

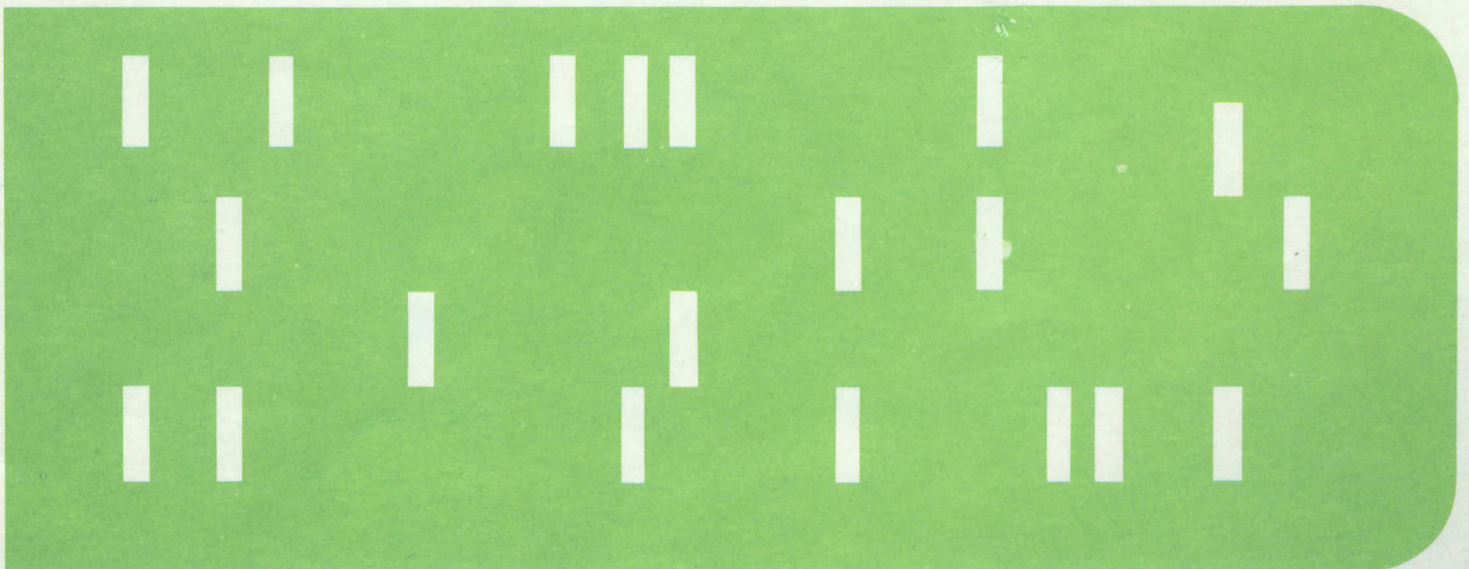
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1981 Pt.2

DOING BUSINESS IN CANADA

LABOUR LEGISLATION



DEPARTMENT OF INDUSTRY, TRADE AND COMMERCE
OTTAWA, CANADA

DOING BUSINESS IN CANADA

Labour Legislation



Government
of Canada

Industry, Trade
and Commerce

Gouvernement
du Canada

Industrie
et Commerce

FOREWORD

The information in this booklet deals with labour legislation in Canada and has particular significance for employers in the manufacturing industry. It is intended as a guide in this field of legislation and, as such, refers only to the basic principles involved.

Every effort has been made to accurately reflect the legislation in force at the time of preparing the material. However, since the law contains a considerable amount of detail, and in many cases varies from province to province, it is suggested that an enquirer consult with relevant provincial or federal authorities when seeking precise and detailed advice on a given problem.

Titles of publications available from the Department of Industry, Trade and Commerce in the series "Doing Business in Canada" are:

- No. 1 – The Business Environment
- No. 2 – Forms of Business Organization in Canada
- No. 3 – Canadian Customs Regulations
- No. 4 – Taxation – Income, Business, Property
- No. 5 – Taxation – Sales, Excise, Commodity
- No. 6 – Labour Legislation
- No. 7 – Construction and Equipment Standards
- No. 8 – Federal Incentives to Industry
- No. 9 – Patents, Trade Marks, Industrial Designs and Copyrights
- No. 10 – Financing Canadian Industries.

Further information is available from:

The Business Centre (34/2)
Department of Industry, Trade and Commerce
235 Queen Street
Ottawa, Ontario K1A 0H5
Tel: Call collect (613) 995-5771
Telex: 053-4123

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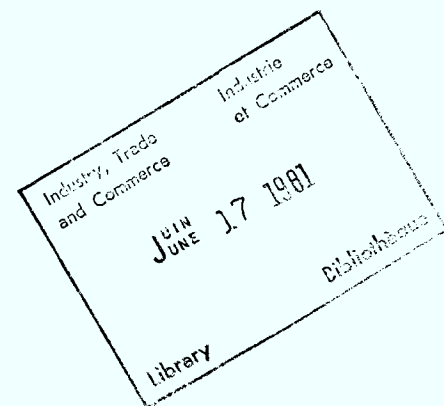


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NOTE — A list of provincial departments of labour or the equivalent is available in another publication in this series entitled — "Construction and Equipment Standards".

INTRODUCTION

Labour legislation in Canada regulates a variety of subjects which form part of the relationship between employers and their employees and between employers and trade unions. These subjects include labour relations, labour standards, occupational safety and health, fair employment practices, and workers' compensation.

Jurisdiction over labour law in Canada is not specifically assigned by the Canadian constitution. Instead, it is a part of the more general jurisdiction which the provinces have over "property and civil rights" and, with certain exceptions, "local works and undertakings."

However, although predominantly so, labour law is not exclusively a provincial matter. The federal Parliament is empowered to legislate in the area of labour law which applies to those industries of interprovincial or international scope over which it is specifically granted jurisdiction. Thus, the federal jurisdiction over banks, radio and television broadcasting, railways, pipelines, telephone, telegraph and cable television systems, shipping and air transport includes the right to legislate with respect to all aspects of labour legislation. In addition to jurisdiction over industries which it has by virtue of the constitutional division of powers, the federal Parliament has the right to declare works and undertakings which would otherwise be considered local, and therefore under provincial jurisdiction, to be for the advantage of Canada or of two or more provinces. The effect of such a declaration

is to bring the work in question under federal jurisdiction. In this way, the federal Parliament has extended its legislative authority to include the grain and atomic energy industries.

Each government and legislature has responsibility for its own public sector. The legislature of each province may enact labour legislation of application to the employees of Crown corporations and of the provincial government, its departments, agencies, and commissions. Similarly the federal Parliament has jurisdiction over employers and employees in the federal public sector. Two different systems of labour relations exist in this sector. The major Crown corporations, such as Air Canada, Canadian National Railways, and the Canadian Broadcasting Corporation, and their employees are governed by the provisions of the Canada Labour Code, with respect not only to industrial relations, but also to labour standards and occupational safety and health. The departments of the Government of Canada and some government agencies and their employees conduct collective bargaining under the Public Service Staff Relations Act. Many terms and conditions of employment for those employed directly by the Government of Canada are established by collective agreement, while others are contained in various statutes or set by the employer.

Labour ordinances, dealing principally with labour standards and fair employment practices, have been enacted by the territorial councils of the Yukon and Northwest Territories.

MANPOWER PLANNING/EMPLOYMENT SERVICES

The best method for an organization to ensure that it has the required skilled workers is to engage in effective manpower planning. The employer can best identify manpower requirements and develop and implement measures which will provide the necessary skills. Under this planning framework, the Canada Employment and Immigration Commission (CEIC) can then deliver its various services and programs to assist an employer to recruit the work force required.

The commission, through a cross-country network of more than 400 Canada Employment Centres (CECs), provides a free public placement service. Most CECs are equipped with a Job Information Centre where job-ready workers can make job choices from openly displayed

cards or listings and then contact a counsellor when they find a job that interests them.

To respond to employers' needs, CECs provide services designed to assist employers in meeting their work force needs by use of the commission's programs and services. Included is a recruitment service to supply suitably qualified workers from local, regional or national sources in order of availability; the provision of comprehensive labour market information; assistance in work force planning; and assistance in the training of workers where occupational shortages exist. CECs can also provide assistance to employers in recruiting particular categories of workers, such as agricultural workers, university graduates, summer students and, in special

cases, foreign workers.

Training to upgrade employees' skills is frequently a major expenditure for an employer. CEIC can enter into a contract with an employer or employer association to assist in the training of their employees. Under such contracts the Canada Manpower Industrial Training Program reimburses the employers for the direct cost of

training and for a portion of trainee wages.

To stimulate employment in the private sector of the economy, the Employment Tax Credit Program provides a tax rebate to employers who create and fill jobs which are additional to their normal work force, and which would not have been created without the support provided by the program.

FOREIGN WORKER RECRUITMENT

In the recruitment of foreign workers, the Canada Employment Centre (CEC) carries out the role assigned to the National Employment Service in the Immigration Regulations. This involves receiving requests from employers to hire foreign workers and determining whether or not the admission of such workers adversely affects employment and career opportunities for Canadians.

In meeting these responsibilities, CECs consider such factors as: the availability of qualified Canadians; wages and working conditions; the additional employment or training opportunities that are expected to be created for Canadians as a result of the recruitment of foreign workers; the efforts made by employers to hire and train Canadians for the employment in question; the

existence of a labour dispute; the bona fides of the job offer; the feasibility of training Canadians; and the duration of the employment.

Employment Authorizations are valid only for the occupation, location and employer listed in an Authorization and for a specified period, usually not longer than 12 months. Renewals after the initial 12-month period are permitted when no qualified Canadian becomes available through clearance or training.

Employers who are considering the recruitment of foreign workers should proceed only after consulting the commission in Canada on the proper procedures to be followed and the situation pertaining to particular foreign countries.

CANADA MANPOWER CONSULTATIVE SERVICE

The Manpower Consultative Service (MCS) of the Canada Employment and Immigration Commission helps employers and their employees to deal jointly with the manpower side of company planning. This helps ensure maximum benefit and performance from company growth and expansion, new equipment or new work processes. Manpower problems such as high worker turnover, low productivity, worker recruitment and training can also be dealt with.

MCS can help employees minimize disruptions resulting from business closure or relocation.

MCS brings management and labour together in a committee setting to examine problems they jointly face and to develop acceptable solutions. Meeting face-to-face helps dispel much of the fear that uncertainty creates for both groups. Acting as a committee, they can ask questions, air opinions and consult outside

experts for advice, exploring all courses of action in an effort to keep the business productive and jobs secure. MCS funds up to 50 per cent of the committee's costs for research, planning and consultation. An officer of MCS sits on the committee in an advisory role and, where necessary, co-ordinates the use of other government programs to support the action decided upon.

The service is open to individual firms and their employees, entire industry sectors or particular geographic areas anticipating changes that could disrupt employers and workers.

Enquiries should be directed to a regional office of Employment and Immigration Canada (St. John's, Charlottetown, Halifax, Fredericton, Montréal, Toronto, Winnipeg, Regina, Edmonton, Vancouver*) or the nearest Canada Employment Centre.

*see Appendix C

MINIMUM AGE

The Canada Labour Code and regulations describe conditions under which persons under 17 years of age may be employed in federally regulated industries.

In the provinces, legislation stipulates a minimum age for employment in factories, hotels and restaurants, construction, mines, and retail stores. Often the age varies among these industries, and numerous exceptions and special rules exist.

In all provinces and territories, compulsory school attendance laws forbid the employment of school-age children during school hours.

In British Columbia, Alberta and Ontario, the minimum age for factory employment is 15 years, while in New Brunswick and Nova Scotia the minimum age for the same type of employment is 16 years. In Alberta, British Columbia and New Brunswick, permits may be obtained to employ a person who is below the minimum age.

In Manitoba and Québec, the minimum age for industrial employment is 16 years; however,

in Québec permits may be issued to allow the employment of persons of not less than 15 years of age during school holidays. Prince Edward Island prohibits the employment of children of less than 15 years of age in factories and other types of employment. In Saskatchewan and Newfoundland employment of children of less than 16 years of age is prohibited if the employment is likely to be detrimental to the employee. Also, in Newfoundland, an employer may not employ a child of less than 14 years of age except where the Lieutenant-Governor in Council has prescribed the work as permissible employment for children under that age.

In the Yukon Territory, the Labour Standards Ordinance establishes a minimum age of 17 years for employment in such occupations as may be designated by regulation. The same is true in the Northwest Territories.

For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

APPRENTICESHIP AND TRADESMEN'S QUALIFICATIONS

All provinces and the two territories have apprenticeship laws providing for an organized program of on-the-job training and school instruction in designated skilled trades. On completion of apprenticeship, a certificate is issued by the appropriate board. Statutory provision is made in most provinces for the issuing of

certificates of qualification, on application, to qualified tradesmen in certain trades. In some provinces, certain tradesmen must hold certificates of competency in order to work in their field. For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

MINIMUM WAGE

All jurisdictions in Canada have enacted laws which empower a person or board to establish rates of minimum wage. Usually, there exists a general rate applicable to experienced adult workers in most industries, and in addition, special rates for certain industries and occupations, such as construction, logging, agriculture or work in premises licensed to serve liquor, and for students, young workers and caretakers in residential buildings. (See Appendix A for minimum hourly wage rates.)

Industrial standards legislation in Ontario, Newfoundland, New Brunswick, Nova Scotia and Prince Edward Island provides the means whereby standards of wages and hours of work

can be discussed by a conference of representatives of employers and employees in a trade or industry and a schedule of these standards agreed upon. When agreement is reached, the legislation permits the provincial government to make the schedule legally binding throughout the trade or industry. In the four Atlantic provinces, the acts have been applied to the construction industry only.

In Québec, minimum industrial standards may be applied to a trade or industry by a decree made under the authority of the Collective Agreement Decrees Act. The act empowers the government to extend the provisions of a collective agreement between an employer or em-

employers and a trade union to all employers and employees in the province or within a specified part of the province. When a decree is made, those provisions dealing with wages and hours of work must be extended to all employers and employees within the scope of the decree, while provisions dealing with other subjects may be extended. Several decrees are currently in force.

In Manitoba, the Construction Industry Wages Act provides a mechanism for the estab-

lishment of minimum wages and maximum hours of work in that industry, based on the recommendations of a board equally representative of employers and employees. An annual schedule of these minimum standards is published.

For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

HOURS OF WORK

Hours of work laws are in force in the federal jurisdiction, in all of the provinces and in the territories. An important distinction exists between the laws in effect in the federal, territorial, and some provincial jurisdictions and those in the remaining provinces. The former establish maximum hours of work, in excess of which an employee cannot be required to work, as well as standard hours after which work must be compensated at overtime rates. The latter establish only standard hours.

The Canada Labour Code sets standard hours of eight a day and 40 a week after which overtime at one and one-half times the regular rate must be paid and limits weekly hours to a maximum of 48.

In the Northwest Territories, standard hours are eight hours a day and 44 hours a week, with maximum hours of 10 a day and 54 a week. After standard hours, an overtime rate of one and one-half times the regular rate is payable. In the Yukon the standard hours are eight a day and 40 a week, the maximum hours are 10 a day and 60 a week and the overtime rate is one and one-half times the regular rate.

In Alberta, maximum hours are eight a day and 44 a week. These hours may be exceeded with the consent of the Board of Industrial Relations, which also has the authority to set rates for overtime. Currently, the rate of general application is one and one-half times the regular rate.

In British Columbia, the maximum hours of work are eight a day and 40 a week. Hours worked in excess of eight a day (by permission of the Board of Industrial Relations) or 40 a week are remunerated at one and one-half times the regular rate. All hours worked in excess of 11 a day and 48 a week are remunerated at double the regular wage.

In Manitoba, standard hours are eight a day and 40 a week. These are also the maximum hours, although employees may be required to work overtime in certain circumstances. When overtime work is required, the rate of pay is one and one-half times the regular rate.

In Ontario, maximum hours are eight a day and 48 a week but overtime pay at a rate one and one-half times the regular rate is payable after 44 hours of work in a week.

In Saskatchewan, standard hours after which overtime at the rate of one and one-half times the regular rate must be paid are eight hours a day and 40 a week. Maximum hours are 44 a week.

Newfoundland law requires that no employee shall be employed without an eight-hour rest period during each 24 hours, and a 24-hour rest period during each week. The overtime rate which is payable after an employee has worked more than eight hours a day and 44 hours a week is one and one-half times the minimum wage rate.

In the remaining provinces, hours of work are not restricted, except that in most of them employers are required to provide one day of rest in each week. In Québec, the standard work week is 44 hours. Hours worked in excess of that number must be compensated at one and one-half times the regular rate.

In New Brunswick, Nova Scotia and Prince Edward Island the overtime rate is based on the minimum wage rate, being one and one-half times that rate. Standard hours are 44 a week in New Brunswick and 48 a week in Nova Scotia and Prince Edward Island.

For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

ANNUAL VACATIONS AND PUBLIC HOLIDAYS

Most employees throughout Canada are legally entitled to a paid annual vacation, as well as a number of paid public holidays during the year. The general standard for annual vacations is two weeks following a year of employment. In Manitoba and the Northwest Territories employees are entitled to a three-week vacation after five years of employment while Saskatchewan provides for a three-week vacation after one year of employment and four weeks after 10 years. For employees who are covered by the Canada Labour Code, entitlement to three

weeks of annual paid vacation arises after six years while Québec law requires a three-week vacation after 10 years.

Nova Scotia and Newfoundland provide for five paid holidays, New Brunswick and Québec for six, Ontario and Manitoba for seven, Alberta for eight and the Canada Labour Code, British Columbia, Saskatchewan and both territories for nine.

For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

FAIR EMPLOYMENT PRACTICES AND EQUAL PAY

Legislation which prohibits discrimination in employment is in force throughout Canada. Commonly found in the human rights acts and codes which have been adopted in all Canadian jurisdictions, Fair Employment Practices Laws, as the legislation is sometimes called, prohibit discrimination on several grounds in hiring and in the establishment and application of the terms and conditions of employment. Certain employment-related matters, such as the use of employment agencies, pre-employment enquiries, application forms and membership in trade unions, employers' associations, and professional or trade organizations, are also regulated to curb unlawful discrimination.

The grounds on which the various forms of discrimination are prohibited in all jurisdictions are race, religion (sometimes termed religious belief or creed), colour, sex, marital status, and origin (variously called national origin, ethnic origin, ancestry, nationality or place of origin). All jurisdictions except Québec and the two territories have outlawed discrimination in employment and employment-related matters on account of age, although in most provinces age is defined to cover only certain years so that, for example, refusal to continue to employ a person who is 65 years of age or older is not prohibited. Similarly, discrimination on the basis of other usually prohibited grounds such as one's sex may be permitted where a bona fide occupational qualification is involved.

The federal Canadian Human Rights Act and the laws in Manitoba, New Brunswick, Nova Scotia, Prince Edward Island, Québec and Saskatchewan prohibit discrimination against physically handicapped persons. Discrimination

on the grounds of political beliefs, opinions or conviction is outlawed in British Columbia, Manitoba, Newfoundland, Prince Edward Island and Québec.

Some jurisdictions have unique grounds upon which discrimination is outlawed. These are the federal Canadian Human Rights Act (previous conviction for which a pardon has been granted), Alberta (a legislative change not yet proclaimed in force would include physical characteristics) and Québec (language, sexual orientation and social condition). Nova Scotia prohibits discrimination on the grounds of the race, religion, creed, colour or ethnic or national origin of anyone with whom an individual associates. Prince Edward Island has a similar prohibition. The Northwest Territories prohibits discrimination on the basis of place of residence.

All jurisdictions prohibit discrimination on the prohibited grounds by trade unions, while Alberta, British Columbia, Manitoba, New Brunswick and Québec prohibit discrimination by employers' organizations, which are associations formed to conduct collective bargaining on behalf of several employers. All of these provinces plus Nova Scotia, Prince Edward Island and Saskatchewan ban discrimination in occupational, professional or trade associations while Ontario outlaws discrimination by self-governing professions.

All of the jurisdictions prohibit the publication of advertisements, the use of application forms and the making of enquiries in connection with employment that express or imply discrimination on any of the forbidden grounds.

Most jurisdictions ban attempts to require job applicants to disclose information about

race, colour, religion and national origin, while Manitoba, New Brunswick, Saskatchewan, and both territories prohibit required disclosure of a prospective employee's sex.

All provinces, except New Brunswick, have legislation specifically concerning equal pay. This also exists at the federal level and in the territories. In most jurisdictions, pay discrimination between men and women is banned when employees are performing the same, substantially the same, similar or substantially similar work. The federal law uses a standard of "work of equal value". In all jurisdictions except Nova

Scotia and the Northwest Territories the prohibition of pay discrimination extends to both sexes. The latter two jurisdictions prohibit pay discrimination against female employees. Although New Brunswick does not specifically require equal pay for equal work, the concept is considered to be dealt with by the general provisions which prohibit discrimination in the conditions of employment on the basis of sex.

For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

MATERNITY LEAVE

All jurisdictions with the exception of Prince Edward Island and the territories have enacted provisions requiring employers to grant unpaid maternity leave and prohibiting dismissal because of pregnancy.

Usually, a total number of weeks of leave is established with a maximum number which may be taken before the expected date of birth and a minimum number which must be granted after the actual date. Therefore if the actual date of birth is later than expected, the total period is extended. The federal, Manitoba, Newfoundland, Nova Scotia and Ontario legislation permits 17 weeks of leave, to begin not earlier than 11 weeks before the expected date of delivery. At least six weeks must be granted after the actual date.

In Alberta, British Columbia, Québec and Saskatchewan the period of maternity leave is 18 weeks and the earliest permitted starting date

is 12 weeks before the expected delivery date. In Alberta, British Columbia and Saskatchewan the post-natal leave period may be extended for medical reasons for an additional period of three weeks in Alberta and six weeks in the other provinces. In Québec, if the actual date of delivery is later than the expected date, the leave period is extended but not if there remains, of the original 18 weeks, a period of at least two weeks.

In New Brunswick, the maternity leave period is 12 weeks, beginning not earlier than six weeks before the expected date of delivery, and ending not later than six weeks after the actual date. The maximum period of absence from work, including any period between the expected and the actual date of delivery is 17 weeks.

For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

WORKERS' COMPENSATION

In all provinces, compensation is provided for workers in most types of industrial employment who sustain personal injury by accident resulting from and in the course of employment unless they are disabled for less than a stated number of days or where the injury is attributable solely to the worker's serious and wilful misconduct and does not result in death or serious disablement. Compensation is also payable for specified industrial diseases.

In addition to monetary benefits, medical aid and allied advantages are provided for as long as needed and regardless of a waiting

period. Also, rehabilitation programs have been implemented to aid in getting workers back to work and to lessen any handicap.

If death results from an occupational accident or disease, the dependants of the deceased worker receive compensation benefits.

Each workers' compensation act provides for an accident fund administered by a workers' compensation board to which employers are required to contribute and from which compensation and medical benefits are paid. The legislation thus provides for a system of compulsory collective liability.

All costs of compensation are raised by assessment on employers, levied by the board. Industries covered by the legislation are divided into classes or groups according to hazard and the board fixes an annual assessment rate appropriate to each class or group. The prescribed rate is applied to the employer's payroll and reflects the accident experience of the group

or class.

Workers covered by the compensation scheme have no right of action against their employer for disablement arising out of their employment.

For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

INDUSTRIAL RELATIONS

All Canadian jurisdictions have legislation governing the collective bargaining system. The structural principles enshrined in the various labour relations laws are the same across Canada; the legislation guarantees freedom of association, and the right of employees to choose a trade union to represent them in collective bargaining, and provides a mechanism (called Certification) whereby a trade union may become recognized as the exclusive bargaining agent for a group of employees. When a trade union has been certified, it may compel the employer to bargaining collectively with it in an effort to conclude a collective agreement. Refusal or failure by either of the parties to bargain in good faith constitutes an unfair labour practice, which is the term used in labour relations law to denote certain prohibited acts, involving interference with the rights of other parties in the collective bargaining process.

Under the laws, government conciliation services are available to the parties to assist them in reaching an agreement, and in some jurisdictions recourse to conciliation is obligatory. While conciliation proceedings are in progress strikes and lockouts are prohibited. The same prohibition applies while a collective agreement is in force, and any disputes about the interpretation or application of the agreement must be settled without stoppage of work, through the grievance procedures set out in the agreement, and then, if necessary, by binding arbitration.

In most jurisdictions, separate legislation exists for public and parapublic employees such as government employees, firefighters, police officers, teachers and hospital employees. In contrast with the labour relations law of general application, "special group" legislation often directly defines the bargaining unit or units in which the employees are grouped and restricts the scope of bargaining to certain topics while excluding others. Sometimes, this type of legis-

lation also names the bargaining agent which is to represent the employees in collective bargaining.

In British Columbia, the law permits the certification of an employers' association to act as the bargaining agent for its members. In other provinces, this type of certification is available only in the construction industry which is the subject of special legislative provisions, and even entire acts, in several provinces. In order to avoid excessive fragmentation in collective bargaining in the industry, these provisions encourage or require collective bargaining to be carried on in a unified way throughout a trade or geographic district. In the case of Québec, the Construction Industry Labour Relations Act requires all employees in the industry to be members of the Association of Building Contractors of Québec, which bargains on a province-wide basis in their behalf.

In the construction industry in Québec a similar principle to that enshrined in the Collective Agreement Decrees Act exists. The Construction Industry Labour Relations Act requires all employers in the industry to bargain collectively through a central organization. All construction workers must select one of four trade unions to represent them. Collective bargaining takes place on a multitrade, province-wide basis. When one or more of the trade unions representing at least 50 per cent of the employees, and the employers' association reach an agreement, the government may by decree make it applicable to the entire industry. The government may extend, repeal or amend the decree with the consent of the employers' association and the trade union or trade unions which represent at least 50 per cent of the employees in the industry.

Saskatchewan recently adopted similar legislation. Contractors who employ unionized labour are grouped into employers' organizations to bargain with the representatives of employees in a trade employed within a particular

sector of the construction industry. Thus, for example, the representatives of all employees working in the plumbing trade within the residential construction sector would bargain with an employers' organization representing all employers who employ unionized labour in that trade and sector. This bargaining takes place on a province-wide basis.

Ontario includes in its Labour Relations Act provisions specifically applicable to the construction industry. Bargaining takes place by trade within a geographic region, and the accreditation of employers' organizations to represent all employers who employ persons represented by a trade union is permitted. When an employers' organization is accredited, it conducts collective bargaining on behalf of all of

the employers which it represents. In the industrial, commercial and institutional sector, province-wide bargaining is permitted, and may be required by the minister of labour, who is empowered to designate "employee bargaining agencies" and "employer bargaining agencies", to conduct collective bargaining on behalf of all unionized employees working in a particular trade in the province and all of the employers who hire such employees.

In Alberta, special provisions are in effect relating to the construction of oil sands and heavy oil plants.

For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

OCCUPATIONAL SAFETY AND HEALTH

In Canada, both the federal and the provincial legislatures have the power to enact laws and regulations concerning the protection of workers against industrial accidents or diseases. However, the provinces have major jurisdiction in this field, with the federal authority limited to certain industries considered to be under the Parliament of Canada.

Legal standards designed to ensure the safety, health and welfare of persons employed in industrial and commercial establishments, in mines and quarries and other work places, exist in all jurisdictions. The authorities responsible for the administration of such standards are, in the main, the departments of labour, health, mines, the workers' compensation boards and, in some instances, special government bodies.

General safety laws and/or regulations are in force covering the most part of all employment in the country except agriculture and domestic service. They deal with most aspects of industrial safety and health in the working environment. Safeguards for the protection of workers are established with respect to such

matters as fire safety, sanitation, heating, noise, lighting, ventilation, protective equipment, materials handling, safety of tools and the guarding of dangerous machinery.

Other safety laws and/or regulations are of a more specific application. They are concerned with hazardous equipment and installations such as boilers and pressure vessels, electrical installations, elevating devices and gas and oil-burning equipment. Others are directed toward hazardous industries such as mining, construction, excavation, logging, etc. Legislation has also been enacted regarding special hazards such as radiation, work in compressed air and the handling of explosives.

In addition, the legislation is frequently supplemented by codes and standards such as those published by the Canadian Standards Association and the American Conference of Governmental Industrial Hygienists.

For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

NOTICE OF TERMINATION OF EMPLOYMENT

In addition to the federal government, the provinces of Alberta, Manitoba, Newfoundland, Nova Scotia, Ontario, Prince Edward Island, Québec and Saskatchewan have legislation requiring an employer to give notice to the individual worker

whose employment is to be terminated. Notice periods may range from one to eight weeks. Manitoba, Nova Scotia, Newfoundland, Prince Edward Island and Québec also place an obligation on the employee to give notice to his em-

ployer before quitting his job.

Manitoba, Newfoundland, Ontario, Québec, Nova Scotia and the federal government require an employer to give advance notice of a projected dismissal or layoff of a group of employees in order to permit government authorities to develop and carry out programs to find alternative employment. In Québec, notice must be given where 10 or more persons are being dismissed within a two-month period; in Nova Scotia, 10 or more employees within a four-week period; and, in the federal industries, Manitoba,

Newfoundland and Ontario, 50 or more persons within four weeks or less. The periods of notice vary with the number of employees being dismissed but range from eight weeks to four months.

In the federal jurisdiction, employees with five or more years of service are entitled to severance pay on termination of employment.

For further information, enquiries should be directed to Legislative Analysis, Labour Canada, Ottawa, Ontario, K1A 0J2.

UNEMPLOYMENT INSURANCE

Workers who become unemployed may qualify for unemployment insurance benefits under a federal government program administered by the Canada Employment and Immigration Commission (CEIC). Practically all employment is now insurable. The self-employed are still excluded but wherever a contract of service exists, premiums are collected from both employers and employees. Certain employment outside Canada is also insurable.

The CEIC specifies the employer and employee premium amounts each year, but since 1971, Revenue Canada, Taxation collects these premiums and rules on what kinds of occupations shall be insurable. Employers remit monthly to Revenue Canada, Taxation all money deducted from employees for unemployment insurance premiums, income tax and Canada Pension Plan (except in Québec). All of these deductions are listed on one return which saves duplication of payroll audits. The amounts to be deducted are set out in tables which employers can obtain from Revenue Canada, Taxation, Ottawa, Ontario K1A 0L5, or from one of the District Taxation Offices in Canada's major cities.

Information on the Québec Pension Plan can be obtained by writing to the Québec Pension Board, P.O. Box 5200, Québec City, Québec G1K 7S9.

Premium rates for employers and employees can be reduced for those companies that

provide sickness or disability insurance or other wage loss replacement plans that meet the standards set by the CEIC. For further information, write to the nearest CEIC office for a copy of "Employer Guide - Wage Loss Replacement Plan Registration."

Under certain carefully defined conditions, benefits may be payable to those who have become unemployed due to layoff, sickness, injury, quarantine or pregnancy; a special severance benefit payable at age 65 is available for those meeting the qualifying conditions. The benefit rate is 60 per cent of the employee's average weekly insurable earnings in his/her qualifying weeks. However, there is a maximum level of insurable earnings that is normally adjusted each year. In 1980, the weekly maximum was \$290 providing a weekly benefit rate of \$174.

The duration of these benefits varies in each case. In the early stages it is related to the individual's length of previous attachment to the work force, while in the later stages it depends on the regional unemployment rate, or a combination of the national and regional unemployment rates. Cases are reviewed periodically and efforts are made to help the individual return to full-time employment as soon as possible.

For further information, contact the Canada Employment and Immigration Commission, Ottawa, Ontario K1A 0J5.

APPENDIX A**GENERAL MINIMUM HOURLY WAGE RATES
FOR VARIOUS CATEGORIES OF WORKERS**

Jurisdiction	Category	Minimum Wage Rate
Federal	Experienced adults	\$3.25 effective December 1, 1980 \$3.50 effective May 1, 1981
	Employees under 17 years of age	\$3.25 effective May 1, 1981
Alberta	Experienced adults	\$3.50 effective May 1, 1980
	Employees under 18 years of age	\$3.35 effective May 1, 1980
	Students under 18 years of age, working part-time	\$3.00 effective May 1, 1980
British Columbia	Experienced adults	\$3.65 effective December 1, 1980
	Employees under 18 years of age	\$3.00 effective December 1, 1980
	Resident caretakers in apartment buildings of eight to 60 units	\$219/ month plus \$8.76/ month per unit effective December 1, 1980
	Resident caretakers in apartment buildings of more than 60 units	\$744/ month effective December 1, 1980
Manitoba	Experienced adults	\$3.35 effective March 1, 1981
	Employees under 18 years of age	\$2.90 effective March 1, 1981 \$3.10 effective September 1, 1981
	Employees serving alcoholic beverages in a licensed establishment	\$2.95 effective April 30, 1979
New Brunswick	Experienced adults	\$3.05 effective July 1, 1980
Newfoundland	Employees 16 years of age and over	\$3.15 effective July 1, 1980 \$3.45 effective March 31, 1981

Jurisdiction	Category	Minimum Wage Rate
	Employees 16 years of age and over employed in domestic work in a private home	\$1.58 effective July 1, 1980 \$1.73 effective March 31, 1980
Nova Scotia	Experienced adults	\$3.00 effective October 1, 1980
	Employees under 18 years of age or inexperienced employees	\$2.70 effective October 1, 1980
Ontario	Experienced adults	\$3.30 effective March 31, 1981 \$3.50 effective October 1, 1981
	Inexperienced adults during the first month of employment	\$3.20 effective March 31, 1981 \$3.40 effective October 1, 1981
	Students under 18 years of age working during a school holiday or no more than 28 hours per week	\$2.45 effective March 31, 1981
	Employees serving alcoholic beverages in a licensed establishment	\$2.80 effective March 31, 1981 \$3.00 effective October 1, 1981
	Construction workers including construction site guards	\$3.55 effective March 1, 1981 \$3.75 effective October 1, 1981
Prince Edward Island	Experienced adults	\$3.00 effective July 1, 1980 \$3.30 effective July 1, 1981
	Employees under 18 years of age	\$2.50 effective July 1, 1980 \$2.80 effective July 1, 1981
Québec	Experienced adults including non-resident domestic workers and agricultural workers	\$3.85 effective April 1, 1981 \$4.00 effective October 1, 1981
	Employees under 18 years of age	\$3.23 effective April 1, 1980
	Employees who receive gratuities and who work in a hotel, restaurant, campground or trailer park or an enterprise	\$3.00 effective April 1, 1980 or \$2.69 if under 18 years of age

	which sells meals to be consumed outside the premises or who serve liquor	also effective April 1, 1980
	Domestic workers residing at the employer's residence	\$122/ week
Saskatchewan*	All employees covered by the minimum wage provisions of The Labour Standards Act	\$3.65 effective May 1, 1980 \$3.85 effective January 1, 1981 \$4.00 effective July 1, 1981
Northwest Territories	Experienced adults	\$3.50 effective May 15, 1980
	Employees under 17 years of age	\$2.95 effective May 15, 1980
Yukon Territory**	Experienced adults	\$3.35 effective December 1, 1980 \$3.60 effective May 1, 1981

*Beginning January 1, 1981, an employee must receive a minimum of \$11.55 each time he/ she reports for work for a period of three hours or less, excluding overtime. This amount will be increased to \$12.00 effective July 1, 1981.

**Section 11(1.1) of the Labour Standards Ordinance sets the minimum hourly wage at the federal minimum wage rate plus 10 cents.

APPENDIX B

LIST OF PUBLICATIONS

The following list of publications represents a selection likely to be of interest to persons doing business in Canada. All titles listed with a price should be ordered from Supply and Services Canada, Publishing Division, Ottawa, Ontario K1A 0S9. A remittance must accompany the order and be made payable to the Receiver General for Canada. All titles marked free should be ordered from Communications Services Directorate, Labour Canada, Ottawa, Ontario K1A 0J2.

TITLE	CATALOGUE NO.	PRICE \$
Provisions in Major Collective Agreements Covering Employees in Certain Transportation, Communications, Trade, Utilities, Service Industries in Canada, (occasional)		Free
The Wage Determination Process in Canadian Manufacturing Industries 1962-65		Free
Canada Labour Code Part III – Labour Standards	YX75-L1	Free

Part IV – Safety of Employees	YX75-L-1	Free
Part V – Industrial Relations	YX75-L-1	Free
Women in the Labour Force, Facts and Figures (annual)	L38-30	Free
Canada Department of Labour Annual Review	L1	Free
Wage Rates, Salaries and Hours		
– 31 separate booklets covering different cities across Canada	L2-5	Various prices
Working Conditions in Canadian Industry (annual)	L2-15	5.00
Labour Standards in Canada (annual)	L2-7	6.25
Directory/ Occupational Safety and Health Legislation in Canada		Free
TITLE	CATALOGUE NO.	PRICE \$
Workers' Compensation Legislation in Canada		Free
Collective Bargaining Review (monthly)		Free
National Industrial Relations Film Library catalogue		Free
Legislation Relating to Working Women (annual)	L-38-32	Free
Legislative Review (annual)		Free
Labour Standards. Series of pamphlets on provisions of the Canada Labour Code (Labour Standards)		Free
1. Summary	7. Sick Leave	
2. Minimum Wages	8. Unjust Dismissal	
3. Annual Vacations With Pay	9. Hours of Work	
4. General Holidays	10. Termination and Layoffs and Severance Pay	
5. Maternity Leave		
6. Bereavement Leave		

APPENDIX C

REGIONAL OFFICES MANPOWER CONSULTATIVE SERVICE

Manager, Manpower Consultative Service (709) 737-5259
 Canada Employment and Immigration Commission
 P.O. Box 12051
 167 Kenmount Place
 St. John's, Newfoundland
 A1B 3Z4

Manpower Consultative Service Officer (902) 892-0211
 Canada Employment and Immigration Commission
 P.O. Box 8000
 199 Grafton Street
 Charlottetown, Prince Edward Island
 C1A 8K1

Manager, Manpower Consultative Service (902) 426-2760
Canada Employment and Immigration Commission
P.O. Box 2463, Can Plan Building
1888 Brunswick Street
Halifax, Nova Scotia
B3J 2E4

Manager, Manpower Consultative Service (506) 452-3704
Canada Employment and Immigration Commission
P.O. Box 2600
565 Priestman Street
Fredericton, New Brunswick
E3B 5V6

Directeur, Service consultatif de la Main-d'oeuvre (514) 283-4634
Emploi et Immigration Canada
550 ouest, rue Sherbrooke, 9 ième étage
Montréal, Québec
H3A 1B9

Director, Manpower Consultative Service (416) 224-4681
Canada Employment and Immigration Commission
4900 Yonge Street, Suite 700
Willowdale, Ontario
M2N 6A8

Manpower Consultative Service Officer (204) 949-2291
Canada Employment and Immigration Commission
167 Lombard Avenue, Room 190, Grain Exchange Building
Winnipeg, Manitoba
R3B 0T6

Manpower Consultative Service Officer (306) 359-6239
Canada Employment and Immigration Commission
2101 Scarth Street, Room 800, Financial Building
Regina, Saskatchewan
S4P 2H9

Manpower Consultative Service Officer (403) 420-2428
Canada Employment and Immigration Commission
9925 - 109th Street, 5th Floor
Edmonton, Alberta
T5K 2J8

Manager, Manpower Consultative Service (604) 666-3742
Canada Employment and Immigration Commission
Royal Centre
1055 West Georgia Street
P.O. Box 11145
Vancouver, British Columbia
V6E 2P8

The co-operation of the following is acknowledged in the preparation of this booklet:

Labour Canada
Manpower and Immigration
Unemployment Insurance Canada

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