

Solidarity and Pride

by Sue Genge

Cet article rapporte plusieurs étapes majeures entreprises par les syndicats canadiens pour reconnaître et pro-

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mouvoir les droits des lesbiennes et des gays au sein des syndicats.

The CLC clearly understands that sexism, racism, ableism, and heterosexism share common roots. We acknowledge that we can change attitudes and behaviour if we stand united. We know we will fail if we allow ourselves to be divided. We believe that we can be unified without uniformity and that we can celebrate our diversity without divisiveness. We will strive to achieve a truly inclusive union movement that is representative of all its members. (CLC 1994a)

Over the last few years the Canadian Labour Congress (CLC) and the labour movement as a whole have taken a number of major steps towards recognizing and fighting for the rights of lesbian and gay trade union members. Beginning in 1980, the CLC made the formal amendment to its own constitution to include sexual orientation as a prohibited ground of discrimination. The same convention also passed a general resolution in support of gay rights and the inclusion of sexual orientation in human rights laws across the country.

Prior to this convention, there had

been some preliminary organizing among lesbian and gay union activists. The Canadian Union of Postal Workers (CUPW) for example, bargained language prohibiting discrimination on the basis of sexual orientation in their collective agreement in the late '70s. Several library locals represented by the Canadian Union of Public Employees (CUPE) were also active in bargaining protection and in raising the issue in federations of labour and at the CLC.

After this convention, activists within labour concentrated their efforts in several areas, including education and bargaining protections and equal access to workplace benefits. As well, during this period a number of significant arbitration cases and court challenges were launched by lesbian and gay trade unionists with the moral, political, and financial support of their unions. Perhaps the most well known are Karen Andrews' fight to have the Ontario Health Insurance Plan recognize her partner and their children as eligible for benefits (see Andrews) and Brian Mossop's fight to gain recognition of his bereavement at the death of his partner's father.

The most recent legal victory spearheaded by trade unionists concerns private pension plans. Nancy Rosenberg and Margaret Evans of the Canadian Union of Public Employees challenged the federal income tax regulations which only recognized opposite-sex spouses for survivor benefits. CUPE as the employer in this case fully supported the court challenge. In April 1998, the Ontario Court of Appeal unanimously ruled that the federal income tax act is unconstitutional and must be read to include coverage for same-sex partners.

One of the most important areas of activity during this period was the beginning of self-organizing among gay and lesbian people within the labour movement. From informal caucuses meeting in hotel rooms and hallways, activists organized committees and working groups and demanded formal recognition from their unions. In CUPE, a Pink Triangle Committee was formed with representatives from across the country. Similarly, gay and lesbian members of the Public Service Alliance of Canada (PSAC) organized into officially recognized gay and lesbian support groups. These early forms of self-organization were concentrated in public-sector unions.

In May 1994, delegates at the CLC convention overwhelmingly endorsed a major policy paper on sexual orientation which ends with the statement quoted at the beginning of this article. This policy paper, passed along with a policy on "Confronting the Mean Society," links the oppressions faced by women, people of colour, Aboriginal people, people with disabilities, and lesbian and gay people. The two policies taken together have helped to define the work of the labour movement and of equality-seeking union activists over the last few years.

The statement called on the CLC and all affiliated unions to develop anti-harassment policies to include sexual orientation, for the workplace and the unions; make bargaining protection for lesbian and gay workers and recognition of same-sex spousal relationships for benefits a priority; actively oppose homophobia in the workplace and unions; participate in public campaigns to win human rights for lesbian and gay members of society; prepare and distribute educational material for union members; and establish a lesbian, gay, and bisexual working group as part of the

Human Rights Committee of the Canadian Labour Congress.

Work has begun in all of these areas. Notably, the Canadian Labour Congress decided to intervene in support of Jim Egan and John Nesbit in their fight for same-sex spousal pension benefits before the Supreme Court (*Egan and Nesbit v. R.*). The CLC also supported Delwin Vriend's case at the Supreme Court to ensure that the Alberta human rights act provided protection against discrimination on the grounds of sexual orientation. Vriend was fired for being gay and had no access to legal remedies under the current law in Alberta.

The Canadian Labour Congress has intervened ... because it is committed to combatting and eliminating discrimination and prejudice against gays and lesbians in the workplace and in Canadian society. From the perspective of the CLC, the discrimination experienced by gays and lesbians in the employment context is directly an integrally related to the fact that, in society at large, gays and lesbians have historically suffered exclusion, prejudice, and discrimination. (*Factum of the Intervenor, Egan and Nesbit v. R.*)

This CLC statement to the Supreme Court explains the importance of these cases for the work of unionists in combatting discrimination. The Congress also pointed out to the Court that as a senior union organization in Canada with over 90 affiliated trade union organizations, representing over two million Canadians, the position of the CLC represents a significant segment of society.

The CLC was also involved in the ultimately successful campaign to amend the Canadian Human Rights Act to prohibit discrimination on the basis of sexual orientation. We have helped mount pressure on the government of Newfoundland and Labrador to similarly amend their human rights legislation. The CLC also

worked closely with activists in Alberta to ensure that the Klein government did the "right thing" in response to the successful Supreme Court challenge launched by Delwin Vriend. The Supreme Court ruled that the Alberta human rights law must be read to include protection on the grounds of sexual orientation. The Klein government spent a week deciding whether to accept the Court's decision—a week full of a vicious, ugly, anti-gay, right-wing backlash. The homophobia was so shocking that Klein was forced to state unequivocally that it is "morally wrong to discriminate on the basis of sexual orientation" and his government will respect the Court's ruling. The CLC, along with the Alberta Federation of Labour and labour activists in the province will continue to work with human rights groups to develop an anti-homophobia, pro-gay campaign in the province.

Unions are increasingly involved in supporting and participating in lesbian and gay pride day events across the country. The CLC has produced posters and pins highlighting "Solidarity and Pride," the two critical slogans of the two movements. Leaders of unions and the CLC, presidents of federations of labour, and labour councils now regularly speak at pride day events across the country, bringing greetings from labour and pledging solidarity.

As well, many unions provide courses to help educate union members about the discrimination faced by gay and lesbian trade unionists and ways to combat it. These courses are constantly being evaluated and developed to meet the needs of human rights activists and lesbian and gay members. Several unions have developed videos as well. The most recent was an anti-harassment video produced by the Canadian Auto Workers (CAW), which focuses on the harassment experienced by a lesbian factory worker.

The formation of a national Lesbian, Gay, and Bisexual Working Group, mandated by the 1994 Convention was a very significant devel-

opment for Canadian labour. The Working Group began meeting in the fall of 1994 and has been growing continually. The representatives come from PSAC, CUPE, CAW, CUPW, the Ontario Federation of Labour (OFL), the Saskatchewan Federation of Labour (SFL), the National Union of Provincial Government and General Employees (NUPGE), and the Hotel Employees Restaurant Employees (HERE) union. The Steelworkers' and the Communications, Energy, and Paperworkers' Unions are also moving to appoint representatives. The group is increasingly representative of workers in both the public and private sectors and of the various areas in the country.

The first "campaign" the group undertook in the labour movement we called a "visibility campaign." There were two major points we wanted to make: (1) lesbians and gay men are everywhere at the workplace and in every union; and (2) our issues are central and legitimate union issues, which we expect our unions to address.

The campaign included the production of "Solidarity and Pride" posters and buttons. The group also conducted a political, consciousness-raising intervention into the 1996 CLC convention. One morning every tenth delegate was presented with the then-new "Solidarity and Pride" button and flyer which proclaimed "Congratulations—you have been selected as Gay for a Day. Like the rest of us, your selection was entirely random. And you are now entitled to experience the following aspects of our oppression." Convention delegates took this all in good spirits and many who weren't "selected" came to ask for a button.

A general questionnaire was also prepared for the attention of unions, federations of labour, and labour councils asking them to outline the activities they have undertaken to support gay and lesbian issues. Entitled "Defending Gay and Lesbian Members: Our Record to Date," the questionnaire sparked discussion throughout the labour movement

about the issues, about what had been done, and about other initiatives that could be undertaken.

A major project of the Working Group came to fruition last fall of 1997. The CLC held the first ever Solidarity and Pride Conference for Lesbian, Gay, Bisexual Trade Unionists and Our Allies in Ottawa in October 1997. Over 300 participants, from across the country, representing many unions, gathered to discuss issues such as homophobia, legal decisions, contract provisions, negotiating strategies, and creating a safe place in workplaces and communities for gay, lesbian, and bisexual trade unionists.

To our knowledge, this conference was a world first. Not that there haven't been other conferences of lesbian, gay, bisexual, transgendered unionists before. There have been—in the United States and in Europe. These earlier conferences, however, were organized by independent groups of trade unionists, rather than by the official trade union structures. Our conference was an official CLC conference, sponsored and financed by the Canadian trade union central.

For conference participants the experience was a breakthrough in many ways. For those active in the labour movement, it was a place where we could be absolutely comfortable about our sexual orientation and could exchange our ideas and experiences with others who share a class location and perspective. It was refreshing, to say the least, to be able to be both working-class and gay with hundreds of brothers and sisters.

The conference generated much enthusiasm and many challenges for the next few years. Primarily, delegates want to see an even deeper commitment by the labour movement to confronting homophobia and fighting for the rights of lesbian and gay members—as workers and as citizens. We want to be able to organize more widely at the local and regional level. As a result of the conference, regional organizing efforts are now underway in British Columbia, Alberta, Manitoba, Saskatchewan,

and Ontario. One sister returned to Saskatchewan and persuaded the Federation of Labour to establish a provincial Solidarity and Pride Committee which has already begun meeting. Plans are now underway for a Prairie regional trade union conference scheduled for October 1998—in Premier Klein's town of Edmonton, just to let him know we aren't going away. And the Ontario Federation of Labour is planning a similar conference for February 1999.

Another focus of concern is to see lesbian, gay, bisexual, and transgendered people in positions of leadership within our movement. It was amazing to see the numbers of delegates who already hold positions in the labour movement. At one plenary, over half the delegates stood when asked how many held elected positions in their unions.

In Ontario—another first. At the OFL convention in November 1997, delegates supported the creation of a position on the Federation executive for an out lesbian or gay trade union vice-president and a lesbian was elected to the executive at that convention.

The Solidarity and Pride Conference symbolizes the progress that has been made in advancing equality rights for gays and lesbians in the labour movement in Canada. Following the conference, the challenge will be to continue the work of activists in the labour movement and to focus on building new alliances.

The CLC Lesbian and Gay Working Group will follow up from the conference to promote more labour support and activity. Plans are in the works to develop information and educational material and to share the news about what is happening on sexual orientation issues in various unions. Building networks to reach out and involve more lesbian and gay members in the labour movement and in the activities of the Working Group is a critical task. Building links between lesbian and gay organizations and unions is also high on our list of priorities.

Solidarity means listening to and

supporting each other, encouraging unity in diversity, and finding common ground. There is no room in our ranks for ideologies and prejudices which pit worker against worker. The leaders and activists in the Canadian labour movement have a difficult but rewarding job ahead of them. Our members—all our members—our unions and ultimately our society will reap the benefits. (CLC 1994b, Para. 3)

For more information on CLC projects, or how to get involved, please contact the author, Sue Genge, National Representative, Women's and Human Rights Department of the Canadian Labour Congress. Copies of the "CLC Sexual Orientation" and "Confronting the Mean Society" policy papers and the "Solidarity and Pride" posters and pins are available upon request.

Sue Genge is one of those trade union activists who used to meet in the informal caucuses in hotel rooms and hallways in the 1970s and '80. She is now, many years later, the CLC staff representative assigned to work with the Lesbian, Gay, Bisexual Working Group. She has seen and participated in quite a few changes in the labour movement over the years.

References

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