

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, handling of materials, 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. In all jurisdictions, an employee has the right to refuse dangerous work.

### 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. Nova Scotia protects employees with 10 years service against dismissal without just cause. Quebec does the same for employees with five years service.

All provinces and the Yukon 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 16 weeks notice when he terminates the employment of 50 or more employees in one establishment within a four-week period.

At the provincial level, six provinces require an employer to give notice of a planned termination of employment or layoff of a group of employees. In Manitoba, Newfoundland and Ontario, group notice requirements apply when an employer plans to terminate the employment of 50 or more persons within four weeks. Length of notice is related to the number of workers involved. Manitoba requirements are: 50 to 100 employees, 10 weeks; 101 to 300, 14 weeks; over 300, 18 weeks. In Ontario and Newfoundland: 50 to 199 require eight weeks; 200 to 499, 12 weeks; and 500 or more, 16 weeks. In Yukon: 25 to 49, four weeks; 50 to 99, eight weeks; 100 to 299, 12 weeks; 300 or more, 16 weeks. The numbers of employees terminated refer to a period of four weeks. In New Brunswick, when 25 or more employees are terminated, a notice of four weeks must be given if the number of employees terminated represents at least 25% of the employer's workforce. In Nova Scotia, a group notice requirement applies when an employer contemplates dismissal of 10 or more employees within four weeks and in Quebec within two months. Length of notice varies with the number of workers involved: 10 to 99 require two months; 100 to 299, three months; 300 and over, four months.

**Severance pay.** Under federal jurisdiction an employer who terminates an employee with 12 months service must pay the greater of two days wages for every year of employment, or five days wages. Ontario also provides for severance payments in certain circumstances.