

January 23, 2006

Review Secretary
Employment Standards Code Review
614 - 401 York Ave.
Winnipeg MB R3C OP8
Fax at 204-948-2085

Dear Sir or Madam:

I am writing on behalf of the Manitoba Human Rights Commission to endorse the human rights analysis and application of human rights principles in the brief entitled "Employment Standards that Work for Women" submitted to the Employment Standards Code Review by the Women's Legal Education and Action Fund (LEAF), Manitoba Branch, Manitoba Bar Association Equality Issues Section and Manitoba Association of Women and the Law.

The Commission commends the Government of Manitoba for conducting this review and for seeking input from the public. It is one of the objectives of the Commission to review legislation from a human rights perspective. Unfortunately, the Commission did not have the necessary resources to prepare a submission within the time period allowed for this review. For this reason, it was extremely pleased to learn that the brief mentioned above had been submitted and to have this opportunity to comment on its contents.

The Commission fully supports the human rights analysis provided in this brief, noting its focus on the impact of the present lack of some entitlements and protections on women and families, and has experience with many of the inequities described in it. Through Board-directed mediations and adjudications, it has successfully advocated for the equitable provision of maternity and parental leave and benefits for part-time workers, the vast majority of whom are women. The Commission also knows first-hand that discrimination based on pregnancy continues to plague many Manitoba workplaces. More than 8% of all complaints filed with the Commission over the last five years were based on pregnancy and the proportion of complaints filed on this basis has reached as high as 11% and 13% in some years. These are significant numbers when one considers the number of other grounds protected by the Code and the advances that women have made in the workforce. A great many of these complaints arise in the vulnerable, poorly paid and non-unionized employment sectors in which women predominate, particularly women of colour, Aboriginal women and women with disabilities.

It is clear to the Commission that the protections provided by *The Employment Standards Code* are essential to the security of the most socially vulnerable workers in this province. The Commission strongly urges the Review to conduct a human rights analysis of all of the issues it will be addressing and trusts that “Employment Standards that Work for Women” will be of great assistance in this regard.

Yours sincerely,

Janet Baldwin
Chairperson

cc: Professor Debra Parkes