

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. 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 regular hours 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.

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 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 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 its regulations. The rates are never less than the minimum hourly rate prescribed by labour standards in the labour code. Wages and hours of work on contracts for equipment and supplies are regulated by order-in-council.

Safety of employees. The code's safety section, incorporated in 1968, was the first general safety legislation passed by Parliament. To ensure safe working conditions for all employees in activities under federal jurisdiction, it provides for all elements of a complete industrial safety program; obliges employers and employees to perform their duties in a safe manner; authorizes the making of regulations to deal with safety problems; complements other federal laws and provincial legislation; authorizes advisory committees to assist in developing the program under consultation among federal and provincial government departments, industry and organized labour; and provides for research into causes and prevention of accidents and for an extended safety education program. Federal public service employees are given equivalent protection under Treasury Board standards complementary to the safety and health regulations of the code. Regional safety officers and federally authorized provincial inspectors enforce them.

As of January 31, 1975, regulations were in force governing coal mine safety, elevating devices, first aid, machine-guarding, noise control, hand tools, fire safety, temporary work structures, confined spaces, safe illumination, boilers and pressure vessels, building safety, dangerous substances, electrical safety, materials handling, protective clothing and equipment, sanitation, hours of service in the motor transport industry, and accident investigation and reporting.

Provincial labour legislation

8.1.3.3

Industrial relations. All provinces have legislation similar to the federal code designed to establish harmonious relations between employers and employees and facilitate settlement of industrial disputes. These laws guarantee freedom of association and the right to organize, establish labour relations boards or other administrative systems for certification of a trade union as exclusive bargaining agent of an appropriate unit of employees, and require an employer to bargain with the certified union representing his employees.

Alberta, Ontario, New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland have special provisions in their general labour relations legislation dealing with accreditation of employers organizations in the construction industry. In