

provide for 17 weeks. The leave may be divided into pre- and post-natal leave generally at the discretion of the employee.

Post-natal leave is compulsory, unless a medical doctor authorizes an earlier return to work. In some jurisdictions, an extension of post-natal leave is allowed where recommended in a medical certificate. In all jurisdictions, the right to maternity leave is supplemented by a guarantee that an employee will not lose a job because of absence on maternity leave.

Four provinces have legislation dealing with paternity and/or adoption leave. In Nova Scotia a female employee may be granted leave of absence up to five weeks when adopting a child five years old or younger. In Prince Edward Island a similar provision grants up to five weeks leave of absence without pay to a female employee adopting a child six years old or younger. In Quebec an employee may be absent from work without pay for two days at birth or adoption of a child. In Saskatchewan an employee who has worked continuously for at least 12 months is entitled to six weeks maximum paternity or adoption leave.

**Human rights.** Laws to ensure fair employment practices have been enacted throughout Canada. These include employment-related subjects such as membership in trade unions. All jurisdictions have augmented this legislation to form a human rights code. Northwest Territories and Yukon have enacted fair practices ordinances. Most of these codes cover employment, occupancy and property matters, and access to facilities generally available to the public.

Most jurisdictions prohibit discrimination on grounds of race, religion, national origin, colour, sex, age and marital status. In selected cases the prohibited grounds include political beliefs, ethnic origin, physical handicap, creed, source of income, ancestry, social condition, attachment or assignment of pay, and a conviction for which a pardon has been granted.

Attention is being paid by the federal government to employment of the handicapped. A special parliamentary committee on the disabled and the handicapped reported its findings in a publication, *Obstacles*, in February 1981. Guidelines have been issued for employment of the handicapped in the federal public service, federal public buildings are being renovated to facilitate access, and the federal government is urging employers in the federal sector to give equal employment opportunities to the handicapped.

Equal pay provisions exist across Canada. Criteria for determining the meaning of equal work vary from one act to another. Methods of enforcement also vary.

**Apprenticeship.** All provinces have apprenticeship laws providing for organized on-the-job training and school instruction in designated skilled trades. Statutory provision exists for issuing qualification

certificates, on application, to tradesmen in certain trades. In some provinces legislation makes it mandatory for certain classes of tradesmen to hold certificates of competency.

**Occupational safety and health.** Although both federal and provincial legislatures have the power to enact laws and regulations concerning the protection of workers against industrial accidents or diseases, the provinces have major responsibility. The federal authority is limited to industries under federal jurisdiction. Legal standards and regulations designed to ensure the safety, health and welfare of persons employed in resource, industrial and commercial establishments exist in all jurisdictions.

Safeguards for worker protection are established for fire safety, sanitation, heating, lighting, ventilation, protective equipment, materials handling, safety of tools, guarding of dangerous machinery, safe handling of explosives and protection against noise and radiation.

Other safety laws and regulations concern hazardous equipment such as boilers and pressure vessels, electrical installations and elevating devices. A growing number govern toxic substances and occupational health hazards. Still others regulate hazardous industries such as mining, construction, demolition and logging.

Safety inspection is provided for in all provinces. Penalties exist where an employer contravenes any provision of an occupational safety and health act or regulation, or fails to comply with a direction made by an inspector.

### 5.3.2 Termination of employment

**Individual termination.** In the federal jurisdiction, an employer who terminates the employment of an employee who has completed three consecutive months of employment has to give that employee two weeks notice in writing or two weeks wages at the regular rate. The code prohibits dismissal, layoff or suspension of an employee due to garnishment or notice of garnishment proceedings. Protection against dismissal is provided to an employee who is absent due to sickness for 12 weeks or for a longer period if an employee is undergoing treatment and rehabilitation at the expense of a worker compensation authority. Unorganized employees have the right to lay a complaint if they feel they have been dismissed unjustly. The case may be dealt with by adjudication if a satisfactory settlement cannot be otherwise arranged.

All provinces, except New Brunswick, also have legislation requiring an employer to give notice to an individual worker whose employment is terminated.

**Group termination of employment.** Under federal jurisdiction, an employer must give notice when he terminates the employment of 50 or more employees in one establishment within a four-week period. Length of notice varies with the size of group