

Re-instatement of Veterans in Civil Employment Act.—Under this Act given Royal assent on Aug. 1, 1942, provision is made for the re-instatement in civil employment of discharged members of the Armed Forces, together with merchant seamen sailing in coastal waters or in waters outside the territorial limits of Canada, and those who served as members of the Corps of Canadian Firefighters in the United Kingdom.

Under this Act it is the duty of any employer, by whom a person accepted for service was employed, to re-instate that person in employment at the termination of his service. The re-instatement must be made under conditions not less favourable to him than those which would have applied had he not joined the Services. Certain provisions are made. These are:—

- (1) That the right to re-instatement shall be subject to established rules of seniority in the employer's establishment, with retention of seniority rights during the employee's period of service with the Armed Forces or, in the absence of such rules, to preference according to dates of first employment.
- (2) For purposes of pension or other benefits, service in the Armed Forces is held to have been service with the employer.
- (3) In the case of proceedings for violation of the Act, it is considered a defence if the employer can prove that application for re-instatement was not made within three months after the former employee's discharge in Canada from the Armed Forces or from hospital treatment following discharge in Canada, or within four months after discharge overseas or from hospital treatment following discharge overseas. It is also a defence if the ex-serviceman, having been offered re-instatement, fails, without reasonable excuse, to present himself for employment at the time and place notified to him by the employer. If the ex-serviceman were employed originally to take the place of an employee who had been previously accepted for service in the Armed Forces and if that employee were re-instated in his employment, the Act does not apply; nor does it apply if the ex-serviceman is physically or mentally incapable of performing work that is available. Change of circumstances, other than the engagement of some other person, and an offer to re-instate the ex-serviceman in the most favourable occupation and under the most favourable conditions reasonably practical may also be offered as a defence.

Post-Discharge Re-establishment Grants and Benefits.—The backbone of the rehabilitation program is the Post-Discharge Re-establishment Order, P.C. 7633, adopted on Oct. 1, 1941. This authorizes the Department to pay a subsistence allowance, based on the rates in the Unemployment Insurance Act, to a discharged man for any period up to the length of his service, or for a maximum of 52 weeks.

Under the Order, the Minister of Pensions and National Health may, subject to certain provisions of the Order, authorize the payment to a discharged person of an out-of-work allowance for any period during which he is capable of and available for work but unable to obtain suitable employment, or who follows any prescribed course of training or instruction. A grant may be made to a discharged person if he is pursuing vocational, technical, or other educational training, if such training is approved and if the person undergoing training makes satisfactory progress. The grant applies also to discharged persons engaged in agriculture or other private enterprises, who are awaiting returns from those enterprises, as well as to those temporarily incapacitated. Discharged persons regularly admitted to university before discharge, or who are regularly admitted within 15 months of discharge or who delay their courses beyond the fifteen-month period owing to satisfactory reasons, also qualify for the grant. University graduates wishing to take post-graduate courses are eligible for the same assistance.