

# How Society Frustrates Women

## New Brunswick Jury Bill Discriminates Against Women

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The commission recommended that the federal government and the provinces name more women judges to all courts within their jurisdictions. Under the section on Law it was also recommended that women be liable for jury duty on the same terms as men.

Since the early 1960's women in New Brunswick have been allowed to serve jury duty. But if a woman wishes to be a juror she must ask to be put on the Sheriff's Jury List. A man is obligated to serve unless he is employed in one of the exempted occupations (such as teaching). In 1970 the N.B. Bar Association made a formal suggestion that the male-female distinction be dropped from the Jury Act, but this has not yet been done.

The York County Courthouse, in Fredericton, and many other courthouses in New Brunswick have only one bathroom and are not considered to provide adequate facilities to have jurors of both sexes. It is also more expensive to provide sleeping quarters in the case of a held-over jury if there are female as well as male jurors. For these reasons, even the women who do volunteer for jury duty are seldom called.

This discrimination in the Jury Bill is intended as a protective measure for women, especially housewives and mothers, from the inconvenience of jury duty. The commission found many instances of "protective legislation", particularly in labor laws, actually working against women because employers did not want to bother with the complications (such as providing taxis for women who work after midnight). This protective legislation is the most frequent type of government policy acting against women in practice - and in principle it is intended to do just the opposite. Women must accept the social and personal responsibilities of men, if they want to be treated equally in the labour market - except in labour of men, if they want to be treated equally in the labour market - except in the special case of maternity.

### -STATUS OF WOMEN

The commission was assigned the task of finding just what the status of women in Canada is today. They revealed that two and a half million women are paid workers. This is roughly one third of the

labour force and one third of the female population old enough to work. Over one half of these women are married. One worker in six is a married woman.

Many employers considered married women a poor employment risk and the patterns of married women were put under particular scrutiny by the commission. The peak of female participation in the labour force is in the 20-24 age group. A sharp decline follows as many women leave employment to start families, but before the age of 35 begins to rise to a second lower peak in the 45-49 age group. After age 50, the female participation rate again declines.

The lower the income of the husband, the more likely it is the wife will work. The more education the wife has, the more likely she is to stay in the labour force or return to it early. There are more men than women with university degrees, but on the whole, women in the labour force are better educated than men. In spite of this, the average earnings of male workers are considerably higher than for female workers in every occupational group.

### -EQUAL PAY FOR EQUAL WORK

All provinces and territories in Canada now have legislation prohibiting salary differences based on sex, as the Report on the Status of Women points out, but they fail to ensure the practice of this principle. Investigations showed that employees often go out of their way to find or make a difference in the duties of male and female employees so that different rates can be paid with in the law.

This practice is often rationalized by the suggestion that male workers are usually supporting families while female workers are supplementing other income. But men are not usually paid by how many dependents they have and a single man spends no more for support than a single woman. There is no reason why a man should be paid more for doing the same job as a woman with equal ability.

Discriminatory salaries show their worst effects for female "heads of the family". The plight of widows, divorcees and unmarried mothers is often ignored or forgotten in our society. Twenty-three per cent of all families with female heads are

supported by government assistance. The commission makes several recommendations on this point.

Singled out in the section on discriminatory wage practices is the discovery that female academics made an average of \$2,000 a year less than their male counterparts. A few years ago this discrimination was the practice at UNB, but now the system of a minimum salary with yearly increments leaves no room for sexual discrimination.

An area of unfair employment practice mentioned by the Report does effect UNB. During the academic year many firms make arrangements through the University Placement Office to conduct interviews with students for jobs which specify a sex preference. The commission recommends that the University Placement Office and the Canada Department of Manpower and Immigration refuse to arrange such interviews. This is one recommendation we can implement immediately at UNB. Students can refuse to attend these interviews and the Placement Office can stop scheduling them unless they agree to consider candidates with qualifications regardless of sex.

### -FANATICISM

The commission goes a little overboard in the methods it suggests to enforce anti-discrimination laws. It suggests a network of councils and appeal boards be set up across Canada and a woman's co-ordinator be installed in all branches of the Federal Government.

The Report says, "Women has been defined throughout history in terms of her sex, rather than first of all as a human being. Transformation of ill-founded attitudes and prejudices will not follow publication of one report, or even of several . . . it will only be through continuous efforts that women will be assured of justice and equal opportunity today and in the future."

Canadians must beware of allowing the awareness of the problem into growing into a fanaticism. The laws

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