure them about their abilities, among other things. Sometimes, this goes beyond discomfort and becomes a real problem, resulting in an impasse or irritants that hinder the progress of the work. This can even seriously compromise the performance of a new female recruit and will, of course, be reflected in her performance appraisal.

However, team leaders play a key role. Depending on whether they support or hinder the efforts of a female employee within their team, her credibility will be either enhanced or

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<sup>19</sup>

See also Garon (1993), p. 48, since this was not the only study to come up with this finding.

reduced. Within the limited scope of this study, the women said they were often the target of comments with sexual connotations or sexist harassment (such as denigration) on the part of their clients or their colleagues, rather than more overt forms of sexual harassment.

Of course, a policy against harassment is required, but it is not terribly realistic to think that an employee will submit a complaint about harassment against sexist clients when the clients have made no sexual gestures towards that individual. It is more important for the supervisor to ensure a certain presence and to courteously support the women he hires when faced with a recalcitrant client.

#### *The delicate issue of couples*

Of course, a greater gender mix at work increases the probabilities of amorous relationships among work colleagues. It is not always easy to separate relationships outside work and relationships at work, when one agrees to see co-workers outside of work. Certain managers and certain employees would even support prohibiting relationships among employees.... But the powers of managers are rather limited when it comes to intervening in the private lives of people. In order to prevent this problem, at the source, the Human Resources departments seem to prefer to hire more "mature" women.... As a result of the few solutions found for dealing with this type of problems, Human Resources managements tend to resist hiring young women, whom they presume are at more "at risk" than the others. If this is a problem, the solution is, unfortunately, a problem for young women, but not for young men. In fact, the young women are at a disadvantage when hiring whereas the problem of couples at work is a problem for people of both genders.

These problems are, of course, one issue at stake in the integration of women in traditionally male sectors, as is the increasingly common problem of couples among colleagues in any mixed environment.

In fact, questioning the couples formed at work brings gender mixes at work into question since you cannot separate the formation of couples at work from the issue gender mix. It would be better to try to identify the actual problems caused by such situations and manners for dealing with them, the rules to be set, for example, than to try to avoid hiring these "high risk" individuals, which leads to a new form of discrimination. For a long time, HR managers have found ways in which to deal with conflicts between people of the same gender. Why should conflicts between spouses or ex-spouses be considered insurmountable? Since clan wars and personality conflicts have always divided groups of employees, should we believe that it is impossible to deal with conjugal conflicts? Isn't this just another sign of resistance to mixing?

*Integration in a divided, conflict-ridden setting*

When women have to integrate into a group of workers who are divided into groups and ridden with conflicts, the position that the women take in such conflicts can be crucial. These situations are even more difficult when the women tend to adopt the same position, which then becomes the “girls” position for their colleagues. When the conflict concerns the practices of union executives, whose positions divide the collective, integrating into the union becomes a sizable obstacle for the women. Rejected by the union, the women will find their lives in the organization very difficult.

Integrating women includes compliance with informal work rules such as those that control productivity and production quotas. Those who break up the group for the benefit of a more individual attitude with respect to work performance will certainly be sanctioned. First of all, they will certainly be excluded from a part of the collective.

For example, one of the signs that can be used to “categorize” a new male or female worker and to place this individual in one camp or another is the employee’s attitude with respect to productivity at work. If the individual is concerned about working hard, he/she will be placed on the “boss’ side, when unions unofficially acknowledge production quotas. Since some types of work in certain organizations are done in groups, the performance appraised is the groups performance and the groups must agree to a common pace.... which inevitably causes divisions. In order to avoid choosing one camp over another when it comes to productivity and dealing with the resulting conflict, the only option would seem to work alone, but the female worker is stigmatized by doing this just the same.

In one of the organizations studied, we noted that the women showed very little enthusiasm with respect to such conflicts. They seem to prefer to remain cautiously in the background and it is easy to understand the risk they run by taking a stand. When the women find it hard to see themselves in union life as it is presented to them, they tend to turn more quickly towards management in the case of problems and this merely aggravates the problem.

This is not the only study to raise the issue of this obstacle to the integration of women in traditionally male sectors, namely competition with their peers<sup>20</sup>. Other studies have also revealed that women in traditionally male sectors tend to state that they have excellent relationships with their superiors more often than the men do, which the authors of those studies attribute to the fact that these women feel obliged to prove themselves, to take on more, thereby producing more<sup>21</sup>. The fact that they perform well could look like a threatening rivalry for their colleagues.

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<sup>20</sup> Berthelot and Coquatrix (1989), p. 27.

<sup>21</sup> Berthelot and Coquatrix (1989), pp. 37-38.



Another conflict observed in the group of employees we studied concerns discipline at work, safety at work as a result of an alcohol or drug abuse problem, and dangerous conduct. The employees find it difficult to file a complaint when the individuals in question are not isolated but form a united group. Filing a complaint is definitely difficult for a man and none of them raised this issue. For a recently hired woman, filing a complaint takes on heroic proportions. Yet some of them find themselves victims to a self-censorship that is difficult to bear since the actions in question anger and endanger them. When the women, who are already kept under close scrutiny and watched closely by their peers, break an unofficial rule (often the most important ones) they will be watched even more closely, if not excluded.

Now, by definition, certain characteristics predispose them to adopt patterned positions when faced with the issues in question. Is that because they are women? Not immediately, above all not out of their female "essence", but indirectly. Women working in a sector of employment that is not traditionally female must, by definition, have a lot of ambition since this is a demanding choice for which they have to fight. Moreover, they are, on average, younger since they have less experience in the trade, although there are some exceptions. But this has no effect on the outcome or the difficulty of this situation.

*Reconciling work and family:*

The women are very aware of the obstacles inherent in having a home and children. Far from being a matter of details, this "single thing that sets me apart"<sup>22</sup>, represents a profound difference between men and women. In the group studied, those who manage to reconcile work and family have relied on very flexible private solutions and gave up things that were important either to them or those close to them. They do not merely give up certain pleasures or training, as the men may also have to do. They also have to renounce equity with the male colleagues who often do not have domestic responsibilities.

Nevertheless, it is unfortunate to note that, according to the comments made by the men, there are few solutions available to the women with respect to this "biological difference" that occurs because they are responsible for giving birth. Yet, there are equitable arrangements, particularly in terms of the pro rata evaluation of accomplishments in terms of the time actually spent on the job.

*a) Few women use the measures...?*

It is surprising to note that, when a policy does exist with respect to reconciling work and family, which is moreover fairly interesting in many cases, such policies are not known to all of the employees and are not used very much, in the opinion of management. Along the same lines, we were the ones who informed some of the women studied that such a policy existed. But our surprise did not last long, since there is an explanation for everything.

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<sup>22</sup>

Quote from an interview.

*b) A policy that goes against the culture in certain settings*

In many very competitive environments, such as the sale of professional services, it is generally presumed that the time spent at work, without any consideration of actual productivity, demonstrates the individual's commitment and loyalty to the employer. As a result, the ideal worker is one who has no responsibilities outside of work that interfere with their commitment to the organization.

According to the comments made by the men we interviewed, there is a lot of pressure on the women to minimize the amount of time they take for maternity leave. To a noticeable extent, the issue of maternity leave generates a lot of animosity in all of the organizations studied when the organizations start to hire women, even if the constraints raised are not the same in the various settings. We must not neglect the effect that such a reaction has on the ability to retain female employees.

These informal rules discourage women from using the measures set up to help them reconcile work and family. The social control exercised by their colleagues bothers the women who take advantage of such measures and, without a doubt, occasionally prevents them from doing so.

Although a portion of the work to be done in order to overcome the inequality in the sharing of domestic chores is social in nature and not the responsibility of corporate management, there is a portion for which management can assume responsibility. In a very spontaneous manner, the women stressed the importance of the attitude adopted by their foreman or their team leader with respect to the constraints experienced by women and, in particular, with respect to women taking on traditionally male jobs.

Deploing the disparity in the attitudes and the points of view of middle managers to the hiring of women is one thing. Yet, implementing an equity program and attaining objectives with respect to the representation of women requires more. Among other things, if there is cause to believe that certain attitudes are creating obstacles, management must address the individuals who have such attitudes and try to change them. Training is one way in which to attain this objective, since it can cover both attitudes and the formal knowledge required for a job.

*c) A few proposals that seem difficult to implement*

Yet, flextime is not automatically irreconcilable with the constraints of business hours in customer services. One solution that could be considered would involve dividing work hours between the office and home through teleworking.

Job sharing is another possible solution since it enables the employees to arrange their

schedules while ensuring continuous service during business hours.

In a manner that is consistent with the comments we received with respect to the problems involved in reconciling work and family, the women would, for example, like to reduce the amount of time they spend at work and, in particular, work four days per week rather than five. Some have tried this in previous and similar jobs. In order for this to work, the communication channels between the individuals who share the job must be very open and these individuals must work well together. The women are aware of this and those who have tried this solution are convinced that it is possible.

Of course, there are certain constraints involved in job sharing. But management must choose between the constraints experienced by the women for which management implements equity and affirmative action measures and those that will be experienced by the employees who chose to share a job or even clients, while making the most of its choices.

Several of the women we studied who sell professional services already do a portion of their work from home and management is in agreement with this, providing them with a portable computer for this purpose, in addition to taking other measures. For the time being, it is a fairly common practice to supplement normal office hours with additional time that is worked at home and yet not formally counted. Many individuals invest this time to ensure their success in their career. Once this step has been taken, corporate management and the clients will be ready to move from teleworking that is done in addition to normal office hours to teleworking that replaces office work, at least in part.

One thing is certain, work must be re-organized so that the reconciliation practices can be adapted to it by dividing up tasks, among other things, in order to facilitate teamwork. Moreover, replacements will be less problematic.

*d) The resistance of male colleagues to these proposals*

This idea generates a lot of resistance on the part of the men who do not believe that it is desirable to rearrange work schedules, although they are not really familiar with the issues.

Their reticence is based primarily on the "clients' needs". When dealing with proposals to rearrange work schedules, the male colleagues willingly base their reticence on the constraints imposed by business hours. Curiously, they call for these whereas the Human Resources department does not! However, this issue of the client needs has not been put to the test. When the women started to take on jobs that are not traditionally female, several of them, as we have seen, thought that the clients would never get used to this. Well, they have...

Nevertheless, this reticence is partially based on very real problems that are grounded in the manner in which teamwork is organized. The male workers are afraid that they will have too much work when one of their female colleagues only works four days per week and this is another important factor in their reticence. If the men actually do have more work, the measure will automatically turn against the women who use it and, in the long run, against all women... and against all employment equity measures.

It is not enough to reduce the time spent at work. A way must be found to compensate for the effects of reducing the time spent at work so that the measure does generate the conditions required for its own failure. Among other things, we must avoid imposing the measure on another member of the team who is not willing to see it adopted. This would seriously hamper the measure from the outset, as a result of an unfortunate experience.

Although men can also share jobs, they only rarely said that they would want to do so, which is not terribly surprising. Nevertheless, they will feel bitter towards the women who take advantage of such a measure, particularly as a result of this perception that they would work more. In an insidious manner, even if they have access to part-time work, and they choose to work full-time, they will still feel that they are being treated unfairly.

If management were to implement or retain this type of measure, certain precautions should be taken, namely:

- they must implement measures to ensure that the workloads of the male employees are not increased;
- they must explain, and re-explain, as part of an information policy, the grounds for such measures and the fact that they do not result in preferential treatment in the event of performance appraisals or promotions but are simply a matter of equity.

### **Obstacles specific to cohabitation. Exclusion mechanisms and the resistance of male colleagues**

There is a link between these final obstacles. Exclusion mechanisms and resistance practices are a form of harassment which is included in the manifestations of violence at work: sexual harassment, which is occasionally sexist and often psychological.

#### *The concept of harassment*

All too often, the definition of violence is restricted to the visible manifestations of violence, generally attacks on people and things: a battered person, a building that has been damaged and vandalized, or the intent to attack, damage or destroy. In general violence is associated with its visible symptoms. Yet, not only can violence be psychological and not leave traces, but physical violence can also leave psychological traces, which are also invisible. Any definition of violence must take these dimensions into account.

Frema Engel defines violence as:

Violence is a continuum of behaviors that jeopardize our physical and/or psychological well-being. It is a threat or a perceived threat to life. It is an act of verbal, psychological, sexual or physical abuse or an attack on one's property. The intent is to control or dominate, to injure or destroy, or to deprive a person of dignity<sup>23</sup>.

If we define violence in the workplace in keeping with this type of continuum, it would include several behaviors which humiliate, ridicule or exclude women (without involving physical violence) and do give the aggressor control over an individual, in order to promote his own interests and objectives<sup>24</sup>.

We can talk about violence when the aggressor becomes impulsive, loses control over his actions and words, terrorizes the individual he is addressing or represents a threat with respect to the physical or psychological integrity of the individual addressed<sup>25</sup>. In this case, the aggressor may be in full control of his faculties and very calm, or at least appear so. Yet he is still committing an assault against that individual. Cases of planned, organized violence fall in this category. For example, when one or more employees use another employee as a flogging boy and plans to destabilize this individual, aggression is not a sudden response to frustration, but a plan, associated with an objective. It can take place over a short or long period of time, punctuated by small, repeated attacks.

Certain risks of this type of violence in the workplace are specific to the members of the target groups; namely women and members of ethnic minorities, particularly in situations in which they find themselves isolated in a hostile setting. These risks generally take the form of harassment, which is included here as a form of violence. Quebec jurists define harassment in a similar manner to violence, since it is aimed at individuals who have the characteristics listed in the various charters as illicit grounds for discrimination<sup>26</sup>:

Regardless of the reason for the illicit discrimination to which it is related, harassment attacks the physical or psychological integrity and the dignity of the person who is harassed. It has a negative effect on working conditions and the workplace<sup>27</sup>. Harassment has enormous consequences for the victim, such as physical or psychological disease,

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<sup>23</sup> Engel (1998), p. 35.

<sup>24</sup> Engel (1998), p. 36.

<sup>25</sup> Lachance (1996), p. 13.

<sup>26</sup> In legal terms, harassment was defined after it was prohibited in the charters and this definition has been developed through various cases.

<sup>27</sup> See the *Commission des droits de la personne vs. Daunais*, CDP, Joliette, no. 705-53-000002-959, March 11, 1996 (J. Brossard); *Quebec Human Rights Commission vs. O'Hashi*, JE 96-2002 (TDPQ); *Commission des droits de la personne et des droits de la jeunesse vs. Trudel* (TDPQ), Terrebonne, no. 700-53-000001-960, September 27, 1996 (J. Brossard). The authors of this passage cite these decisions.

the loss of self-esteem and even the loss of employment, as well as incurring costs for the employer as a result of absenteeism, a decrease in productivity or a hostile work environment<sup>28</sup>.

This definition includes all forms of harassment. I will not discuss physical harassment here. In order to distinguish psychological harassment in her work on harassment which she refers to as moral, Marie-France Hirigoyen defines it as follows:

Any abusive behavior that is demonstrated by means of behavior, words, actions, gestures, or written material that can affect the personality, dignity, or physical or psychological integrity of an individual, threaten that person's job or cause the work environment to deteriorate<sup>29</sup>.

This definition includes the physical dimension of the definition of violence as well as all the others, to which it is closely related.

Sexual, sexist and racist harassment may be physical or psychological. In *Janzen and Govereau vs. Platy Enterprises Ltd.*<sup>30</sup>, Judge Dickson of the Supreme Court defined the sexual harassment that can be used as grounds for lawsuits against discrimination under one of the charters:

Sexual harassment in the workplace is an unwelcome conduct of a sexual nature that detrimentally affects the work environment or leads to adverse job-related consequences for the victims of the harassment.

The person committing sexual harassment exercises a control over the victim that may be physical but is not necessarily so. He may use jokes, unwelcome glances, comments with a sexual (or racial) connotation, intrusive contacts, jokes that are in poor taste, crude propositions, and glances that are repeated, not desired or bothersome to the individual. This behavior is subtler, but no less damaging for the victim since it creates a "hostile" work environment, which is hard to bear. The implementation of a "pornographic atmosphere"<sup>31</sup>, for example, is sexual harassment. So is blackmail<sup>32</sup>. In this case, we tend to refer to psychological harassment.

Whether sexual harassment is physical or psychological, it can express a desire or an appreciation for sexual favors. In legal situations, we use the expression *quidproquo*. This type of behavior may also be intended to put down people as a result of their gender, (most

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<sup>28</sup> Bernier, Granosik and Pedneault (1997), pp. 9-1 and 9-2, unofficial translation.

<sup>29</sup> Hirigoyen (1998), p. 55, unofficial translation.

<sup>30</sup> [1989] 1 RCS 1252.

<sup>31</sup> *Commission des droits de la personne du Québec (CDP) vs. Linardakis* [1990] 4 RJQ 1169 CQ.

<sup>32</sup> *Foisy vs. Bell Canada* [1984] SC 1169.

often in the case of women) or their ethnic origin. In legal situations, once again, we refer to this as *creating a hostile work environment*, particularly if it is generalized.

Outside the legal setting, we also speak of sexual or racist harassment. The CDP lists the most frequent manifestations, both physical and psychological, of this form of harassment: caricatures, graffiti, jokes, insinuations, offensive comments, unpleasant remarks, insults, slurs, hurtful omissions, disdainful attitudes, isolation, snubs, discouraging employees to try for promotions, demotions, vandalism or damage to the space made available to the victim, assault, and aggression (Commission des droits de la personne, 1992).

In principle, however, according to the Supreme Court Justices in the *Janzen* decision, regardless of whether harassment is intended to procure sexual favors (*quidproquo*) or create a hostile work environment (and, in this case, regardless of whether it is sexual, sexist or racist), it is prohibited and denounced and there should no need to define the action as belonging to either of the two categories:

Sexual harassment is not limited to demands for sexual favors made under threats of adverse job consequences should the employee refuse to comply with the demands. Victims of harassment need not demonstrate that they were not hired, were denied a promotion or were dismissed from their employment as a result of their refusal to participate in sexual activity. This form of harassment, in which the victim suffers concrete economic loss for failing to submit to sexual demands, is simply one manifestation of sexual harassment, albeit a particularly blatant and ugly one.<sup>33</sup>

In this report, I will speak principally of psychological violence in one of its specific forms: sexist harassment.

#### *Social life within the organization*

One of the insidious manifestations of the persistence of an exclusively masculine culture for women is the social life within the organization, the integration of women in the social network, which can later effect performance at work.

Despite the apparent openness of male employees to their new female colleagues, their behavior demonstrates a hidden side.... which is less pleasant. The women we interviewed willingly spoke about the sexual segregation that occurs at meal times. Some even tried to "impose" themselves on their male colleagues and share their meals with them, but were not tempted to try this again because they had found the experience rather disappointing. When we speak to the men, we get an entirely different story.... According to the men, there

<sup>33</sup> *Janzen vs. Platy Enterprises Ltd.* [1989] 1 SCR 1252, p. 1282.

is no segregation and male and female employees hang out together without any barriers.

An explanation can be found after a little digging... outside the formal interview setting. The men simply tend to eat in restaurants with “dancers”, as they are called, namely restaurant where “sexy” waitresses serve a basically masculine clientele. It is in such moments that the informal network so useful for solving problems or obtaining a transfer, a promotion and so on, is created. In the plant, in the case of unionized blue collar workers, it is easy to overcome the effects of this type of network and even if it does have significant effects on the women, they can “live with it” on their own terms. But in the banking sector, in the case of the professional service sales professions I studied, the consequences of this type of segregation are more important, since business with important clients – and between employees and bosses – is also conducted at these times. The exclusion of women from these networks has an impact on their career progression that is more than anecdotal.

#### *Women under close scrutiny*

The men express a certain amount of curiosity when a woman joins the organization and, for a certain period of time, the new recruit receives a great deal of attention. The women surveyed frequently spoke about a parade around their workstation, with each of their male colleagues making a comment, which was more or less out of place, more or less provocative. The women described the very unpleasant feeling of being observed and, moreover, having comments made to a colleague in their presence<sup>34</sup>.

When the staff is stable, as in the case of a plant, this humiliating situation occurs less often, although it does still occur. But in the building sites, the staff changes every day and the event is repeated ad infinitum.

Some women find this very difficult and, as a result, they leave. Even if they find an explanation for it and even if, in certain cases, it only lasts a couple of weeks, when the women are not numerous, there is no female colleague to tell them...

Once again, it would be a good idea to set up a network of the women working for the company. Of course, the understanding and the discrete assistance of colleagues who are aware of the issue, the union representative, or the foreman can also make this situation less painful. For the time being, this function is assumed by organizations such as FRONT, although the implementation of an internal network, even if this were only done when a new recruit is hired, would be important since:

- not all of the women can take part in the organization’s activities since they have families;

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See also Garon (1993), p. 77-80.



- a network specific to the organization could provide an opportunity to deal with problems specific to that setting, the trades concerned, etc.

#### *A narrow corridor*

The corridor is relatively narrow in terms of the “appropriate” reaction to actions which are out of place and either constitute out-right harassment or borderline harassment. In order for a reaction to be appropriate, it must promote the integration of women instead of creating problems. According to many women, it must therefore contain an appropriate amount of self-affirmation, tactfulness, and preservation of men's pride, which will determine what the woman must do in public and what she must do one-on-one with her male colleague.

This rule of public respect for the individual is very important and applies to several contexts, even pornographic posters, in all of the organizations studied, with one exception. As long as this rule is respected and confrontation is limited, it appears that it is possible to discuss various topics. But the women cannot ever react with the same spontaneity as the men who feel that the plant is their territory. The men are not worried about such scruples when they react to the way in which a colleague behaves. In public as well as in private, comments are made... and hurt people. Two weights, two measures.... and this difference highlights the fact that some people are at home and others are under scrutiny on the shopfloor.

The men we studied are convinced that their new female co-workers must definitely prove themselves without, however, excessively demonstrating their qualities.... Educated women must keep an eye out for showing off their education in their relationships with less educated men, in addition to behaving “appropriately”. The corridor for the “appropriate attitude” for these women, according to their male colleagues, is very narrow. The women must clearly prove to several skeptical men that she is competent without, however, appearing superior. In this respect women holding managerial positions are no different than those who hold other types of traditionally male jobs in this sample, including those who hold trade or production jobs.

The women also feel required to fit in by adopting the customs of a culture that is more masculine than feminine. The women must learn to deal with “daily sexism” on the part of colleagues that confines them to a very narrow corridor. Demanding, through the very fact that they hold this type of job, equal access to traditionally male bastions, they cannot further complicate their situation by behaving in a manner that is considered “feminist” by their colleagues. They must “understand” that they will be asked to make coffee for a client, among other things.

A woman who is very “angry” will be considered “precious”. But if she is too open, she will

be criticized by her colleagues, will open herself up to the jokes and gestures, and she will be slighted for her attitude.

In this respect, an anthropological study on the difficult integration of women in coal mines (Yount, 1991), a traditionally male sector where the men were renowned for maintaining an environment full of sexist, bawdy and coarse jokes, identified three different types of reactions to the jokes on the part of the women:

- The *ladies* are the oldest. They keep their distance from the men, do not get involved in relationships with them, avoid any “suggestive” behavior, and adopt the clothing and manners of ladies. Their attitude has two consequences:
  - the men harass them less;
  - they are given assignments that are less interesting and less prestigious for less compensation.
  
- The *flirts* are generally younger single women. They pretend to be flattered by jokes that they do not necessarily appreciate. Their attitude also has two consequences:
  - they act out the female stereotype of their male colleagues;
  - they are viewed as lacking potential, they are given few opportunities to develop their skills and to establish their social identity as *mineures*<sup>35</sup> (namely “female miners” in French).
  
- The *tomboys* are single women, who are even younger than the flirts; they focus on their identity and status as *mineures* (namely “female miners” in French); they build a shell around themselves, respond with humor, react and speak about sex as well, and adopt a role similar to that of the men. It is not known whether they hold better positions than the women in the other two groups. The men have two interpretations of their behavior, sometimes simultaneously:
  - they are easy and promiscuous;
  - they have violated the sexual division of the roles and are not to be trusted.

In fact, none of these strategies is successful. The desired solutions should be collective in nature, such as the implementation of a network as I have mentioned frequently throughout this report<sup>36</sup>.

Between respect and the affirmation of their positions and the search for peaceful cohabitation, the corridor is narrow.... and is often reached through a renunciation of the freedom to affirm their feelings. When it is beyond them, for the time being, the women often seem to opt to turn a blind eye to it, as if in the order of priorities, it did not come first or could even compromise a fragile balance in terms of integration. These women are not entitled to make mistakes.

<sup>35</sup> French gives a common meaning the feminine terms often without any connection to the masculine equivalent, which is a serious weakness.

<sup>36</sup> Landrine and Klonoff (1997), quoted later, arrived at this same conclusion (p. 160 et seq).

Not only does mistakes follow the woman who has made it, it follows the entire group of women. In fact, since women form a group that has not traditionally been integrated into the company and since they have no acquired right to be there, any error has an impact on each of them and is attributed to them, which is obviously not the case for the men<sup>37</sup>.

*Exclusionary watchwords and boycotting: the pressure exerted on the women by a common front of a group of their peers and the foreman*

Sometimes the men join forces – occasionally with the foreman – to exclude a woman from the group of people working for the same department. The purpose may be to cause her to lose her job. This is definitely the worst time for a woman in a traditionally male sector. A woman even had lunch in her car over more than two years...

What is the cause of this hostile reaction? All women do not experience this reaction, of course. The reasons given (physical inability to do the work, asocial behavior) are also not necessarily the real reasons behind the exclusion.

This type of behavior is demonstrated, among other things, by a refusal to work in a team with a female colleague when the work is organized for teams of two. In fact, the female employee will be assigned other duties, which are often less interesting and less instructive and occasionally also more traditionally “feminine” since they involve the office work or housekeeping duties associated with the work done by the department or the unit<sup>38</sup>.

The foremen may play an active role in excluding the women, by forbidding the men working in the department to speak to the women in question and instituting a regime within the department that is based on fear and denouncement.

A male employee may decide to take part in this exclusive behavior as a result of his own reticence with respect to the integration of women and also out of fear of being excluded from his group of peers. Of course, this can also reflect the fact that he may not like the individual in question, as he may not like any other individual. However when the reaction is generalized, it becomes difficult to believe in the theory of antipathy. Is it possible that the entire group feels that the female employee is incompetent? In this case it would be difficult to explain how she has managed to keep her job for several years.

Different work environments do not require the same level of solidarity among co-workers. Certain settings tolerate differences of opinion on practically any issue whereas others rely on the strategy of the unofficial “watchword”. This watchword will often be a means of pressure or reprisals for union stakes but it may focus on other objectives. After using the watchword, the instigators will ensure that it is respected in a variety of manners, both

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<sup>37</sup> See Garon (1993), p. 63

<sup>38</sup> See Berthelot and Coquatrix (1989), p. 30-31.

verbal and implicit. This is an unofficial but very effective union response, particularly during periods when traditional pressure tactics are prohibited.

According to this investigation, which it should be noted was based on a sample of organizations that was not statistically representative, the "tolerant" work settings are generally small (SMEs) and the employees, even when unionized, have less bargaining power than in sectors when a "watchword" is used, as in construction and factories and plants where the blue collar workers have a long history of union-management confrontation and a great deal of bargaining power.

The women who work in these settings are the ones who speak about the effect of the exclusionary "watchwords". In the other sectors, the women describe various forms of harassment, which are not as organized and not as focused on exclusion. In the "tolerant" organizations I visited, the harassment tactics come to an end and the women who use appropriate response strategies manage to make a place for themselves, establishing appropriate relationships with their male colleagues. They say that the situation finally settles down.

The most immediate effects of the exclusionary watchword for the victim is the increased difficulty they experience in obtaining the information they need to do their work, a longer and less agreeable training period, and, occasionally, being prevented from learning certain tasks that are impossible to do except in two-person teams. But, on a long-term basis, the women suffer (in the case of certain injuries that result from this type of behavior, the Commission de la santé et de la sécurité du travail (CSST) even pays compensation since they result from stress at work), do not work as efficiently and, finally resign from their jobs.

#### *The pressure exerted on the men by their peers*

One woman learned, to her detriment, about the sacred nature of pornographic posters when she dared to move one of the *hard core* posters that stared her in the face as she ate, in a construction site shack. First, she asked for permission to move it and no one responded. Then she moved the poster and positioned it behind her. The next day, a united group of her colleagues literally wallpapered the shack with even *harder core* posters.

When the employee in question observed the reaction, she had to immediately consider the attitude she should take since she was with them and they were all waiting for her to react. Isolated, as far as she was concerned, she could not hope to win since the men are automatically united in the construction industry, either by conviction or by simple intimidation or the threat of losing their network of contacts. She demonstrated her disagreement without asking for anything and found herself excluded from the site and the network of contacts that support job searches.

This incident also demonstrates the importance of numbers or the critical mass of women during incidents that set the "girls against the guys". But in this conflict, what is perceived as the most hurtful is the discovery that the camaraderie established with male colleagues disappears when faced with an incident that the group as a whole decides is too important. In the case of pornographic posters, the solidarity of the men takes precedence over any pre-established friendship. Never is expressed such a threat as solidarity with the victim would compromise the chances of employment for the man who demonstrated such solidarity. Only exclusion from the social group is often enacted and this is sufficient to forge solidarity.

#### *Pornographic posters*

Unfortunately, humor is not always the best solution and some of the women questioned do not believe, as a result of their experiences, that you can reduce the sexist effect by replying to a joke or by "letting jokes go by without reacting because the guys will eventually give up". As a result, dealing with pornographic posters is a very delicate matter for the women since they are generally aware that such posters serve for their male colleagues as what anthropologists refer to as totems, taboos, the last bastion. I use this metaphor because the relation these men foster with these posters is less simple than it could seem at first glance. In many places, it is never said but although pretty well-known that women should never, never touch, comment, neither criticize these posters. Actually, standing outside of this symbolic world, one can feel that evokes a kind of worship ...

Let there be no misunderstanding about it: I do not underestimate the sexism there is in pornography. That is not my point. All I want to emphasize is the depth of the men's relation, in shops and trades, with that kind of pictures and, as a result, the importance and the difficulty for women of finding their way through these problem.

In addition to the symbolic importance pornographic posters have for men, they also raise the matter of the delicate position in which the union executive often finds itself, as a result of their reticence to intervene in such matters, since the union tradition of democratic decision making encourages the executive to take the opinion of the masculine majority into consideration. In this case, the women find themselves alone and more in tune with the HR management. And they will not necessarily have recourse to the Human Resources management without encountering other problems with their colleagues.

Filing an official complaint with management can be costly. The networks of women in traditionally male sectors and the groups that help women are unanimous on this topic... without necessarily recommending that the women remain silent, of course. This should rather be seen as a "pragmatic" answer to an otherwise progressive measure, that is to say the possibility to file a complaint.

Pornographic posters demonstrate the conviction men have that they are in their place and that they are justified in acting the way they do. Women are not the only ones who often don't know what to do in this type of situation. Neither the union nor management knows what to do either. For the time being, in the organizations investigated, and this is definitely a result of the small number of women, women appear to have decided to ignore this type of situation, for the reasons already mentioned. The women would like to integrate into a setting where they are in the minority for now. But they must establish priorities with respect to their objectives, on the one hand, and their convictions with respect to pornographic posters and human rights, on the other. The attitudes of the women vary with respect to harassment and pornographic posters, but the message they perceive is always the same: you are not in your place. It is in this respect, above all, that the women are made to feel as if they are under scrutiny, that their presence is not accepted, that they are living, nothing more nothing less, in occupied territory.

*Obligatory supervised compliance*

The fact of standing out from the group, of asking for different conditions, such as a different schedule, can result in hostility, even if the schedule desired is covered by the collective agreement. For example, one of the women questioned asked to work according to the schedule provided in the collective agreement, namely from 7:00 a.m. to 3:00 p.m., in order to accommodate her baby-sitter. Her male colleagues had agreed to work from 6:00 a.m. to 2:00 p.m. In order to make this schedule change possible, a single man from among her 20 colleagues had to voluntarily agree to work in a team with her during these hours (this was the "reasonable accommodation" proposed by the employer).

The behavior of this woman's colleagues was so exclusionary that they initially refused en masse to be questioned for this investigation. When they finally did agree, the interviewers noted a great deal of hostility with respect to this woman, partially because she had been on preventive leave during which time she was not reassigned to different duties, although accident victims are often reassigned. All of them feel that the employer merely reassigns them for the "form", so as not to give them leave.

When the women use the rights they are granted under the collective agreement or by law, there is still a presumption that they are being given preferential treatment, which generates hostility. The fact that women are not replaced during maternity leave, for economic reasons and also as part of a broader practice concerning absences in general, merely increases the resistance to them when they return to work and is even more detrimental to the women, as a result of fear concerning their absences or the bitterness that builds up during their leave.

This conflict concerning schedules reveals several of the issues at stake with respect to integrating women into traditionally male sectors of employment: the fact that women

assume more responsibility for children than men do, although some men do assume these responsibilities, is either denied or presented as normal. Other factors of tension: the fact that the women are on average younger than the men and likely to be young mothers, the fact that women are strongly encouraged not to stand out, most likely because they already stand out merely as a result of their presence...

Much in the same way as in the assessment of the skills required for hiring, the men are not convinced that the women do not receive preferential treatment. There really is a need to make additional efforts to disseminate general information on this issue. Both management and the unions must make serious efforts to disseminate information in order to dispel rumors and dissipate hostile responses to women who are given preventive leave.

It would be a good idea for the employer to take advantage of this opportunity to make a rigorous effort to standardize the conditions for reassigning male and female employees so as not to give rise to any perceptions of inequity.

#### *Sexist harassment and the effectiveness of policies against harassment*

Despite the fact that none of the women we surveyed stated that she had personally been the victim of direct sexual harassment, it was interesting to note that all of those questioned, both management, female employee and male employees, said that they supported the existence of a policy against harassment. This is often the situation in all of the organizations investigated. People hesitate to speak about specific cases, particularly their own case, and prefer to speak in general terms, often as a result of fear. The women rarely speak about what has happened to them within the organization that employs them, but about incidents that happened to someone else or that happened to them elsewhere. The social pressure to keep quiet about complaints can be easily explained.

Furthermore, harassment is not always specifically sexual, but rather sexist. Namely, the women speak about jokes, made by men, that deal with the presence of women at work but do not necessarily have a sexual connotation. Several studies have revealed this, along with several obstacles that I have just discussed: a high degree of surveillance, the resistance of clients, competition with peers<sup>39</sup>.

The male employees find it amusing, among other things, to demonstrate their skepticism with respect to the ability of the women hired under an affirmative action program, despite the fact that they are required to have the same or equivalent skills in order to be hired.

Despite the standardization of the selection tests and the fact that the same standards are set for the members of the target groups as for the men, there is still a great deal of

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See Garon (1993), p. 38; Berthelot and Coquatrix (1989), p. 27.

prejudice with respect to the competence of the women hired. There is still a lot of confusion with respect to quantitative hiring objectives in the case of equal ability, as promoted by the Quebec and Canadian approach, on the one hand, and the American *quotas*, on the other hand. This confusion must be dissipated because it discredits those who are hired in this way.

The human resources practices of the organizations visited appear to comply fully with the requirements of equity and indicate that HR staff has been well trained in this respect, although the colleagues of the women hired do not know this. An effort must be definitely be made to disseminate information about the hiring policy and practices in this respect since the women hired are suffering considerably. All rumors about favoritism towards women must be eliminated, in the case of hiring, as in other employment situations. A sustained, repeated effort must be made to ensure transparency. Although such efforts may appear fastidious at the outset, they are necessary in order to make the daily lives of the new recruits bearable, particularly at the start when they do not have a "critical mass".

The male employees are only poorly informed about the mechanics of the affirmative action programs (the role of equal ability, calculating quantitative hiring objectives, the justification for temporary adjustments) and management's policy against sexual harassment, if there is one. In the case of a complaint of harassment, the existence of such a policy is not only the only valid defense for the employer who is responsible for the harassment of all of its employees, it must also be well known.

In the current state of affairs, several women have concluded that it would be pointless to try and win consideration from certain people – who are firmly convinced that women have no place among them. When faced with what they understand as closedness, several experienced women, have opted, after trying other solutions, for an energy saving strategy, despite the fact that this results in a rather unflattering image of their professional competence, and they once again give up something of high value.

It is all the easier to understand them since listening to the men reveals the trap which closes around them when it comes to assessing women when they are first hired (see the section entitled "The narrow corridor").

The women do not necessarily interpret such behavior as sexist harassment; it is only with time, after acquiring experience, that they arrive at this conclusion.

Despite the acute awareness demonstrated by the Human Resources departments with respect to sexist and sexual harassment, are the instruments used sufficient? Developing a policy against harassment is more difficult than developing an awareness of the phenomenon. The women interviewed do not for a minute doubt the essential nature of this



type of policy, except perhaps when it comes to the stakes raised by the power relationship that is often at issue in the harassment phenomenon. Both the men and the women are of the opinion that maintaining one's employment is often at stake in situations of harassment.

For the women, the sense of security they experience from knowing that the policy exists is just as important and, as we see in all of the organizations studied, the pressure such a policy exerts on potential harassers through its very existence. The men are even more supportive when the policy opposes all forms of harassment – sexual, administrative and moral or psychological.

It is perhaps more difficult to imagine the harmful effects of subtle, daily discrimination than demonstrations of violent and brutal discrimination such as rape or assault or open discrimination such as refusing to hire women, firing a woman for the first minor mistake, etc. Yet, two psychology researchers undertook a rigorous demonstration of the effects of this daily discrimination on the mental and physical health of women<sup>40</sup>. Not only did they demonstrate these effects, but their importance also deserves attention. In fact, more women than men generally report psychological symptoms (depression, anxiety) or psychosomatic symptoms that can be measured by means of tests that have already been validated<sup>41</sup>. The study demonstrates that their exposure to daily sexist incidents, which are not violent but are pernicious, is often the best predictor of such symptoms<sup>42</sup>. The results of this study are overwhelming: sexist incidents have more impact than other generic stress factors, common to men and women<sup>43</sup>.

Among other things, the study gave us an indication of the frequency of daily sexist incidents which take the form of apparently “banal” humiliations, such as: sexist jokes, sexist names, sexist harassment, altercations with respect to treatment or a situation that is considered sexist and/or hurtful for the women, lack of respect, the fact of seeing someone take after you repeatedly rather than others, etc. All such incidents taken together as a category and suffered over the course of the past year do more to explain the women's physical and psychological symptoms than most other categories of sexist incidents such as events that occur in more distant relationships and more formal work relationships.<sup>44</sup>

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<sup>40</sup> Landrine et Klonoff (1997). These two researchers made a vast quantitative study of a total of 1279 women who completed a questionnaire in the form of a scale of stressful events that were non-violent sexist events (explanation of this choice, p.17 and p. 20): *Schedule of sexist events* (SSE). The results obtained were then studied in keeping with the results of recognized tests of physical and mental health. The analysis used the same model as the stressful event scales used by Dohrenwend, Krasnoff, Askenasy and Dohrenwend, 1978, and Lazarus, DeLongis, Folkman and Gruen, 1985.

<sup>41</sup> Landrine and Klonoff (1997), chap. 3.

<sup>42</sup> Landrine and Klonoff (1997), p. 75.

<sup>43</sup> Landrine and Klonoff (1997), p. 74.

<sup>44</sup> Landrine and Klonoff (1997), p. 43 and 122-4. These events explain 36.3% of the variation in symptoms.

Incidents that can be considered daily sexist humiliations, such as devaluing the ability of the women<sup>45</sup>, can account for such symptoms on their own whereas those in the other categories would be contributing factors which serve to accelerate the development of symptoms in the presence of other stressors<sup>46</sup>.

One way in which to eliminate all of this prejudice is to inform all of the employees about the policies. Was an awareness raising, information and communication campaign undertaken and repeated several times? Was it effective and did it reach all of the members of the organization? Above, all, did it send out a clear message with respect to the employer's intentions? In this respect, management must attack this prejudice, and inform the employees about the process for preferential hiring based on equal ability, by means of a communication plan that deals specifically with this topic.

In the company where the demand to integrate women came primarily from the union, the male colleagues are well informed about the abilities of the women. It would be awkward for them to denigrate the women after demanding that they be integrated. In the other unionized organizations that were studied, the unions support the initiative, but after the fact and without having instigated it. Although I am unable to make a conclusion as to the link, the male colleagues in these firms are not as positive about the abilities of the women.

#### *Necessary self-censure*

Given the current state of affairs, several women concluded that it would be ridiculous to try to fight to earn the consideration of some of their male colleagues – who are firmly convinced that women have no place among them. When faced with what they view as closedness, several experienced women, after trying to find other solutions, opt for an energy saving strategy even if that means allowing an unflattering image of their professional competence to circulate.

They find a certain amount of psychological comfort in giving up defending their point of view, after several failures. Essentially, this obligation to censure their own actions when faced with humiliation is a demonstration of coercion in the workplace.

Self-censure arises out of the certainty these women have that there are two systems for weighing, for assessing. Reacting spontaneously is out of the question for them since they are not “in their place”, although the men can react spontaneously. This form of censorship is necessary for the women's survival since it occurs often and, in many cases, it is the option chosen by women who are remarkably well integrated in their workplace.

One of these women has been working for her employer for 12 years and is well respected

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<sup>45</sup> Landrine and Klonoff (1997), p. 3-18.

<sup>46</sup> Landrine and Klonoff (1997), p. 122-6.

by her peers... although she militantly supports the integration of women in traditionally male jobs. These women who censure themselves speak out in other settings, and are likely to do so.

At the same time, the women hired in some of the organizations studied respond openly to such attacks and the workplace tolerates this very well. In either case, we find the same dichotomy as in the section on “watchwords”: all of these firms have a traditionally male workforce but, on the one hand, we have large organizations (or large industries, in the case of the construction industry) with a strong union tradition, where solidarity is very strong, where watchwords are very effective and the women must censure themselves and, on the other hand, we have small and medium-sized organizations where the employees’ bargaining power is weaker, but tolerance is greater.

#### *Gratuitous violence*

Violence may break out between the members of ethnic minorities and the other workers over banal matters, such as when two Italian women speak their own language in the washroom. In the case of men and women, the violence often, but not exclusively, concerns posters of naked women and sexist and sexual harassment. This may range from a mild joke to a washroom that is covered in excrement. The level of the violence can also reach disturbing levels, as in the case of one woman who was working in a manhole, where the wires were powered and there was a great deal of danger. She was locked in an access hole for five hours when the team took off and voluntarily left her behind. If she had not remained very calm, she could have died.

## CONCLUSION

Although the Human Resources departments are essentially responsible for the success factors, it is because they are legally responsible for employment equity (see section “Union commitment to the initiative”).

This does not detract in any manner from their performance. I believe that the organizations do well because they make a commitment to employment equity on their own initiative since, unlike the *Pay Equity Act*, the *Quebec human rights charter* provides a non-coercive framework that allows organizations to decide whether or not to implement a program, unless they are:

- a government department or public organization;
- subject to a contractual obligation;
- subject to a recommendation made by the CDP or a court order.

This voluntary approach has certain inconveniences, particularly the fact that it limits the

number of organizations affected by affirmative action programs although they do have the advantage, for local groups, of involving only those organizations that are interested in implementing affirmative action programs.

It is noteworthy, however, that the success factors affect the initial steps in the process, namely those steps that the CDP has thoroughly documented and for which both information and training are provided. Unfortunately, despite certain points that require improvement, most of the obstacles occur after the initial steps, when the women are hired and have to survive within the organization.

In just as noteworthy manner, we observed that although certain major obstacles can be attributed to the male workers, few success factors can be attributed to them as a group, according to the interviews conducted. Of course, we often hear about individuals who have supported women during difficult times or in the face of hostile colleagues. The foremen, among others, are divided. Some of them support the hiring of women, whereas others do not. But a large proportion of the obstacles encountered is created by the women's male colleagues, in the form of silent violence.

It should, however, be noted that this involves groups, and not individuals. Now, it should be noted that, as a social group, the men who hold the traditionally male jobs generally bear with the integration of women rather than supporting. The situation is different in the case of the unions that represent them, as we have seen.

We must not in any way conclude that all male workers are hostile and closed to the new recruits. Although the male workers cause many of the problems, this does not mean that all male employees cause problems. On the contrary, some of them are pleased with the initiative, agree with it and support it. But the individual who demonstrates hostility or closedness is not generally openly criticized. On the contrary, he can count on the solidarity of the group. At the same time, we need to note the scope of the men's reactions in certain workplaces to the introduction of women on traditionally male jobs in order to understand it and to respond to it. Indeed, some people do try to sabotage these programs and this is both costly and threatening for the survival of the general movement towards a gender mix at work.

In both the industrial and the professional sectors, there is a significant amount of resistance on the part of middle managers, foremen and team leaders that must be taken seriously. I think that it is important to propose training sessions for the middle managers who are directly involved in applying employment equity directives when hiring and managing human resources, particularly with respect to harassment.

To the extent that they intervene in these matters, it is very important that they have been

adequately prepared. If this is not the case, care must be taken to ensure that only those people who have received training are called on to intervene in such situations.

When management decentralizes the application of the hiring policy, it would also be appropriate to combine this with a policy assigning a portion of the responsibility to each manager, at his/her level, with respect to attaining hiring objectives. This responsibility, needless to say, must be sanctioned by a serious assessment measure.

In terms of success factors, the women have taken and are still making extraordinary efforts to blend into the majority group and not to receive preferential treatment. This does not come without a price. The women make a serious effort to minimize the differences between the male and female employees, to the point of censuring evidence of the problems they have with their male colleagues or their foremen, censuring themselves with respect to humiliating incidents, and tolerating the irritants that make their lives difficult.

Many of their demands with respect to transforming certain working conditions will not be handled as long as the women view themselves as fighting for their survival and, as a result, as long as there are so few of them in their workplace.

## BIBLIOGRAPHY

- Bernier, Linda, Lukasz Granosik and Jean-François Pedneault (1997) *Les droits de la personne et les relations de travail*, Cowansville, Ed. Yvon Blais.
- Berthelot, Michèle and Nicole Coquatrix (1989) *Au-delà des mythes : les hauts et les bas des travailleuses non traditionnelles, Synthèse des résultats*, Coordination à la condition féminine, Ministère de l'Éducation du Québec (MÉQ), Gouvernement du Québec
- Black, Bill (1990) "Seniority and Employment Equity", in Marcia Braundy, *Survivre et s'épanouir, Les femmes dans les métiers et l'équité en matière d'emploi*, Proceedings of a conference held in Naramata, BC, pp. 163-174
- Blumrosen, Alfred W. (1975) "Quotas, common sense and Law in Labour Relations: Three Dimensions of Equal Opportunity", in Walter S. Tarnopolsky (dir.), *Some Civil Liberties Issues of the Seventies*, Toronto, Osgoode Hall Law School, York University
- Carpentier - Roy, Marie-Claire (1995) *Corps et âme. Psychopathologie du travail infirmier*, Montreal, Liber
- Carnevale, A. P., L. J. Gainer and J. Villet (1990) *Training in America*, San Francisco, Jossey-Bass
- Chicha, Marie Thérèse, (1996) *Les travailleuses dans les métiers non traditionnels*, Speech given as part of the Colloque de Femmes regroupées en options non traditionnelles (FRONT) 10 X10 = 1000, held in Montreal in September 1996, Internet site: front.qc.ca

- Chicha, Marie-Thérèse (1995) "La participation des travailleuses à la formation en entreprise et l'accès à l'égalité", *Relations industrielles*, vol. 50, no 1, p. 147-163
- Chicha-Pontbriand, Marie-Thérèse (1989) *Discrimination systémique – Fondement et méthodologie des programmes d'accès à l'égalité en emploi*, Cowansville, Ed. Yvon Blais
- CIAFT (1994) *Les programmes d'accès à l'égalité : un virage urgent à faire*, Montreal, Conseil d'intervention pour l'accès des femmes au travail du Québec inc. (CIAFT).
- Cloutier (1996) *L'intégration des femmes dans un milieu de travail traditionnellement masculin. Le cas d'une organisation publique québécoise*, Thesis submitted in partial fulfillment of MBA requirements, Université du Québec à Montréal, École des sciences de la gestion
- Comité consultatif sur les PAÉ pour les femmes dans le secteur privé (1990) *Rapport final du Comité consultatif sur les PAÉ pour les femmes dans le secteur privé*, Québec, ministère de la Condition féminine, gouvernement du Québec, diffusion restreinte
- Commission des droits de la personne et des droits de la jeunesse du Québec (1998) *Les programmes d'accès à l'égalité au Québec. Bilan et perspectives. Maintenir les acquis, élargir le champ d'action*, Résumé, Montréal, gouvernement du Québec
- Commission des droits de la personne du Québec (1992) *Politique pour contrer le harcèlement racial en milieu de travail*, adopted on February 14, by Resolution COM-367-7.2.1.
- Commission des droits de la personne du Québec (1988) *L'accès à l'égalité dans l'emploi. Guide d'élaboration d'un programme volontaire*, Québec, Direction des programmes d'accès à l'égalité, updated in 1991
- Conseil du statut de la femme du Québec (CSF) (1993) *L'équité en emploi pour les femmes*, Québec, gouvernement du Québec
- Dohrenwend, B. S., L. Krasnoff, A. R. Askenasy and B. P. Dohrenwend (1978) "Exemplification of a method for scaling life events: The PERI Life Events Scale", *Journal of Health and Social Behavior*, vol. 19, p. 205-229
- Dulude, Louise (1995) *Seniority and Employment Equity for Women*, Kingston, Industrial relations centre (IRC) Press, Queens's University at Kingston
- Engel, Frema (1998) *Taming the Beast. Getting violence out of the workplace*, Montreal, Ashwell Publ.
- FRONT (1997) *De solitaires à solidaires, cahiers 1 et 2*, Femmes regroupées en options non traditionnelles, October 1997
- FRONT (1996) Proceedings of the Colloque de Femmes regroupées en options non traditionnelles (FRONT) 10 X10 = 1000, held in Montreal in September 1996, Internet site: front.qc.ca
- Garon, Anne (1993) *Le travail non traditionnel des femmes dans Lanaudière*, Regard en

Elle inc.

- Granier, R., P. Barthelemy and A. Lapied (1992) *Activité féminine et formation continue*, Aix-en Provence, GRIFE, Université de droit, d'économie et des sciences d'Aix-Marseille
- Hirigoyen, Marie-France (1998) *Le harcèlement moral. La violence perverse au quotidien*, Paris, Syros
- Holtmann, A. G. and T. L. Idson (1991) "Employer size and on-the-job training decisions", *Southern Economic Journal*, vol. 59, no 2, p. 339-355
- Itzin, Catherine (1995) "Crafting strategies to create women-friendly work", in Itzin (ed.) *Gender, Culture and Organizational Change. Putting Theory into Practice*, London, Routledge, chapter 8, p. 127-151
- Kanter, Rosabeth Moss (1977) *Men and Women of the Corporation*, New York, Basic Books
- Lachance, André (1996) "Violence au travail. Le temps des solutions", *Prévention au travail*, vol. 9, no 5, p. 7-14
- Landrine, Hope and Elisabeth A. Klonoff (1997) *Discrimination against Women: Prevalence, Consequences, Remedies*, Thousand Oaks, Sage
- Larocque, Marie-Josée (1997) "Les projets scolaires des femmes à l'éducation des adultes : contraintes et stratégies", in Roberta Mura, *Femmes, éducation et transformations sociales*, Montreal, Éd. du Remue-ménage, pp. 195-224
- Lazarus, R. S., A. DeLongis, S. Folkman and R. Gruen (1985) "Stress and adaptational outcomes: The problem of confounded measures", *American Psychologist*, vol. 40, p. 770-779
- Legault, Marie-Josée (2001a) "Violence sexuée et indemnisation par la Commission de la santé et de la sécurité du travail (CSST)", *Perspectives interdisciplinaires sur le travail et la santé* (PISTES), accepted for publication
- Legault, Marie-Josée (2001b) "La difficile intégration des femmes dans les emplois de production : réflexions et actions", Proceedings of the international colloquium ZOOM sur les femmes et les métiers non traditionnels, held in Montreal from November 11-17, 1999, under the auspices of the ministère de l'Éducation du Québec, accepted for publication
- Legault, Marie-Josée (1999) "Quelques enseignements issus des premiers programmes volontaires d'accès à l'égalité, 10 ans après", *Recherches féministes*, vol. 12, no 2, p. 109-138
- Legault, Marie-Josée (dir.) in cooperation with Jeannine McNeil, (1998) *Équité en emploi-Équité salariale*, Télé-université, Université du Québec, 356 pages
- Legault, Marie-Josée (1997) "Les femmes ont-elles leur juste place sur le marché du travail?", Proceedings of the conference *De l'exclusion à l'intégration scolaire, socioprofessionnelle, économique*, *Revue de carrièreologie*, vol. 6, nos 3-4, p. 187-214
- Lortie-Lussier, Monique and Natalie Rinfret (2000) "The Proportion of Women Managers:

- Where is the Critical Mass?", *Journal of Applied Social Psychology*, \*
- Maruani, M. (1985) *Mais qui a peur du travail des femmes?*, Paris, Syros
- Rinfret, Natalie and Monique Lortie-Lussier (1996) "Comparaison de l'impact de la force numérique des femmes cadres en milieu naturel et en milieu étudiant. Une question de validité écologique", *Revue canadienne des sciences du comportement*, vol. 28, no 4, p. 262-270
- Thobani, Munira (1995) "Working for Equality in the London Borough of Hounslow", in Itzin (ed.) *Gender, Culture and Organizational Change. Putting Theory into Practice*, London, Routledge, chapter 9, p. 152-170
- Tremblay, Diane-Gabrielle (1992) "La formation dans les entreprises. Réalités et défis", *Possibles*, vol. 16, no 4, p. 101-116
- Veum, J. R. (1993) "Training among young adults: Who, What kind, and for how long?", *Monthly Labor Review*, vol. 116, no 8, p. 27-32
- Yount, K. R. (1991) "Ladies, flirts and tomboys: Strategies for managing sexual harassment in an underground coal mine", *Journal of Contemporary Ethnography*, vol. 19, p. 396-422



## APPENDIX. PRELIMINARY NOTIONS

It should be noted that the Government of Quebec has never required all employers to hire women. Only the Canadian government has required this, since 1985, in the case of organizations that employ 100 employees or more, under the *Employment Equity Act* (RSC (1995) c. 44.) This law applies only to organizations that come under federal jurisdiction in keeping with the Canadian Constitution. Moreover, both two levels of government do require organizations that solicit contracts and subsidies from them to hire women, under “contractual obligation”. In general, however, the Government of Quebec has opted for a voluntary approach with respect to all employers. However, the Government of Quebec did, in fact, subsidize approximately 20 organizations to test the Quebec approach to affirmative action programmes, when Part III of the *Charter of Human Rights and Freedoms* (RSQ, 1977, c. C-12) authorized them. The *Comité consultatif sur les PAÉ pour les femmes dans le secteur privé* supervised this pilot project (Comité consultatif sur les PAÉ pour les femmes dans le secteur privé, 1990).

Affirmative action programmes can apply to four target groups: women, members of cultural communities, people with disabilities, and Native People. Their objectives are essentially to increase the representation of the members of the target groups and to break down the sexual segregation of jobs by providing access to all types of jobs. In short, the legal framework for the preferential hiring of members of the target groups under the charters (in the case at hand, women) functions as follows: management of the volunteer company must set quantitative objectives with respect to the representation of women, but there is a ceiling. To attain these objectives, the employer may use preferential hiring or selection practices. The employer is only allowed to do so with impunity, however, until the quantitative objectives are reached, namely until the company and the job has attained a statistical level of representation for women as approved by the CDP.

In fact, the advantages may, if the CDP procedure is not respected, may result in lawsuits for “reverse discrimination”. The CDP provides a framework for establishing quantitative objectives and attributing advantages so as to determine a level beyond which the advantages are no longer legitimate and can result in complaints from the members of the groups that do not enjoy such advantages. The CDP has determined that the acceptable level for quantitative objectives within a given company should correspond to the level of representation of the target groups that should be attained in order to compensate for the prejudicial effects of the systematic discrimination which the group in question has suffered in that particular company.

Therefore, it is necessary to establish the criteria for systemic discrimination: this criteria refers to the “under-use” of the members of the target groups. It should be noted that this criteria does not result in a verdict of guilt under the Quebec charter. It is merely a threshold under which it is possible to implement preferential criteria for selecting personnel without being accused of discrimination under the charter.

The members of the target groups are under used when their numbers in a given job are less than their availability rate on the job market. Under-use is determined in two steps. First, the availability of the members of the target groups on the pertinent job market is determined. This is the percentage of people in a given target group who are qualified to hold each position offered by the organization, or their ability to acquire such the qualifications (those who hold the job, those who are unemployed and looking for this kind of work, and those who have been trained to do such work). This percentage is then compared to the number of employees in the same group within the organization, for each category of job. The difference between the availability of a group for job X on the market and the percentage of that group holding the same job within Organization Y determines under-use and, in fact, the “protected” threshold.

When this threshold is established the employer may practice preferential hiring or promotion for the members of the target groups when they have the same qualifications as the other candidates, until these objectives are attained. Otherwise, when candidates without the required qualifications are hired, this interferes with their personal integration and the integration of the entire group, as has been demonstrated by the American experience. It should be noted that, from the outset, the American equity policies set numerical targets that were “blind” in the sense that organizations had to hire a given number of people from the target groups regardless of their qualifications. This does not necessarily mean that such recruits were unqualified, of course, but... The employer is not required to work to its own detriment by hiring people who belong to the target group but who do not have the qualifications for the jobs in question.

Numerical objectives are not hiring *quotas* in the sense that they are not based on the obligatory and automatic hiring of individuals based on the sole fact that they belong to the designated group. Just the opposite, in fact. They are subject to the criteria established for the position and based, above all, on a specific assessment of the situation to be corrected<sup>47</sup>. No employer is required to hire members of the target groups who do not have the necessary qualifications since the framework established by the CDP for this initiative is flexible, possibly even too flexible (CIAFT, 1994). If the other employees have a poor view of the advantages resulting from the preferential hiring of women, it is often because they have

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<sup>47</sup>

Legault (1998), p. 155.

been poorly informed about the reasons for this preferential treatment.

The general public has a very poor understanding of the manner in which such objectives are implemented in keeping with the CDP approach and the workers are part of this public. There is still a great deal of confusion with respect to the quantitative hiring objectives based on equal qualifications as implemented under the Quebec and Canadian approach, on the one hand, and American *quotas*, on the other.

Sooner or later, this perception will seriously discredit any equity program or corrective measures (such as quantitative objectives) and, in the longer term, the representation of women. Yet, the fact that systemic discrimination has been demonstrated leads us to conclude that members of the target groups must be hired on a preferential basis – as long as they have the required qualifications – until the quantitative objectives determined in keeping with the availability analysis have been attained, in order to eliminate this type of discrimination.

Moreover, the implementation of quantitative objectives is recommended by both the Canadian and the Quebec governments following a decision issued by the Supreme Court of Canada that concluded that preferential hiring was the only way in which to overcome the effects of the systemic discrimination inherent in current human resources management procedures and then, also, in the application of voluntary, less coercive measures based on equal opportunity<sup>48</sup>.

The employer must also analyze its employment practices in order to eliminate any trace of systemic discrimination and make long-term changes in its practices. Systemic discrimination is the fundamental concept behind the entire Quebec legal apparatus in terms of equity. It is based on leaving out of account the intent to discriminate in the process for evaluating a discriminatory situation by the commission or the court, and replacing it with the notion of the detrimental effect on the members of the target groups. Systemic discrimination is neither explicit, nor voluntary, neither conscious nor intentional. It is often the result of a management system that is based on a certain number of presuppositions, most often implicit, with respect to various groups and includes practices and traditions that perpetuate a situation of inequality with respect to the members of the target groups. There is no guilt in the fact that the court decides that systemic discrimination exists, only an obligation to eliminate the detrimental effects specifically by implementing an affirmative access program.

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*Action travail des femmes (ATF) vs. Canadian National Railway Company (CN)* (1987) 1 SCR 1114.