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BRIEF TO THE
EMPLOYMENT STANDARDS CODE REVIEW
January 12, 2006, 6:00 p.m.
Millennium Room, Convention Centre, Winnipeg

A. Introduction

The Provincial Council of Women of Manitoba, Inc. (PCWM) is a federation of organizations and individuals who come together to act in the public interest for the welfare of women, families and society. Formed in 1949, it is a member of the National Council of Women of Canada (NCWC) and the International Council of Women (ICW) which was founded in 1893. PCWM has 27 federates including the Winnipeg Council of Women which was formed in 1894 and many Social Justice, Business, Professional, Consumer, Faith, Health and other Organizations representing several thousands of their members in Manitoba.

The Councils of Women since the beginning have followed a process of membership approval of resolutions, which form the policy that is then taken to the appropriate level of Government. As such the policy represents the consensus of the thousands of women and men who are members of our federates or individual members of PCWM. National policies are supported across Canada and are part of PCWM's provincial policy and are urged upon the provincial government for action where applicable.

In addition PCWM has recently formed associations or partnerships with other organizations to actively promote public awareness and government action on the issues of various communities that make up our society. PCWM is a partner in the Just Income Coalition (JIC), which actively promotes raising the Minimum Wage to a living wage. JIC has recently organized a community inquiry and published the report, *'Paid To Be Poor: Report of the 2005 Manitoba Low Wage Community Inquiry,'* which describes the employment standards issues of people earning less than a poverty line wage, most of whom are women. The report is available on the Web at www.just-income.ca and www.spcm.mb.ca. ¹This presentation will make further reference to the report.

B. Discussion Guide and Scope of Inquiry

The limited scope of the questions in the Discussion Guide for this review of the Employment Standards Code indicates that this process is not an overhaul of the ESC but is a brief investigation with a view to updating specific terms of the Code. PCWM regrets the limited time allowed for a full and considered response to very specific issues. The time frame allowed to respond to this long awaited consultation - two months over Christmas - does not reflect sufficient concern for work/life balance or family well-being of all the persons who should be asked to participate! It is evident that, thirty years after the last review, the social and global changes in the labour market and business climate have been profound and these issues deserve province wide public

¹ A copy will be provided

consultations with the workers and businesses affected by the changes urged in this process. There were no such hearings in the 2005 Minimum Wage Board Review and there is no indication that a Gender Equality Analysis is in the works. These deficiencies will taint the outcome of this process.

C. Employment Standards Legislation

PCWM's focus on improving the quality of life for women and families has led to many resolutions urging legislation and implementation of labour standards that eliminate women's inequality in the work place. In 1955, 51 years ago, PCWM passed a resolution calling for equal pay for work of equal value and pro-rated pay and benefits for part-time workers. In 1963 we advocated a higher minimum wage and that sick leave with pay for full-time employees be included in the Minimum Wage Act.

In the '70's our resolutions indicate PCWM's sustained pressure on our government to legislate and implement equal pay (1978, 79, 80), equal fringe benefits (1973), and non-discrimination regarding employment in human rights legislation (1972). In 1976 we urged government to address sexism regarding women in trades, pre-apprenticeship and apprenticeship, and asked that full time homemaking be equivalent to labour force participation for training allowance purposes.

Similar legislation was urged at the national level. In 1979 when women were 38.9% of the workforce but earning an average of 60% of men's average salaries NCWC urged the federal government and, through the Provincial Councils, provincial governments to enforce the 'equal pay for work of equal value' laws and apply the standard to female job ghettos where low wages of women cannot be compared to men's wages.

As more women participated in the work force in the 80's the equal pay and pro-rated benefits matter was not solved and not going away. Job sharing preserved the benefits of full time jobs while addressing the work/life needs of many women. NCWC promoted job-sharing with fringe benefits in government employment in 1986, as 'an employment option which would be attractive to a number of people at different times in their life cycle'; and called upon government to encourage a reluctant business sector to adopt similar policies regarding job sharing.

Training programs for women were still required to provide opportunities for women to escape job ghettos and low paid work. In the new technologies and in institutional and industrial training women's participation was inadequate. Women's labour force participation was 43%, while less than 30% of all training had been available to women. In 1988, NCWC urged the establishment of programs and training allowances for women proportionate to women's participation in the work force.

Part-time work increased dramatically in the 80's and 90's, as employers took advantage of the opportunity to avoid labour costs and the fringe benefits required or negotiated for full time employees. While flexibility is a requirement of the labour force, particularly women, it was not consideration for workers' needs that brought about this trend. Indeed it can be said that it was the worker who was obliged to be flexible in a climate of increasing competition with countries where labour standards were not enacted or

enforced. Since the North America Free Trade Agreement came into force in 1993 part-time work has increased 400% in Canada. ²

NCWC, in 1986, and reiterated in 2001, a nation wide resolution, *Equal Benefits for Part-time Work*, calling for full protection, rights and benefits to all types of part-time workers and urged Provincial and Local Councils where appropriate to urge their respective governments to:

- a. Define and regulate, in legislation and regulation, the various types of work, including, but not necessarily limited to: full-time, part-time, temporary and contract work; and
- b. Amend their provincial labour standards legislation and regulations to ensure that all types of part-time workers receive the same protection, rights and benefits (on a pro-rated basis) as those guaranteed to full-time workers.

Seventy percent of part-time workers are women and it is time they are given their due rights and benefits. It is also an on-going issue that women working full time in Canada still earn only 72.5% of what men earn. ³ A gender based analysis is required to discover and purge the persistence of gender inequality and to know and prevent the adverse affects of current labour standards on family well being and work/life balance.

After 51 years of patient advocacy, not only by the Councils of Women, but by a small army of advocates and supported by United Nations protocols adopted by Canada supporting family well-being, and the elimination of all forms of discrimination against women, it is about time part-time work is treated on an equal basis with full time work. For 51 years we have thought that fundamental fairness and equality were rights that should be enshrined in law and implemented and enforced. Judging by the lack of progress on an issue so vital for women, families and communities, for 51 years we appear to have been patronized and humoured from time to time but rarely heard on this issue.

D. Balancing work and family life is an Employment Standard

In 1996, NCWC called for all levels of government to recognize unpaid work, provide financial security and community supports for caregivers and to ensure all programs be evaluated and adjusted to be supportive of family well-being, and the need to balance work and family life. The family friendly policies called for included universal family care leave, extending parental leave and flexible time considerations for workers. Care giving needs and costs should not disadvantage people who make choices in this regard.

It is not surprising that at the same time as part-time work multiplied, the poverty of the working poor grew dramatically through the 90's, and continues to grow as shown by the Poverty Report Cards ⁴ and Food Banks Statistics since then. Because employee contributions for the pro-rated benefits will result in lower net pay on paydays for individuals and families living below the poverty line working part-time hours, it is imperative that these contributions not result in a reduction of family well-being and work/life balance. Thus the first and most obvious solution is to off-set the costs of contributions by combining the implementation of pro-rated benefits with wage parity

² Still in Shock (2006) <http://www.canadaelection.net/shock6.html>

³ Statistics Canada's Survey of Consumer Finances (SCF) 1997

⁴ see Campaign 2000 <http://www.campaign2000.ca/rc/prov.html>

between part-time and full time work and an adequate increase in minimum wage rates. Other government programs and legal requirements of business may be required to prevent manipulation of rights, needs and choices of the working poor for the sole benefit of the employer. If employment equity and balance is to have any meaning, opportunities to exploit vulnerable workers must end.

E. Minimum Wage

In the 1990's the value of Manitoba minimum wage had declined to 67% of its mid-70's value and the working poor were the fastest growing demographic using food banks. PCWM passed a new minimum wage resolution in 1999, updated in 2003, urging an increase in the base rate to a living wage and then indexing it to keep up with inflation. Nevertheless, in 2004, fully 27% of Manitoba workers were earning less than \$10.25 per hour, the Statistics Canada pre-tax Low Income Cut Off (LICO), a commonly accepted measure of poverty. With women being 60% of minimum wage workers and 58% of workers earning less than \$10.25, the poverty line, the minimum wage is a factor in the feminization of poverty. Poor kids have poor parents and the Province of Manitoba has ranked in the top three in child poverty for the past 3 years – about 22% of children in Manitoba live in poverty. The pay and working conditions of the most vulnerable workers have not been based on any calculation of the value of work but rather on market conditions and political expediency.

That the minimum wage is a women's issue is self-evident on examination of the statistics and demographics and history of women's work and women's participation in the labour force, and their uncouneted unpaid labour. *Paid To Be Poor* has the statistical data regarding men and women in the workforce earning less than \$10.25 and less than \$7.25 in 2004.

PAID TO BE POOR

PCWM participated in organizing the 2005 community inquiry into low wages in Manitoba conducted by the Just Income Coalition. Hearings were held in May 2005 in Winnipeg, Brandon and Thompson, to hear the personal stories of Manitobans living on low wages and to hear from employers of low paid workers. For these hearings, the Coalition widened its focus beyond the minimum wage issue to include workers in low wage employment, earning under \$10.00 per hour or less than a living wage annually. The recommendations of the panel urge government to consider several alternative strategies that recognize the complex inter-relationships among issues that must be addressed if we are to overcome the debilitating economic conditions of low income Manitobans.

Chapter III, 'What We Heard', is a narrative analysis of the actual experiences of vulnerable workers and the one or two employers who attended. Chief among hardships described were many instances of cavalier disregard for employment standards and the lack of adequate legislated protection against exploitation and abuse of workers who are essentially at the mercy of such employers. It is to be noted particularly that the presenters were not complaining about small business employers but rather were describing the business practices of large multinational corporations, of the stature of McDonald's and Wal-Mart. These corporations are not too poor to pay a living wages to employees, to treat them with the respect they deserve, and to have regard and respect for employees' work/life issues. In the absence of such consideration on the part of

multinationals invited into our markets, employment standards legislation, developed competently by elected representatives in a free and democratic society may be all that stands between the excesses of powerful corporations and vulnerable low paid workers.

It is also true that small business is at the mercy of the huge corporations competitively as was illustrated by the young businessman employer who held a franchise of a large multinational fast food (ice cream and beverages) corporation. In a fast-food franchise there was enormous pressure on labour costs as opposed to other costs of supplies and product, which are fixed in the franchise agreement. It follows for the franchise operator that the minimum wage should not be raised because, "If small business raises prices it will hurt the economy since it forces people into big box stores." (Franchise owner)

In this climate, small business, squeezed by undercutting multinationals, takes on government and workers rather than the multinational business partner, with whom he/she identifies and therefore must defend. An adequate minimum wage and strong, enforced labour standards would remove the multinationals' advantage and put more money in the hands of thousands of workers whose low incomes would be spent locally. What is needed for both the labour market and small business dependent on people having money to spend, is a healthy climate change in the business world.

As if on queue echoing this sentiment is the following statement in an article in The New York Times Magazine, January 15, 2006, *What Is a Living Wage?* by Jon Gertner,⁵

'Wal-Mart's president and C.E.O., Lee Scott, recently spoke out in favor of raising the minimum wage. It wasn't altruism or economic theory or even public relations that motivated him, but a matter of bottom-line practicality. "Our current average hourly wage for workers is \$9.68," Lee Culpepper, a Wal-Mart spokesman, told me. "So I would think raising the wage would have minimal impact on our workers. But we think it would have a beneficial effect on our customers."

Paid To Be Poor also articulates ten core principles common to the three strategies recommended for improving the conditions of work of low paid workers. The third Core Principle calls for an extensive overhaul of the Employment Standards Code to address the deficiencies in law, compliance and enforcement in the present system and climate. The following principles are briefly described here and explained more fully in the report.

THE TEN CORE PRINCIPLES

1. **Principle 1: Basic Needs:** Everyone is entitled to have their basic needs met. This includes food, shelter and clothing, but also health care, education, transportation, child care, and communication.
2. **Principle 2: Decent Pay:** Every worker is entitled to just and favourable remuneration for work. A substantial increase in the minimum wage with annual adjustments to reflect increases in the cost of living is required to stabilize the low wage labour force and to properly compensate low wage workers.
3. **Principle 3: Overhaul of Employment Standards:** The Employment Standards Code must be revised to include hitherto excluded workers, to regulate working hours for part-time employees, including the provision of guaranteed hours and adequate notice of change in hours. Employees are entitled to a supportive

⁵ Available at the NYT web site: <http://www.nytimes.com/2006/01/15/magazine/15wage.html>

- environment and working conditions, company-wide audits of fair employment practices, and meaningful penalties for employment standards violations.
4. **Principle 4: Living Wage Requirement for Work Contracted Out By Government:** all government contract and sub-contracted work should meet a living wage standard.
 5. **Principle 5: Recent Immigrants:** More expeditious implementation of programs is urgently required to recognize professional training undertaken overseas by recent immigrants.
 6. **Principle 6: Training and Learning Opportunities:** Low wage workers require Extended training and learning opportunities, and a cohesive employment development strategy.
 7. **Principle 7: Representation at Work**
 - a) Labour policy reforms to enhance the role of collective bargaining.
 - b) A universal system of participatory and advocacy rights.
 8. **Principle 8: Employer of Choice Program:** A "good employer" or "employer of choice" certificate program should be established to recognize good employers and encourage improved standards.
 9. **Principle 9: Impact Review:** Similar to Quebec Bill 112 (see below), a formal review should be undertaken of the likely impact on those who live in poverty, prior to any legislation.
 10. **Principle 10: Social Solidarity Report Card:** An annual report for the provincial legislature should be prepared monitoring the progress in improving working and living conditions of low paid workers according to a list of social indicators such as those suggested in the Low Wage Community Inquiry Report.

F. Summary

Of course our resolutions do not address the specific and limited areas selected for this review. The focus of this employment standards review is divided between two broad themes, identified below, which are represented quite fully in selected resolutions in the Appendix. This brief has dealt with the following questions in the Discussion Guide by reference to PCWM's and NCWC's resolutions over the years since 1955 pertaining to related issues of part-time work, training, non-traditional work, gender inequality and exploitation:

- A. Reflecting the realities of the modern economy by increasing flexibility, modernizing protection, coverage and compliance:
 - 1) (a) Hours of work and overtime
 - (b) Salaried Employees
 - (c) Incentive-based workers
 - (d) Managers
- 2) Exclusions
- B. Reflecting the changing face of today's labour force and the demands of today's families.
 - 5) Statutory holiday pay for part-time workers
 - 6) Wage Deductions
 - 7) Unpaid leave and Work-life balance

G. Conclusion

The Councils of Women have recognized the complexities of the social and economic changes of the Twentieth Century, particularly for women. There are a number of crucial issues not examined here that bear on the need for a comprehensive overhaul of employment standards legislation. Two issues that stand out are affordable quality child care and the right to representation in the workplace. One of the outcomes of the trend toward part-time work with no benefits for women in low wage work is the need to hold two or more jobs just to make ends meet. Even with a comprehensive overhaul of employment standards, it is necessary to provide parents with access to affordable child care so that the necessity of paid work is not an impediment to the developmental needs of their children.

It is also an issue in this consultation that the decline in the power and reach of union representation in the labour force has a bearing on the deteriorating circumstances and conditions of work of all workers including the ones who were never unionized.⁶ Unions played an important part in defining and establishing decent labour standards for certain sectors of the labour force. It is generally acknowledged that the sectors protected by the minimum standards in the present ESC are the low paid and vulnerable non-union workers. Ways must be found to provide representation in the work place and to protect people who bring forward complaints or who are bullied or harassed or in the case of government employment, feel obliged to become whistleblowers. (NCWC identified the growing concern about whistle blowers in 1993.)

Finally the law must be applied fairly and equally to all workers in Canada and a broad discussion of what that means is overdue. All foreign workers employed in Canada are entitled to the full and equal protection and treatment under the law. For example, domestic workers are entitled to the same pay, particularly to be paid the same minimum wage and to consideration for work/life balance in their conditions of work, the same as all others.

It is hoped that this consultation will not be concluded without a gender lens and the principles of equality and fairness being rigorously applied. The Provincial Council of Women of Manitoba appreciates this opportunity to contribute our considered positions to the discourse.

⁶ See *Strategies for Reversing the Long-Term Decline in the Unionization Rate* by Errol Black and Jim Silver, January 2006, published by Canadian Centre for Policy Alternatives.

Appendix (A Selection of Policies of PCWM & NCWC)

PCWM RESOLUTIONS

APPRENTICESHIP TRAINING

- 1987 urged the Government of Manitoba to:
- 1) use its resources to develop a comprehensive strategy to support and carry out special measures and other affirmative action activities directed towards women, natives, disabled persons, and visible minorities which would ensure their participation in apprenticeship programs
 - 2) promote participation in apprenticeship programs which more fairly reflect the make-up of the population,
 - 3) consult the designated groups in this development effecting their training and employment, and
 - 4) budget sufficient funds to provide workshops, advertising, and appropriate literature directed to the designated groups

EMPLOYMENT

- 1992 (Rescinding New Immigration Laws Regarding Domestic Workers) requested that the new Immigration laws regarding domestic workers be rescinded and a more equitable and just arrangement be considered
- 1991 (Job Sharing and Unemployment) urged the Government of Manitoba to implement requests for job sharing (with pro-rated fringe benefits) within its jurisdiction
- 1987 (Part-time Employment) urged the Government of Manitoba through Labour Manitoba to pass legislation making part-time workers eligible to receive the same benefits - including pensions - as full-time workers, pro-rated to the numbers of hours worked

OCCUPATIONAL TRAINING

- 1987 urged the Provincial Government to plan and provide programmes for women by designating training dollars proportionate to the participation of women in the labour force
- 1976 recommended that women actively be sought to represent interest groups as possible appointees to the Apprenticeship Board and Trade Advisory Committee recommended the promotion of females' entrance to trades at the base level encouraged support for women to help combat the negative pressure on them in pre-apprenticeship and apprenticeship courses recommended reviewing literature to remove sex-stereotyping materials in schools strongly recommended non-sexist counselling from guidance counsellors in particular
- 1975 Manitoba's Women: Not Interested in Apprenticeship??? A report by M. Susan Mulvihill

DAY CARE

- 1981 commended Government for the additional money made available for day care; supported establishment of standards for family day care plus noon and after-school programmes (reiterated from 1980 and 1979)
- 1980 supported establishment of standards for day care; recognized need for increased availability of day care; recommended that the cost for day care be deducted from taxable provincial income (reiterated from 1979)
- 1979 urged the Provincial Government to enact a Day Care Act outlining standards, criteria for licensing.

- 1978 supported expansion of Provincial Day Care Programme and Provincial Licensing Standards for child care facilities in consultation with child care professionals providing child care services in Manitoba (reiterated from 1971, 1973, and 1977)

MINIMUM WAGE

2003 Minimum Wage Update

RESOLVED #1 That the Provincial Council of Women of Manitoba adopt as policy the following:

- a. Recognition of the principles of the United Nations Universal Declaration of Human Rights, Article 23 (3) and support a "just and favourable" minimum wage for every worker in Manitoba regardless of age, sex, marital or family status/living arrangements, and
- b. Provision of incremental increases to the minimum wage at six month intervals until it reaches the "living wage" level, with future regular annual increases tied to an appropriate standard such as the Consumers Price Index (CPI) or Average Industrial Wage, and
- c. Amending of The Employment Standards Code to:
 - i) restore the directive that the Minimum Wage Board is obliged to consider the costs of purchasing the necessities of life and health when recommending what is "just and favourable remuneration" as committed to by Canada's signing of the UN Universal Declaration of Human Rights;
 - ii) ensure the participation of neutral representatives of the community who are qualified to address the amended intent of the Code in consultation with workers and employers on any future Minimum Wage Board, and

RESOLVED #2 That the Provincial Council of Women of Manitoba urge the Government of Manitoba to:

- a. Recognize the principles of the United Nations Universal Declaration of Human Rights, Article 23 (3);
- b. Implement one "just and favourable" minimum wage for every worker in Manitoba regardless of age, sex, marital or family status/living arrangements;
- c. Raise the minimum wage by increments at six month intervals until it reaches the "living wage" level and then tie future regular annual increases to an appropriate standard such as the CPI or the average industrial wage;
- d. Amend *The Employment Standards Code* to:
 - I. restore the directive that the Minimum Wage Board is obliged to consider the costs of purchasing the necessities of life and health when recommending what is "just and favourable remuneration" according to the United Nations Universal Declaration of Human Rights;
 - II. ensure the participation of neutral representatives of the community who are qualified to address the amended intent of the Code, in consultation with workers and employers, on any future Minimum Wage Board.

1999 Minimum Wage

RESOLVED that the Provincial Council of Women of Manitoba urge the Government of Manitoba:

- to recognize the minimum wage as a tool to fight poverty and
- to raise the minimum wage as quickly as possible to the level that covers "the cost to an employee of purchasing the necessities of life and health" and
- to legislate regular review and adjustment that keeps the minimum wage in line with the cost of living and
- to amend the legislation so that the Minimum Wage Board membership is composed of community representatives and persons qualified to address the legislative intent of Section 28(5) of the Employment Standards Act (1987).

1963 requested Manitoba Government to include in the Minimum Wage Act a clause making adequate provision for sick leave with pay for full time employees

PAY EQUITY

1986 (Salary) urged Provincial Government to support the principle that increases in wages and salaries awarded to those employees of the Public Service, agencies, and institutions under their jurisdictions governed by collective agreements, are granted in dollars on a sliding scale instead of by percentage increase in order to guarantee more equitable settlements

1980 requested the Provincial Government to review its Equal Pay for Work of Similar Value legislation to:

- 1) have equality apply not only to the basic wage, but also to fringe benefits
- 2) permit employees to participate in the job classification process
- 3) comply with the meaning of the International Labour Organization Convention No.100 in which "equal value" means doing different work that is of the same value to the employer

1979 requested the NCWC urge the Federal Government to honour its Equal Pay for Work of Equal Value legislation and to:

- 1) maintain a closer observation and a more affirmative programme which identifies and assesses the value of stereotyped positions usually held by a majority of females with the energies expended, tedium endured, responsibilities involved, continuity of work required in any work day, experience and coordination required
- 3) implement immediately legislation providing equal pay for work of equal value in all fields of employment under federal jurisdiction
- 4) set substantial fines for employers in the public sector who fail to adhere to this legislation

1978 urged the Government of Manitoba to alter as soon as possible the present equal pay laws to enshrine the principle of equal pay for work of equal value (reiterated from 1977)

1973 supported equality of fringe benefits in work place

1955 supported principle of equal pay for work of equal value
be it further resolved that part-time workers be protected by the same employment standards Legislation as full-time workers

NCWC RESOLUTIONS

1979 Equal Pay for Work of Equal Value

Whereas, All Canadians have the right to work and working Canadian women should have equal opportunity with men in employment, with equal remuneration for that employment;

Whereas, Women comprise 51% of the Canadian population; 38.9% Canadian labour force; but the average salary of working women is only 60% of that of working men;

Whereas, In 1977 the Federal Government passed the Human Rights Act guaranteeing equal pay for work of equal value, and in September 1977 set up the Human Rights Commission to administer the Act;

Whereas, Such action has proven ineffective in controlling the continuing and increasing wage gap between male and female employees; and

Whereas, The existing legislation is excellent for females who have entered occupations traditionally considered male, but it does not encompass the majority of female workers, where there is no comparable position occupied by males within the same company; therefore be it,

RESOLVED, That the National Council of Women of Canada urge the Government of Canada to enforce 'the equal pay for work of equal value' legislation;

RESOLVED, That the National Council of Women of Canada request the Provincial Councils of Women to initiate similar action at the provincial level.

1986 Equal Benefits for Part Time Work

Whereas, There exists in the workforce many employees who will never attain full employment, either by choice or because of barriers to their participation;

Whereas, Part time workers have become the fastest growing segment of the labour force; and

Whereas, Part time workers usually receive considerably fewer benefits than full time workers; therefore be it,

RESOLVED, That The National Council of Women of Canada urge the Government of Canada to ensure that the regulations of the Canada Labour Code provide part time workers with the same protection, rights and benefits (on a prorated basis) as those now guaranteed to full time workers; and further,

RESOLVED, That The National Council of Women of Canada urge the Provincial Councils of Women to urge their respective governments to amend their provincial Labour Standards Legislation to ensure that part time workers receive the same protection, rights and benefits (on a pro-rated basis) as those now guaranteed to full time workers.

1986 Job Sharing and Unemployment

Whereas, There has been reluctance on the part of some employers to accept job sharing as an employment option;

Whereas, Job sharing is an employment option which would be attractive to a number of people at different times in their life cycle to meet specific career and personal needs; and,

Whereas, Information about job sharing and how to establish a job sharing situation is not readily available; therefore be it,

RESOLVED, That The National Council of Women of Canada urge the Government of Canada to:

1. Develop a policy on job sharing within the federal government and its Crown corporations.
2. Implement, wherever possible, requests for job sharing with pro-rated fringe benefits, at all levels in the federal Public Service.
3. Encourage business to adopt a similar policy with respect to job sharing.
4. Develop through Labour Canada an information package on job sharing.
5. Adapt the Canada Labour Code and taxation regulations to accommodate job sharing; and further,

RESOLVED, That The National Council of Women of Canada urge the Provincial and Local Councils of Women to urge their respective governments to implement requests for job sharing, with pro-rated fringe benefits, within their jurisdictions.

1988 Training Programmes for Women

Whereas, Women's participation in overall institutional and industrial training is woefully inadequate at present; and,

Whereas, There is systemic discrimination in apprenticeship programmes; and,

Whereas, Employment opportunities resulting from the implementation of new technologies will require the training of women in significant numbers; and,

Whereas, National publicity encouraging women to consider entering non-traditional occupations is urgently required; and,

Whereas, Women make up 51 percent of the Canadian population and their labour force participation rate stands at over 43 percent, yet significantly less than 30 percent of all training has been available to women; therefore be it,

RESOLVED, That The National Council of Women of Canada urge the Government of Canada, in co-operation with the Provincial and Territorial Governments and employers:

1. To plan and provide appropriate programmes for women, designating training dollars for women proportionate to women's participation in the labour force;

2. To ensure that adequate child care is provided during such training; and be it further,

RESOLVED, That The National Council of Women of Canada urge the Provincial and Local Councils of Women:

1. To urge their respective governments to similarly plan and provide appropriate programmes for women by designating training dollars for women proportionate to women's participation in the labour force;

2. To urge their respective governments to ensure that adequate child care is provided during such training.

1993 Protecting Public Employees who Report Wrongdoing

[Whereas,] Rationale: Canada has not enacted laws to protect whistle blowers. As a result, employees and public servants with the Canadian government cannot report wrongdoing or fraud without fear of jeopardizing their positions.

[RESOLVED,]

The National Council of Women of Canada urges the Government of Canada to:

1. Introduce whistle blowing legislation to protect public employees and all employees in government funded enterprises who, after unsuccessfully pursuing internal channels of redress, make public information on illegal or unethical behaviour;

2. Hold accountable to such laws both government institutions and non-governmental institutions which are government funded, that harass whistle blowers.

1996 Policy Update-Women as Family Caregivers

A. Recognition of Unpaid Work

1. That the National Council of Women of Canada request an occupational listing for unpaid caregiver/home manager/homemaker in the NOC/SOC Dictionaries.

2. That the National Council of Women of Canada call upon Statistics Canada in the next census to:

- Include questions on unpaid volunteer work

- Include the care of the disabled in the census question

- Expand the number of hours of eldercare that can be reported in the census question

- Continue to collect statistics on all unpaid work

- Develop and provide information on time use surveys

B. Financial Security for the Caregiver

1. That a study be made of the impact of programs in other countries which provide basic income support to at-home parents and other caregivers, (including parental leave, family benefits, guaranteed income plans, special programs for single parents and remuneration for care giving);

2. That there be equitable tax treatment for one earner families;

3. That Canada maintains a pension plan based on individual and not family income. This pension plan should have a specific component recognizing the work done by parents in raising children, particularly women who withdrew from the labour market to do so.

C. Community Supports for the Family Caregiver

1. That funding be reallocated to support the shift from institutionally to community based care;

2. That there be coordinating of existing community based services to allow single entry by the client to the long term care system. This must include the coordination of existing formal volunteer service providers;

3. That advertising and dissemination of services be readily available at a wide variety of public venues. This information must pertain to all family care including care of the elderly, the disabled, children and palliative care;

4. That there be no off-loading of services which are a societal responsibility to the volunteer sector;

5. That innovative partnerships be developed between volunteer care providers. Community supports need to recognize the changing context of family care giving:
 - Changing family structures;
 - Geographic mobility;
 - Increased expectations of caregivers;
 - Increased participation of women in the paid labour force.

D. Balancing Work and Family

1. That all levels of government establish a position and a protocol that will ensure that all public policy decisions and programs are evaluated and adjusted to be supportive of family well being;
2. That there be support for public, corporate, community and individual education to encourage attitudinal change which recognized the reality of balancing work and family in the 90's such as flex time, paid family leave days; solutions for school and day care hours conflicts; extended maternity leave;
3. That employment programs acknowledge and respond to the transitional needs of families when individuals, especially parents are re-entering the work force;
4. That new approaches be developed for economic planning and development, resulting in sustained human and social ecological development as well as economic growth; the real productivity (in paid and unpaid labour) to be included in measures of growth/wealth in addition to GDP;
5. That the government be reminded to recognize the existing UN protocols supporting family well-being and agreed to be Canada at Conferences in Nairobi, Copenhagen, Cairo, Beijing and the World Summit on Children in New York;
6. That the three levels of government as well as the corporate sector (including small business), and the NGO sector develop family friendly policies initiatives;
7. That the following legislation and resulting policies be designed/implemented at the appropriate government level in support of family well being:
 - Minimum of six days of universal (i.e. public and private) family care leave;
 - Extension of parental leave;
 - Flex time;
8. That the costs of paid employment and the costs of unpaid work be recognized in tax policy so that no family is disadvantaged by the care giving choices made.

2000 IMPROVING STANDARDS FOR GARMENT WORKERS

Whereas, Canada is a signatory to the United Nations Universal Declaration on Human Rights and the International Labour Organizations (ILO) Conventions; and

Whereas, abuses in the workplace or homework contravene the above Declaration and Conventions; and

Whereas, Canada recognizes the problem with sweatshop abuses in Canada and abroad and has appointed a Member of Parliament to facilitate discussions between representatives of industry and civil society for a Canadian Base Code of Labour Practice for the apparel, footwear and related consumer product Industries; and

Whereas, any voluntary code, coming out of the discussion, should be reinforced by government policies; therefore be it

RESOLVED, that the National Council of Women of Canada strongly urge the Government of Canada to adopt policies that would complement and reinforce a voluntary code that includes:

Corporate disclosure requirements and labeling, including information regarding the workplace where the garments are produced; and Government procurement policies favouring the purchase by government institutions of products made in compliance with I.L.O. and U.N. Conventions and Declarations; and Labour rights criteria for the granting of government support for overseas and domestic investors; and Ratifying all I.L.O. Conventions, including Convention 177 on homework and Convention 175 on part time work and Convention 138 on children, and ensuring their application in Canada as well as other countries; and Promoting adherence to I.L.O. Conventions by countries

producing apparel for the Canadian market, through the negotiation of development pacts tied to the granting of preferential tariffs; and Providing increased support through C.I.D.A. to help groups such as human rights groups, religious groups, women's groups, and labour groups to strengthen their capacity to play an effective role in labour rights monitoring and worker's rights training.

2001 REITERATION AND UPDATE OF EXISTING POLICY: EQUAL BENEFITS FOR PART-TIME WORKERS

Whereas the National Council of Women of Canada's Policy 86.2 stated that there exist in the workforce many employees who will never attain full employment, either by choice or because of barriers to their participation; and now part time workers are the fastest-growing segment of the labour force receiving considerably fewer benefits than full-time workers; and

Whereas Policy 86.2 adopted the principle of full protection, rights and benefits to all types of part-time workers and urged the Government of Canada to ensure that the regulations of the Canada Labour Code provide part-time workers with the same protection, rights, and benefits (on a pro-rated basis) as those guaranteed to full-time workers and also urged the Provincial Councils to urge their respective governments to amend their provincial labour standards legislation to offer the same protection; and

Whereas part-time workers' continuing lack of benefits causes long-term, severe consequences for the individual, the family and Canadian society as a whole; and
Whereas the majority of part-time workers are women, and Canada and the provinces have agreed to support and implement the UN Convention on the Elimination of All Forms of Discrimination against Women; and

Whereas the Canada Labour Code covers only federal employees, leaving all other workers to be governed by provincial or territorial labour standards legislation; therefore be it

RESOLVED that the National Council of Women of Canada adopt as its policy:

- a. The principle of full protection, rights and benefits to all types of part-time workers; and
- b. The principle of women's economic equality as set out in the UN Convention on the Elimination of All Forms of Discrimination against Women, and be it further

RESOLVED that the National Council of Women of Canada urge the Government of Canada to:

- a. Define and regulate, in legislation and regulation, the various types of work, including, but not necessarily limited to: full-time, part-time, temporary and contract work; and
- b. Amend the regulations of the Canada Labour Code and all other relevant legislation and regulations so that all types of part-time workers receive the same protection, rights and benefits (on a pro-rated basis) as those guaranteed to full-time workers; and
- c. Honour the 1985 commitment to abide by and implement economic equality for women, renewed at the Conference of First Ministers, 1989 based on the principles of the UN Convention on the Elimination of All Forms of Violence against Women, and be it further

RESOLVED that the National Council of Women of Canada urge Provincial and Local Councils where appropriate to urge their respective governments to:

- a. Define and regulate, in legislation and regulation, the various types of work, including, but not necessarily limited to: full-time, part-time, temporary and contract work; and
- b. Amend their provincial labour standards legislation and regulations to ensure that all types of part-time workers receive the same protection, rights and benefits (on a pro-rated basis) as those guaranteed to full-time workers.

Presented by Marilyn McGonigal
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Provincial Council of Women of Manitoba, Inc.