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Gender-Sensitive Parliaments: 1. Advancements in the Workplace

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***Gender-sensitive Parliaments:
1. Advancements in the Workplace
(Background Paper)***

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Library of Parliament ***Background Papers*** provide in-depth studies of policy issues. They feature historical background, current information and references, and many anticipate the emergence of the issues they examine. They are prepared by the Parliamentary Information and Research Service, which carries out research for and provides information and analysis to parliamentarians and Senate and House of Commons committees and parliamentary associations in an objective, impartial manner.

CONTENTS

1	INTRODUCTION.....	1
2	DEVELOPING A GENDER-SENSITIVE WORKPLACE.....	1
3	PROCEDURAL FRAMEWORK	2
3.1	Sitting Times	2
3.2	Proxy Voting.....	2
3.3	Non-Members on the Floor of the Chamber During a Sitting	3
4	PARLIAMENTARY POLICIES	3
4.1	Family-Friendly Policies	3
4.1.1	Parental Leave	3
4.1.2	Child Care.....	3
4.2	Codes of Conduct	4
4.3	Harassment Policies	4
5	INFRASTRUCTURE SUPPORT.....	4
6	PARLIAMENTARY BODIES	5
6.1	Caucuses for Women Parliamentarians	5
6.2	Committees	5
6.3	Women in Key Leadership Positions	6
7	CONCLUSION	7

GENDER-SENSITIVE PARLIAMENTS:

1. ADVANCEMENTS IN THE WORKPLACE

1 INTRODUCTION

For many years, organizations such as the United Nations and parliamentary associations such as the Inter-Parliamentary Union (IPU) have identified the need to increase the proportion of women in parliaments. While there has been a slow but consistent rise in the percentage of women, most parliaments fall below the widely recognized 30% benchmark to ensure a critical mass of women.¹ In Canada, the 2 May 2011 federal election saw women win 76 of the 308 seats in the House of Commons, putting them at 24.7% representation;² on the same date, in the Senate, 37 of the 105 appointed seats were held by women, placing women at 35.2% representation.³

At the international level, a focus on increasing the representation of women in parliaments has also been accompanied by an interest in the advancement and promotion of gender-sensitive parliaments. In a 2011 report, the IPU defined gender-sensitive parliaments as:

a parliament that responds to the needs and interests of both men and women in its structures, operations, methods and in its work. Gender-sensitive parliaments remove the barriers to women's full participation and offer a positive example or model to society at large.⁴

This paper will examine gender-sensitive parliaments from the perspective of the parliamentary workplace; specifically, how a parliament's procedural framework, policies, infrastructure support and bodies contribute to a workplace that is sensitive to the realities and needs of both men and women.

A second Library of Parliament publication, entitled *Gender-Sensitive Parliaments: 2. The Work of Legislators*, examines gender-sensitive parliaments with a focus on the work conducted by parliamentarians, particularly the advancement of gender equality laws, gender-based analysis of legislation and gender-sensitive budgeting.⁵

2 DEVELOPING A GENDER-SENSITIVE WORKPLACE

Developing a gender-sensitive workplace, within a parliamentary context, involves:

- an evaluation of the parliamentary structure, operations and procedures, historically established by men, with the aim of identifying where women face barriers or could use additional support;
- a focus on family-friendly reforms, as women in Canada and abroad continue to spend more time than their male counterparts on unpaid labour and in providing care for children and seniors;⁶
- an aspiration to reach the 30% benchmark of female participation, recognized as necessary to ensure a critical mass of women so that they will have an impact on the style and content of political decision-making;⁷ and
- a recognition that gender-sensitive reforms benefit both men and women.

3 PROCEDURAL FRAMEWORK

3.1 SITTING TIMES

Changes to parliamentary sitting times are among the most common family-friendly reforms. Generally, the sittings of Commonwealth parliaments begin late in the morning, as compared to financial and business workplaces, and consequently, also conclude later in the day. A number of jurisdictions, including Scotland, Wales, Ontario, British Columbia and Quebec, have revised their daily sitting schedule, which has led to compressed sitting weeks or schedules that start earlier in the day. The IPU reports that 39.0% of parliaments have aligned sitting times with the school calendar and 21.7% of parliaments have discontinued night sittings.⁸

Canada's parliament faces a particular dilemma as revisions to the daily sitting schedule might not produce their intended effect, if only because of the size of the country itself. A parliamentarian could only benefit from the early finish of a sitting day if he or she represented a local riding or if his or her family had moved to the National Capital Region, allowing the parliamentarian to return home to his or her family in the evening.

In Canada, a fixed parliamentary calendar outlining the sitting schedule was first adopted in 1982. At present, the three major adjournments on this calendar are scheduled to coincide with the school calendar (the winter holiday season, Easter and summer).

3.2 PROXY VOTING

Implementing proxy voting is seen as a family-friendly reform, as it can allow votes to be counted for parliamentarians on parental leave or mothers who are breastfeeding and therefore face difficulties attending a vote in the Chamber. According to the IPU, 5.9% of parliaments have proxy voting for parliamentarians who are absent because of child care responsibilities.⁹

In Canada, no provision currently exists to allow for proxy voting by parliamentarians.¹⁰ While not set out in rules, the sole way for a parliamentarian to have his or her vote recorded is for that member to be in the Chamber and have heard the motion read and to be in his or her assigned seat to vote.¹¹ When members of Parliament (MPs) know they will be absent during a vote, they can opt to engage in vote pairing with another absent member.¹² The practice of vote pairing does not occur in the Senate. Other jurisdictions (notably the New Zealand House of Representatives) have implemented procedures to allow for proxy voting. In 2007, the procedure committee in Australia examined the issue with a view to allowing nursing mothers to vote without having to enter the Chamber, but no final decision on the matter was made.

3.3 NON-MEMBERS ON THE FLOOR OF THE CHAMBER DURING A SITTING

In many Westminster parliaments, by tradition, only parliamentarians or parliamentary officers are permitted on the floor of the Chamber. The practice of ensuring non-members do not enter the Chamber has mostly been challenged by mothers with babies and toddlers.¹³

The exclusion of non-members on the floor during a sitting also exists in Canada. However, on at least three occasions in the past, the Speaker has turned a blind eye to members who brought their infant children into the House of Commons during a sitting. In a recent Speaker's ruling on this topic, instances of infants in the House were permitted, provided disruption and disturbance did not occur, and the work of the House proceeded uninterrupted.¹⁴

4 PARLIAMENTARY POLICIES

4.1 FAMILY-FRIENDLY POLICIES

4.1.1 PARENTAL LEAVE

Establishing a parental leave policy is a key family-friendly reform. The IPU reports that parliamentarians have maternity, paternity or parental leave to varying extents across parliaments.¹⁵ However, if the ability to take parental leave exists, it is undermined by the fact that absences from the job can hurt professional development, promotions and chances at re-election.¹⁶

The pay and benefits package of Canadian MPs does not contain specific provisions for parental leave.¹⁷ In addition, senators and MPs who are absent from their respective chambers for more than 21 sitting days per session will see their pay cut by \$250 a day for senators and \$120 a day for MPs. Legitimate reasons for missing a sitting day include public or official business and illness, but do not include parental responsibilities.¹⁸

4.1.2 CHILD CARE

An institutional policy on the provision of child care is arguably one of the most family-friendly changes. The IPU reports that 8.5% of parliaments offer financial assistance to parliamentarians for child care expenses.¹⁹

In Canada, there is no institutional policy at the federal parliament on the provision of child care and its expenses. Canada's parliament, however, has an on-site daycare, Children on the Hill Pre-school Centre, which has spaces for around 30 children, aged one and a half to five. Priority is given to senators, MPs, employees of the Senate and House of Commons, Library of Parliament employees, members of the press gallery and employees of the Office of the Conflict of Interest and Ethics Commissioner.²⁰

4.2 CODES OF CONDUCT

Codes of conduct are a commonly used policy instrument in parliaments internationally. The IPU notes that just over half of parliaments have such codes for parliamentarians and/or for staff, to serve as a model of expected behaviour.²¹ Codes of conduct, however, are highlighted as an under-utilized tool to promote gender equality. The IPU notes that the great majority of codes of conduct make no reference to gender equality.²²

Each Canadian senator and MP is subject to at least one conflict of interest regime.²³ While the conflict of interest codes and *Conflict of Interest Act* applicable to federal parliamentarians are meant to ensure and promote ethical conduct, the codes and the Act are primarily concerned with the avoidance of conflicts of interest in terms of personal financial gains for parliamentarians and their families. Neither the codes, nor the Act, contain any mention of gender equality.

4.3 HARASSMENT POLICIES

The prevention of sexual harassment is key to making parliaments inclusive workplaces. Nineteen percent of parliaments worldwide, according to the IPU, have policies against sexual harassment and 27% have a policy or grievance procedure to deal with gender equality-related or harassment issues.²⁴

In Canada, both the Senate and the House of Commons have policies on the prevention and resolution of harassment in the workplace.

The *Senate Policy on the Prevention and Resolution of Harassment in the Workplace*, approved in 2009, applies to senators and their staff, employees of the Senate Administration, contractors and their staff, and volunteers.²⁵

The House of Commons' *Policy on Prevention and Resolution of Harassment in the Workplace*, approved in 2001, applies to all persons employed by the House of Commons Administration, including indeterminate and term employees and employees on assignment to or from other departments or agencies.²⁶

According to parliamentary privilege, parliamentarians have a right to carry out their parliamentary duties without being assaulted, menaced, intimidated or insulted.²⁷

5 INFRASTRUCTURE SUPPORT

In parliaments, gender-sensitive infrastructure can include, at its most basic, women's washrooms in suitable numbers and locations. Beyond this, a parliament can be more gender-sensitive if it has family-friendly infrastructure, such as change tables.

The Centre Block of Canada's Parliament has 11 washrooms equipped with change tables, two of which were installed in 2012 in the men's and women's washrooms near the House foyer.²⁸

Another family-friendly infrastructure support is on-site childcare facilities. Over 20% of parliaments surveyed by the IPU say that they have access to such a facility.²⁹ The Children on the Hill Pre-school Centre for Canada's parliamentarians, staff and others has been in operation for 30 years.³⁰

6 PARLIAMENTARY BODIES

6.1 CAUCUSES FOR WOMEN PARLIAMENTARIANS

Women's caucuses serve as a forum in which women parliamentarians can network, share gender-related concerns and advance the mainstreaming of gender issues. Nearly half of the 77 countries in a 2008 IPU survey confirmed the existence of a caucus of women parliamentarians, with two thirds of parliamentary respondents believing that women's caucuses successfully united women across party lines.³¹

In the Canadian Parliament, a group of senators and MPs meets as an all-party women's caucus, and has done so regularly during the current 41st Parliament to discuss issues, such as how to make Parliament more women-friendly.³²

6.2 COMMITTEES

Committees are vital forums for reviewing legislation, studying pertinent issues and hearing from citizens and their representatives; the presence of women on parliamentary committees is essential to represent their different perspectives. The IPU reports that women continue to have a greater presence on committees about social affairs, women's affairs, health and education.³³

Four out of 39 standing parliamentary committees in Canada have greater than 50% female representation:³⁴

- National Finance; Fisheries and Oceans; and Social Affairs, Science and Technology (Senate); and
- Status of Women (House of Commons).

Table 1 provides the representation of female membership on all standing parliamentary committees in Canada.

Table 1 – Female Membership on Senate and House of Commons Committees

Percentage of Female Membership of a Committee	Number of Senate Committees	Number of House of Commons Committees
75% to 100%	0	1
50% to 74.9%	3	0
25% to 49.9%	9	9
0% to 24.9%	3	14

Note: For the purposes of this table, only standing committees of the Senate and House of Commons were included. The Selection Committee of the Senate and the Liaison Committee of the House of Commons were not included.

Source: [Senate of Canada Committees](#) and the [House of Commons Committees](#), 1st Session, 41st Parliament. Table prepared by the authors using data obtained from these websites.

Gender equality committees apply a gendered analysis to legislation and offer a focal point for women’s interest groups. According to the IPU, more than 30 countries have dedicated, specialized gender equality committees.³⁵

Canada’s dedicated gender committee, the House of Commons Standing Committee on the Status of Women, was established in the 38th Parliament in 2004. The committee has the mandate to examine and report on policies, programs, expenditures and legislation of departments and related agencies, including Status of Women Canada, as they relate to women.³⁶ The committee also initiates studies and produces reports.³⁷

The Senate does not have any parliamentary committees that deal with gender equality.

6.3 WOMEN IN KEY LEADERSHIP POSITIONS

An effective path to a gender-sensitive parliament is the presence of women in key parliamentary leadership positions, such as committee chairs and speakers. These women can also serve as role models to inspire greater participation by women, and can influence policy or procedures.

According to the IPU, women members of parliament principally chair committees that deal with so-called “soft” subjects – such as women’s issues and social welfare issues, including family, health and education – rather than “hard” areas like foreign affairs, defence, trade, security and the economy.³⁸ At present, in the Canadian Parliament, there are four female chairs in the Senate (on committees for Foreign Affairs, Human Rights, National Security and Defence, and Official Languages), and two female chairs in the House of Commons (on Health, and Status of Women).

Women across the 77 countries responding to a 2011 IPU survey held 14% of Speaker positions and 22% of Deputy Speaker positions.³⁹ In Canada’s Senate, where the Speaker is appointed by the Governor in Council, there have been two female Speakers. In the House of Commons, where the Speaker is elected by members, there has been one female Speaker.⁴⁰

7 CONCLUSION

Many parliamentary workplaces are structured and operate according to rules, practices and processes, both written and unwritten, that were established in previous centuries. While these rules, practices and processes represent the foundation of a parliament, to remain relevant, a parliament must adapt to changing social realities. Recently, legislators and administrators of parliaments have increasingly acknowledged the need to promote a workplace that is gender-sensitive. For many parliaments, including Canada's, these considerations are at present in their nascency. However, an important dialogue has begun and positive changes are being both explored and implemented.

NOTES

1. Inter-Parliamentary Union, [Women in National Parliaments](#), 30 June 2012. The statistic of 30% is the benchmark used by the Inter-Parliamentary Union and the United Nations.
2. Library of Parliament, "[Federal Election Trivia – Women](#)," *Parliament of Canada*.
3. Library of Parliament, "[Senators](#)," *Parliament of Canada*.
4. Dr. Sonia Palmieri, [Gender-Sensitive Parliaments: A Global Review of Good Practice](#), Inter-Parliamentary Union, 2011, p. 6.
5. Laura Munn-Rivard, *Gender-Sensitive Parliaments: 2. The Work of Legislators*, Publication no. 2012-45-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, 17 August 2012.
6. Statistics Canada, [Canada's Changing Labour Force, 2006 Census](#), Catalogue No. 97-559-X, March 2008, p. 31.
7. [Equal participation of women and men in decision-making processes, with particular emphasis on political participation and leadership](#), Programme of Work, Expert Group Meeting of the United Nations Division for the Advancement of Women – Department of Economic and Social Affairs, Addis Ababa, Ethiopia, 24–27 October 2005.
8. Palmieri (2011), p. 91.
9. Ibid.
10. A proxy vote is one that allows a member of Parliament to cast another member's vote on his or her behalf.
11. Audrey O'Brien and Marc Bosc, eds., "[Decorum During the Taking of a Vote](#)," in *House of Commons Procedure and Practice*, 2nd ed., House of Commons/Éditions Yvon Blais, Ottawa, 2009.
12. Vote pairing is the agreed-upon abstention on the part of one member from the government side and one member from the opposition side for a particular vote or votes in the House of Commons. This arrangement allows for the strengths of the relative parties in the House of Commons to be maintained during a vote or votes, despite absences.
13. Palmieri (2011), p. 95.
14. House of Commons, [Debates](#), 1st Session, 41st Parliament, 16 February 2012, 1510.
15. Inter-Parliamentary Union, "[Can Parliamentarians Strike a Balance Between Work and Family Life?](#)," *IPU eBulletin*, No. 29, 19 December 2011.

GENDER-SENSITIVE PARLIAMENTS: 1. ADVANCEMENTS IN THE WORKPLACE

16. Laura Ryckewaert, "Female MPs still fighting for structural, institutional changes in federal politics," *The Hill Times*, 12 March 2012.
17. [Members' Salary & Benefits](#), IntraParl, 2012 (available on the parliamentary intranet site only).
18. O'Brien and Bosc (2009), "[Responsibilities and Conduct of Members](#)"; Parliament of Canada, [Rules of the Senate](#), September 2012.
19. Palmieri (2011), p. 91.
20. Children on the Hill Pre-school Centre, Telephone communication, 26 July 2012.
21. Palmieri (2011), pp. 68 and 102.
22. *Ibid.*, p. 68.
23. The conduct of senators is governed by the [Conflict of Interest Code for Senators](#), while the conduct of MPs is governed by the [Conflict of Interest Code for Members of the House of Commons](#), and that of public office holders (including ministers and parliamentary secretaries) by the [Conflict of Interest Act](#).
24. Palmieri (2011), p. 68.
25. Senate, Human Resources Directorate, [Senate Policy on the Prevention and Resolution of Harassment in the Workplace](#), 22 June 2009.
26. House of Commons, *Policy on Prevention and Resolution of Harassment in the Workplace*, June 2001.
27. O'Brien and Bosc (2009), "[Freedom from Obstruction, Interference, Intimidation and Molestation](#)."
28. Ryckewaert (2012).
29. Palmieri (2011), p. 91.
30. Ryckewaert (2012).
31. Inter-Parliamentary Union, [Equality in Politics: A Survey of Women and Men in Parliaments](#), Reports and documents no. 54, Geneva, Switzerland, 2008, pp. 68–69.
32. Ryckewaert (2012).
33. Palmieri (2011), p. 22.
34. In both chambers, rules exist that outline the process for appointing the membership of each parliamentary committee. The matter of which parliamentarian is assigned to which committee is nowhere set out in the rules of either house, however. In practice, it is left to the whips of each recognized party, along with party leadership, to make this determination.
35. Palmieri (2011), p. 40.
36. House of Commons, Standing Committee on the Status of Women, "[Mandate](#)," *About this Committee*.

37. Recent reports include:
- House of Commons, Standing Committee on the Status of Women, [*Abuse of Older Women*](#), 1st Session, 41st Parliament, May 2012;
 - House of Commons, Standing Committee on the Status of Women, [*Ending Violence Against Aboriginal Women and Girls: Empowerment – A New Beginning*](#), 1st Session, 41st Parliament, December 2011;
 - House of Commons, Standing Committee on the Status of Women, [*Call into the Night: An Overview of Violence Against Aboriginal Women*](#), Interim Report, 3rd Session, 40th Parliament, March 2011; and
 - House of Commons, Standing Committee on the Status of Women, [*Building the Pipeline: Increasing the Participation of Women in Non-traditional Occupations*](#), 3rd Session, 40th Parliament, December 2010.
38. Palmieri (2011), p. 20.
39. Ibid., p. 18.
40. Female Speakers in the Senate were the Honourable Muriel McQueen Fergusson (1972–1974) and the Honourable Louise Marguerite Renaude Lapointe (1974–1979). The lone female Speaker in the House of Commons was the Right Honourable Jeanne Sauvé (1980–1984).