

Minister, the Branch administers the Code's provisions relating to certain types of complaints which must receive Ministerial consent before they can be referred to the Canada Labour Relations Board. Other violations of the Code referring Ministerial consent to prosecution are also handled by the Branch.

When requested, the Minister may appoint single arbitrators or arbitration board chairmen if parties or nominees are unable to agree on the selection.

The Canada Labour Relations Board administers provisions contained in Part V of the Canada Labour Code governing the acquisition and termination of bargaining rights; successor rights and obligations; the disposition of applications relating to technological change, and to illegal strikes and lockouts; complaints of unfair practices; and granting of access to employers' premises.

Fair employment practices. Part I of the Canada Labour Code (Fair Employment Practices) prohibits discrimination in employment on the grounds of race, colour, religion or national origin in any federal work, undertaking or business. It covers discrimination by employers, by trade unions in regard to membership or employment, by employers who use employment agencies that discriminate, and in the use of any form of application for employment, advertisement, written or oral inquiry that expresses directly or indirectly any limitation, specification or preference as to race, colour, religion or national origin.

Labour standards. Part III of the Canada Labour Code (Labour Standards) provides minimum standards of employment applicable to employers and employees in industries that are under the legislative authority of the Parliament of Canada.

The Code sets both standard and maximum hours of work. The overtime rate (one and a half times the regular rate) must be paid after eight hours in a day and 40 hours in a week, to a maximum of 48 hours in a week. Hours may be averaged when an employee's schedule of hours varies from day to day or week to week because of the nature of the work. If the Minister of Labour is satisfied that exceptional circumstances justify the additional hours, he may issue a permit allowing an employee to exceed the maximum hours. The Governor in Council may make regulations varying the standard and maximum hours for classes of employees in any specified industrial establishment where the Code standards would be unduly prejudicial to the interest of the employees or seriously detrimental to the operation of the establishment. An inquiry must be held before such regulations may be made.

The minimum wage is \$2.60 an hour for all persons 17 years of age or over and \$2.35 an hour for persons under 17 years of age as of July 23, 1975. The Governor in Council may issue orders from time to time increasing the minimum rate.

Employees are entitled to a two-week vacation with pay each year and a holiday with pay on each of the eight general holidays, or substitutes for them.

An employer must give advance notice to the Minister of Labour and the union, with a copy to the Department of Manpower and Immigration, when dismissing 50 or more employees during a four-week period. The length of notice varies according to the number of employees being dismissed: 50-100 employees, eight weeks; 101-300 employees, 12 weeks; more than 300 employees, 16 weeks. In addition, the employer and the trade union must provide the Department of Manpower and Immigration with whatever information it requests to assist the employees. The requirement to give notice may be waived for an industrial establishment or a specified class of employees by an order of the Minister of Labour, subject to any terms or conditions that he may determine.

Under the Code's provisions respecting individual dismissals, every employee with three months service (except a manager, superintendent or member of a profession) is entitled to two weeks notice of termination of his employment. In lieu of such notice, he is entitled to two weeks wages at his regular rate for his regular hours of work. In addition, an employee who has completed five consecutive years of continuous employment is entitled to severance pay based on two days wages at the regular rate for the regular hours of work, for each year of employment up to a maximum of 40 days wages. However, the employer is not required to give severance pay to an employee who is dismissed for just cause or to a person who, on termination of employment, is entitled to a retirement pension.

The maternity protection provisions grant 17 weeks of maternity leave — 11 weeks before and six weeks after childbirth — and ensure job security to women absent from work because