

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 \$2.90 an hour for all persons 17 years of age or over and \$2.65 an hour for persons under 17 as of April 1, 1976. 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 of pregnancy. To be eligible for maternity leave, a woman must have been continuously employed by her employer for 12 months. The code provides for voluntary prenatal leave up to 11 weeks before the anticipated date of delivery, and this period extends to the actual date of confinement.

The code prohibits an employer from paying men and women employees at different rates if they work in the same establishment at equally demanding jobs under the same or similar conditions. It also prohibits an employer from dismissing, laying off or suspending an employee solely because of garnishment.

**Fair wages policy.** Wages and hours on government construction contracts are regulated by the Fair Wages and Hours of Labour Act and Regulations. The rates are never less than the minimum hourly rate prescribed by Part III (Labour Standards) of the Canada Labour Code. Wages and hours of work on contracts for equipment and supplies are regulated by Order in Council.

**Safety of employees.** Part IV of the Canada Labour Code (Safety of Employees) incorporates the Canada Labour (Safety) Code of 1968, which was the first general safety legislation passed by the Parliament of Canada. To ensure safe working conditions for all employees in industries and undertakings under federal jurisdiction, Part IV provides for all the elements of a complete industrial safety program; obliges employers and employees to perform their duties in a safe manner and authorizes the making of regulations for dealing with occupational safety problems; complements other federal laws and provincial legislation;