



Association of  
Ontario **Midwives**  
*Delivering what matters.*

## **Association of Ontario Midwives**

Submission to the Ministry of Labour, pay transparency  
reporting requirements consultation

April 2019

## Introduction

The Association of Ontario Midwives (AOM) appreciates the opportunity to respond to the *Pay Transparency Act – reporting requirements consultations* on behalf of Ontario midwives. We believe that pay transparency, as one tool in closing the gender wage gap, is an important step in achieving gender equity in our society.

Midwives have provided comprehensive primary care to nearly 225,000 pregnant women/people and their newborns since integrating midwives into Ontario's health system in 1994. There are currently over 800 midwives providing care in more than 86 communities, including more than 90 hospitals across the province.

As you may be aware, in 2013, the AOM filed an application with the Human Rights Tribunal of Ontario (HRTTO)<sup>1</sup>. This legal action, brought by the AOM on behalf of our members, alleged that midwives have experienced a gender penalty in their pay set by the government for almost two decades. We fully support the adoption of effective pay transparency legislation, with an aim to close the gender pay gap, and to prevent other workers from enduring similar gender penalties. Although the majority of Ontario midwives are independent contractors, and would not be subject to the proposed legislation, many Aboriginal Midwives in Ontario are employed through Indigenous Health Service organizations. Furthermore, there are an increasing number of Registered Midwives in the province who are also beginning to work under employee models through a new Expanded Midwifery Care Model (EMCM) framework, for organizations such as community health centres, and family health care teams. Effective pay equity / transparency legislation is key to ensuring midwives are fairly compensated for the work that they do as they begin working under these new models, particularly considering the history of inequitable compensation set by the government and provided to the profession in Ontario.

Midwives have a particular experience and vantage point with respect to the gender pay gap in Ontario. Not only have midwives themselves experienced a gender pay gap in their compensation but they also work on the front lines each and every day with women and transgender people, and witness first hand through the experience of their clients the impact of gender on their professional and personal lives.

Midwifery clients come from a wide variety of backgrounds and experiences. Midwives support the principle of pay transparency legislation that will address the pay equity gap for all midwifery clients, and all Ontarians. The pay gap for Ontario women on average is 30%; however this gap is strikingly higher for Trans women, Indigenous women, racialized women, and immigrant women, as is widely documented<sup>2</sup>.

---

<sup>1</sup> <https://www.ontariomidwives.ca/pe-resources>

<sup>2</sup> Expert Report of Richard Shillington. Prepared for Proceedings before the Pay Equity Hearings Tribunal. <http://equalpaycoalition.org/wp-content/uploads/2016/01/Richard-Shillington-Report-for-Pay-Equity-Hearings-Tribunal-April-22-2013-C1507419xA0E3A.pdf> April 22, 2013.

There are 4 main components to our feedback:

**1. Any government consultations on the gender pay gap must prioritize women, the people most impacted.**

We are concerned that the focus of the Pay Transparency Reporting Public Consultation is based on the premise that reporting requirements will be financially onerous for employers, rather than on the fact that pay equity is a human right, and should be non-negotiable. Positioning pay transparency reporting requirements as “onerous” provides employers with an unjustifiable “escape clause” – one which supports the continuation of gender discrimination in compensation in Ontario workplaces. Given the structural nature of the gender pay gap, this “escape clause” means Ontario women will continue to suffer discriminatory pay discrepancies in the name of the corporate efficiencies that already devalue them.

**2. Pay transparency reporting requirements are not onerous.**

In regards to the ministry’s question #4 of the consultation document, employers, regardless of their size, should be able to pull this information easily from most basic payroll systems. Data relating to on annual earnings is already required from employers for basic CRA reporting. Other jurisdictional evidence also suggests that pay transparency reporting requirements in fact would not be onerous for employers. As your own Pay Transparency consultation document in fact states (p. 9), the UK initiative has elicited a high response rate. The reporting requirements you propose – employee hourly wages during a specific pay period, and demographic makeup of the workplace – should be data easily retrieved by all workplaces that engage in routine day to day human resources administration and accounting. Reports on the recent UK pay transparency reporting requirements show that it took employers less than \$1,000 to produce their reports.<sup>3</sup>

To facilitate this reporting process, we would suggest that the reporting period be aligned with that of the annual tax reporting year (January 1 to December 31). This would have the added benefit of ensuring information can consistently be compared over time.

**3. Reporting other aspects of compensation is a critical piece of effective pay transparency**

In addition to hourly wages, it is critical to include other methods of compensation to ensure pay transparency reporting is accurate, and captures the full picture of the gender gap. Focusing on an hourly wage only will not capture issues caused by women’s access to fewer hours of work, concentration in precarious work and / or female dominated work, or how race and other forms of discrimination intersect to increase the gender pay gap. In regards to the

---

<sup>3</sup> See United Kingdom, Government Equalities Office, Closing the Gender Pay Gap: government response to the consultation, February 2016.

ministry's consultation document question #1, to address these issues, reporting criteria should also include:

- overall wage structure (by average and median wage, average and median annual earnings),
- demographic info about gender, race, disability and Indigeneity,
- other forms of compensation, including commission, vacation pay, bonuses, employer contributions to RRSPs or pensions, and all forms of health insurance plans (including long term disability).
- job status (e.g. full time, part time, seasonal)
- job classification

Including these additional reporting methods – all of which employers have access to through existing HR and payroll systems, will more accurately identify the sources and extent of the pay gap.

- 4. Pay equity (and pay transparency, as a powerful tool to achieve it), is beneficial for the economy, and thus, should be embraced and supported by all Ontarians, including employers.**

Compensation free of discrimination has rippling economic benefits for everyone. Narrowing the gap between men's and women's employment in Canada by 50% could contribute an additional \$160 billion to our economy by 2030. Moreover, the World Bank suggests that closing the gender wage gap could be worth the equivalent of 10% of Canada's GDP."<sup>4</sup>

Furthermore, the pay equity gap is equal to \$18 billion of foregone income each year for all working women in Ontario, which translates to about 2.5% of Ontario's GDP. The government's own report<sup>5</sup> concluded that closing the gender wage gap in Ontario would increase revenues from personal and sales tax by \$2.6 billion and decrease government expenditures on social assistance, tax credits and child benefits by \$103 million.

## Summary

In summary, there exists a golden opportunity with Ontario's pay transparency act to meaningfully narrow the gender pay gap for Ontario women, and improve Ontario's economy.

---

<sup>4</sup> Vandenbeld, A. (2016, June). IT'S TIME TO ACT Report of the Special Committee on Pay Equity (Canada, 42nd Parliament, House of Commons). Retrieved from <https://www.ourcommons.ca/Content/Committee/421/ESPE/Reports/RP8320461/esperp01/esperp01-e.pdf>

<sup>5</sup> Final report and recommendations of the Gender Wage Gap Strategy Steering Committee, 2016.

It is the AOM's hope that the Ontario government will consider our feedback, and that of other stakeholders such as the Equal Pay Coalition, to ensure the new act is effective.

Thank you for considering our comments on the pay transparency reporting requirements.

For more information, contact:

Mary-Kathleen Dunn, Policy Analyst  
Association of Ontario Midwives  
365 Bloor Street E. Suite 800 Toronto, ON M4W 3L4  
416-425-9974 ext. 2243 or 1-866-418-3773 ext. 2243  
[maryk.dunn@aom.on.ca](mailto:maryk.dunn@aom.on.ca)