

To obtain an employment visa, the person concerned must have pre-arranged employment and certification by a Canada Manpower Centre that no Canadian citizen or landed immigrant is available for that job. Preliminary arrangements should be made at an Immigration office in the person's own country.

Other immigration regulations are discussed in Chapter 3.

The Strategic Planning and Research Division, formerly the Program Development Service, collects and analyzes information on national, regional and local labour market conditions in order to give direction to the Department's policies and programs. In addition, it carries out research programs in support of its own and other divisions' activities and develops career and occupational counselling and training materials.

These responsibilities are assigned to four branches and groups: Research Projects Group, Economic Analysis and Forecasts Branch, Strategic Planning and Evaluation Group, and Occupational and Training Analysis and Development Branch.

Administration Division. Headed by an Assistant Deputy Minister, the Administration Division comprises units responsible for providing professional and technical support to line management: information service, personnel, financial management, data processing, organization and methods, security and general administrative services.

8.1.3 Federal and provincial labour legislation

8.1.3.1 Jurisdictions

The Canada Labour Code (RSC 1970, c.L-1) applies only to federal undertakings and any other operations that Parliament declares are for the general advantage of Canada or two or more of its provinces. The Code consolidated previous legislation regulating employment practices, labour standards, etc., in the federal jurisdiction.

Because it imposes conditions on the rights of the employer and employee to enter into a contract of employment, labour legislation is, generally speaking, law in relation to civil rights and provincial legislatures are authorized to make laws in relation both to local works and to property and civil rights. Power to enact labour legislation has become, therefore, largely a provincial prerogative, under which a large body of legislation has been enacted affecting working hours, minimum wages, the physical conditions of workplaces, apprenticeship and training, wage payment and wage collection, labour-management relations and workmen's compensation.

8.1.3.2 Federal labour legislation

Industrial relations. The Conciliation and Arbitration Branch of the Department of Labour administers the provisions of Part V of the Canada Labour Code (Industrial Relations) relating to the application of formal conciliation procedures (i.e. the appointment of conciliation officers, conciliation commissioners and the establishment of conciliation boards). The Branch also provides mediation services to parties throughout the direct bargaining stage and in post-conciliation negotiations, including strike and lockout situations. If a dispute of difference between any employer and employees exists in an industry, the Minister of Labour may refer the matter to an Industrial Inquiry Commission for investigation. On behalf of the 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 employer's 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