

## **For a Workers' Bill of Rights in Manitoba**

Brief to the Employment Standards Code Review Commission

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### **Manitoba Committee**

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The Provincial Executive Committee of the Communist Party of Canada welcomes this opportunity to comment on Employment Standards laws in Manitoba. However, we protest the timing of this Review, which poorly serves Manitoba's 600,000 workers.

The abrupt announcement of the Review, the shortness of the Review period, the conjunction of a federal election and several holidays during the Review all seriously discouraged public input into the important issues of workers' rights and conditions in Manitoba.

The Communist Party requests that the Manitoba government revise the mandate of the Review Commission to receive submissions for an extended period of at least three months.

Employment standards laws are too important for the government to cut off debate by workers at this time.

The Communist Party focuses in this brief on employment standards rather than on safety and health and collective bargaining rights, although it is necessary to address some matters concerning the fundamental rights of trade unions in Manitoba.

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The Communist Party of Canada, formed in 1921, is a working class party dedicated to the creation of a socialist society. We have a long history of struggle in Manitoba for reforms that benefit working people, for their families and for the needy, including pioneer-ing demands for medicare and unemployment insurance.

The Communist Party's aim in contributing to the discussion of employment standards laws is to spark action for improving the rights and conditions of workers in Manitoba, especially by and for those experiencing the greatest discrimination. That action will take place either in the legislature or in the streets, because for too long workers have been denied any meaningful rights in a number of important areas.

For too long corporations and the wealthy have been too free to impose their will on discriminated workers and on workers as a whole. Workers who are covered by

employment standards laws find they are woefully inadequate to curb the immense power of corporations.

Employment Standards laws such as minimum wages and hours of work were created only because the capitalist work place is ruthless and dictatorial, and workers fought long and difficult struggles to limit the power of corporations to exploit labour and to create racist and sexist divisions among workers.

In recent years the rights and conditions of workers have been seriously undermined or destroyed, especially since the late 1970s when neo-liberal governments gained power in virtually all advanced capitalist countries. But in every country, the first target of neo-liberal governments has been the organized labour movement.

These right-wing governments have imposed laws to restrict the labour movement, with the aim of limiting the right to strike, curbing union density (organization) and going so far as to ban or limit political activity by unions.

Unacceptably high unemployment and the proliferation of low wage and “casual” (precarious) jobs have also seriously undermined the ability of workers to carry out successful struggles for legislative reforms.

Workers and their families have suffered, but corporations are making record profits in Canada (over \$200 billion, according the latest figures for 2004).

It is time to turn this situation around!

It is time to stop trying to adjust employment standards to reflect today’s “modern,” “flexible” work force, because these are code words for lower wages, less job security and privatisation. (The discussion paper produced by the Manitoba government for the Review uses these words.)

We need employment standards that will help create better-paying, more secure jobs for every worker!

The Communist Party calls for a comprehensive Bill of Rights for Labour in Manitoba that would achieve the following demands (again, this brief does not focus on collective bargaining or health and safety):

**Political rights for trade unions and workers**

- Lift the ban on political contributions by unions; keep the ban on corporations.
- Establish and protect the right of political activity in work places by workers during scheduled breaks.

**Fair access to jobs and pay equity**

- Establish strong affirmative action hiring programs and comprehensive pay equity laws for Aboriginal peoples, women, people of colour and people with disabilities.

### **Plant closures and mass lay-offs**

- Hold public tribunals on plant closures with the power to restrict capital flight and to force corporations to show “just cause.”
- Legislate a two-year notice of mass lay-offs

### **Full employment and better jobs**

- A 32-hour work week with no loss in take-home pay and no loss in service to the public.
- A \$12/ hour minimum wage.
- Raise statutory paid vacations to four weeks.
- Early voluntary retirement at age 60 with full pension benefits.
- Establish a regulated ban on employer deductions from workers wages, including for production errors or cash shortages.
- Establish “fair wage” or “living wage” laws to ensure all public sector-related workers earn union or comparable wages.
- Require employers to explain reasons for dismissal with a minimum two-week notice; establish penalties and remedies for wrongful dismissal, including return to employment.

### **Laws for all workers!**

- Extend coverage of Employment Standards to all workers - foreign, part-time, so-called independent contractors, “on call,” domestic, contract, salaried, “piece,” commission workers - all workers.
- Place farm workers under federal jurisdiction with full labour standards and the right to organize and bargain collectively.
- Raise Manitoba’s standards to reflect at least those contained in International Labour Organization conventions (regarding child labour, etc.).
- Establish strong anti-harassment and anti-abuse laws, for all public areas and work places.
- Establish severance pay at two weeks for every year worked.

### **Enforce the law**

- Establish & enforce penalties for employers who violate Employment Standards.
- Require posting of Employment Standards in all work places and conduct public education of Employment Standards rights.
- Establish the right of “third parties” to launch investigations of Employment Standards violations.
- Legislate a law to protect “whistleblowers” who report company violations.
- Adequate staffing to administer Employment Standards laws; mandate inspections especially in work places employing youth and other discriminated workers; provide legal aid to workers requiring assistance with claims and to organize unions.

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