

eBrief for the Employment Standards Code Review Commission
On behalf of the Students Organizing for Unity with Labour

January 13th, 2006

Students Organizing for Unity with Labour is a recently formed student organization based out of the University of Manitoba. One of our core principles is to serve as a forum for students to get involved in supporting the rights of workers. As a result, we have decided to submit this short brief to the review commission, in the hope that you consider it as an expression of students sympathetic to the labour movement.

We support the submissions of the Manitoba Federation of Labour, the University of Manitoba Students' Union, the Workers Organizing Resource Centre, and the CCPA. This brief will serve to highlight some of these points as particularly important, with our particular position on them.

Notice of termination

We feel that notice of termination is crucially important for workers. It allows workers time to procure another job, and removes some of the economic uncertainty that comes with losing a job. As a result, the ability of employers to more or less unilaterally remove this right from workers is one of the major failures of the current legislation. In addition, a single pay period simply does not suffice in terms of giving a worker adequate notice. The simple fact is that workers have a more difficult task replacing their job than employers have replacing the worker. We submit that the ability of employers to obtain variances reducing the amount of notice they provide workers should be removed, and that the notice period be increased.

Reasons for dismissal

When discussing employment standards, people often are surprised that an employer can simply 'fire' someone for whatever reason they desire, excluding human rights and similar protections. We feel that the provincial Code should mimic the federal statute by giving workers the protection for only being terminated for 'Just Cause'.

Deductions

Assuming that deductions agreements are fairly negotiated, as the current legislation does, is a fallacy. Any worker that is faced with the employer 'requesting' they sign an authorization form is likely to sign out of fear for their job, especially if they are in some form of precarious employment. Removing this opportunity for abuse would go a long way to ensuring Manitoba workers are protected.

These suggestions are just some of the positive changes to the Code that we would support, and as stated above, we support the submissions by several other progressive groups. However, these three areas are the most glaring inadequacies of the current legislation, and we felt they required attention. We hope that the review commission and the government carefully consider our suggestions and we would like to thank the commission for their time and effort gathering the input of the community.

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