

Questionnaire on Women's Human Rights in the Changing World of Work

Canadian Labour Congress (CLC) Submission
to the
International Trade Union Confederation (ITUC)

September 1, 2019



Questionnaire on 'Women's Human Rights in the Changing World of Work'

The Working Group on discrimination against women and girls will present a thematic report on 'women's human rights in the changing world of work' to the 44th session of the Human Rights Council in June 2020. This report will be produced in the context of the Working Group focus on key areas affecting the human rights of women and girls and will aim at reasserting women's right to equality and countering rollbacks in this area. An overview of the scope of this can be found in the Appendix.

In this regard, the Working Group would like to seek inputs from States and other stakeholders to inform the preparation of this report in line with its mandate to maintain a constructive approach and dialogue with States and other stakeholders to address discrimination against women in law and practice. Submissions should be sent by 1 September 2019 to wgdiscriminationwomen@ohchr.org and will be made public on the Working Group's web page, unless otherwise requested.

Core questions

- What are the main trends influencing women's human rights in the world of work in your national context and their impact:
 - on the types of and quantity work available to women, and the quality and conditions of work (including access to social protection and equal pay)?
 - for women's safety (including violence and sexual harassment) at work?
 - on women's rights to organize and claim rights?
- What are the promising practices emerging from your country to ensure the realization of women's rights to work and women's rights at work, in the context of technological and demographic change, as well as continuing globalization and the shift towards sustainability? (laws; economic, labour market and social policies; programmes).

Population of Women in Canada

According to the 2016 Census for Canada, 51% of the total population were women. Women accounted for just over half of the total sub-population of immigrants, racialized and Indigenous people. It is estimated that one in five or 6.2 million Canadians aged 15 years and over had one or more disabilities.¹ Women accounted for 56% of all persons with a disability in Canada in 2017.²

¹ Statistics Canada. 2018. *Canadian Survey on Disability, 2017*. <https://www150.statcan.gc.ca/n1/daily-quotidien/181128/dq181128a-eng.htm>.

² Statistics Canada. 2018. [Table 13-10-0380-01, Visible minority group of persons with and without disabilities aged 15 years and over, by age group and sex, Canada](#).

Among all women with disabilities, 15% or 506,370 are racialized³ and 22% or 755,440 are immigrants.⁴

Women's Rights in Canada

Although Canadian women have made strides in ameliorating their equality and human rights in Canada, there remains much work ahead to truly eradicate the inequalities that continues to exclude, disempower and diminish their potential and contribution to society. Human rights for women in the world of work can only be achieved through economic justice and empowerment.

Women's human rights are enshrined in the *Canadian Charter of Rights and Freedoms*, which gives constitutional protection between an individual woman and the government. In addition, the *Canadian Human Rights Act (CHRA)*, as well as provincial and territorial human rights legislation, provide protection of human rights to women as individuals on a complaint basis.

Also, very important to women's equality and work is the *Employment Equity Act (EEA)* with the purpose:

[T]o achieve equality in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability and, in the fulfilment of that goal, to correct the conditions of disadvantage in employment experienced by women, Aboriginal peoples, persons with disabilities and members of visible minorities by giving effect to the principle that employment equity means more than treating persons in the same way but also requires special measures and the accommodation of differences.

The existing legal instruments of the Charter, CHRA and the EEA to protect and promote women's equality were made more robust with recent new Acts and regulations, among them the *Pay Equity Act*, the *Accessible Canada Act* and changes to the *Canada Labour Code*.

The new legal instruments will improve women's equality and human rights, and further close the unfair disparities experienced by women relative to men.

Although this enhanced suite of legal instruments will continue to narrow the gender gaps, more can be done to thoroughly address discrimination against and exclusion of women's human rights at work in law and practice.

³ Ibid.

⁴ Statistics Canada. 2019. [Table 13-10-0381-01, Immigrant status and period of immigration for persons with and without disabilities aged 15 years and over, by sex, Canada.](#)

Too many Canadian women are at a disadvantage in the world of work due to barriers to the labour market and workplace equality. The situation is even more bleak for women with disabilities, Indigenous women, immigrant women, Black and racialized women and lone parents, who are often overrepresented in low-wage and precarious work, or excluded from the workforce altogether.

The CLC strongly concurs with the following from the appendix of this survey, which states, “Closing gender gaps and realizing women’s human rights in the world of work remains one of the most pressing economic and social challenges facing the global community today.” It certainly is for Canada.

Women’s Human Rights in the World of Work

This section will highlight some trends of the impact of inequalities experienced by women in Canada that deprives them of their full human rights in law and practice. The trends in the quantity of work available to women starts off this section with disparities between women and men, in terms of gaps in labour force participation, employment and unemployment.

This is followed by the types of work available to women, and the quality and conditions of work, including access to social protection and equal pay.

Work Trends in the Quantity of Work

Labour Force Participation Gap

Lately, there have been studies suggesting an increase in women’s labour force participation will bolster Canada’s productivity and economic growth now and in the future.⁵

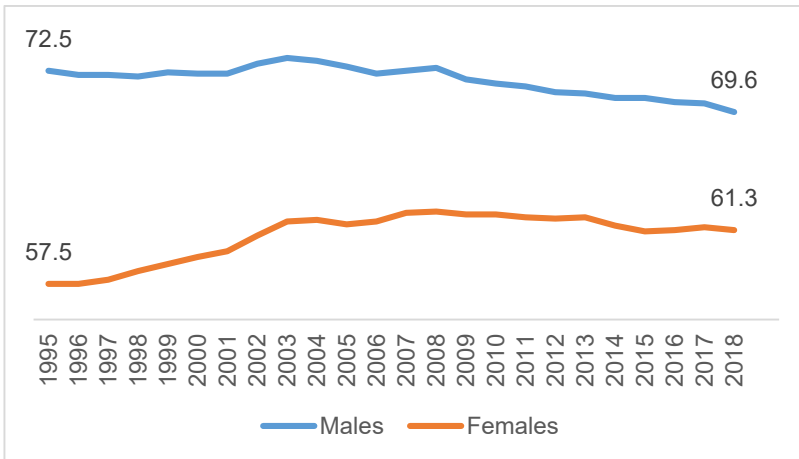
In Canada, the labour force participation rate between women and men has narrowed over time. Most of women’s labour force participation growth, at an average of 1.4% per year, occurred between 1950 and 1990, but growth has slowed to a mere 0.3% per year since 1991.⁶

In 2018, women’s labour force participation gap was 8.3% below the men’s rate (see Figure 1).

⁵ Devillard, Sandrine, et al. June 2017. [The power of parity: Advancing women’s equality in Canada](#). McKinsey and Company; Advisory Council On Economic Growth. February 6, 2017. [Tapping Economic Potential Through Broader Workforce Participation](#); McArthur-Gupta, Aimee, Kareem El-Assal, & Ali Bajwa. May 2019. [Can’t Go It Alone: Immigration Is Key to Canada’s Growth Strategy](#). The Conference Board of Canada.

⁶ Moyser, Melissa. 2017. [Women and Paid Work](#). Statistics Canada.

Figure 1: Labour force participation rates (percent) by gender in Canada, 15 years and over, 1995 to 2018.



Source: Statistics Canada, 2019.

Child Care

The lack of affordable, quality child care in Canada remains one of the major barriers to women's labour force participation. This barrier underpins the economic injustice for women. Child care makes it possible for women to get a decent job, support their families, build a career, and further their education or skills training. Many families in Canada are struggling to find and pay for the child care they need.

Seventy percent of children under five years have mothers working outside the home. There are currently only enough regulated child care spaces for about 25% of children under five years in Canada. At the same time, the cost of those limited spaces is astronomical. Canada's child care costs are among the highest in the world. On average, single parents spend 32% of their income on child care—that is often more than what they spend on housing.

Finding child care is even harder for parents with infants or children with special needs, and for those living in Northern, Indigenous or rural communities. Options for parents working shift or non-standard hours are almost non-existent. In addition, because racialized and immigrant women are more likely to be in low-wage, part-time and precarious jobs, high child care costs and lack of spaces leave them with even fewer choices.

Sufficiently funding child care not only makes economic sense, it provides economic justice for women. We already know that Quebec's investment in province-wide child care with low fees has more than paid for itself through the increased income tax revenues generated by more parents—especially moms—being able to go to work.

The Canadian government has established a new framework on early learning and child care with their provincial and territorial governmental counterparts. Canada needs to increase spending on child care over time until it reaches at least one percent of GDP, the international benchmark on child care spending used by the OECD, UNICEF, and other international bodies. Affordable, high quality child care can increase women's labour force participation. Closing the national labour participation rate of women to match that of men's could add \$13 billion to GDP, or 0.7% to GDP per capita.⁷

Employment Gap

In Canada, there is a persistent trend of fewer women in full-time employment than men, and more women in part-time employment than men. This results in women having less lifetime cumulative earnings, accumulation of assets, and retirement security than men.

In 2018, women made up 44% and men 56% of workers in full-time employment, and women accounted for 66% and men 34% of part-time workers. The primary reason for women aged 25 to 54 years with young children to work part-time was to care for their children.⁸

Employment rates also differ for women with intersecting social factors, including but not limited to, race, age, disability, LGBTQ2SI, religion, Indigenous identity and immigrant status. For example, the employment rates are consistently lower for immigrant and Indigenous women among all women (see Figure 2).

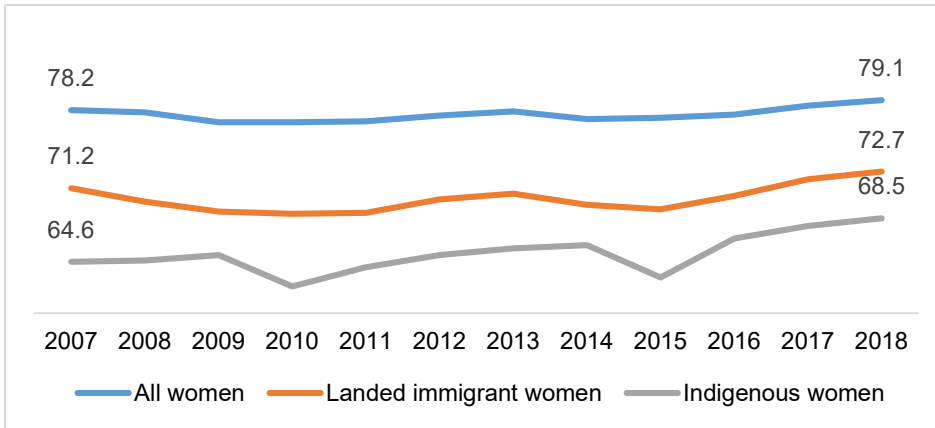
The employment rate of women with a disability continues to remain very low compared to those without a disability in Canada. Of the age group of 25 to 64 years, 59% of persons with disabilities were employed compared to 80% of those without disabilities.⁹

⁷ Advisory Council On Economic Growth. February 6, 2017. [Tapping Economic Potential Through Broader Workforce Participation](#).

⁸ Patterson, Martha. November 6, 2018. [Who works part time and why?](#) Statistics Canada.

⁹ Morris, Stuart, Gail Fawcett, Laurent Brisebois, & Jeffrey Hughes. November 28, 2018. [A demographic, employment and income profile of Canadians with disabilities aged 15 years and over, 2017](#). Statistics Canada.

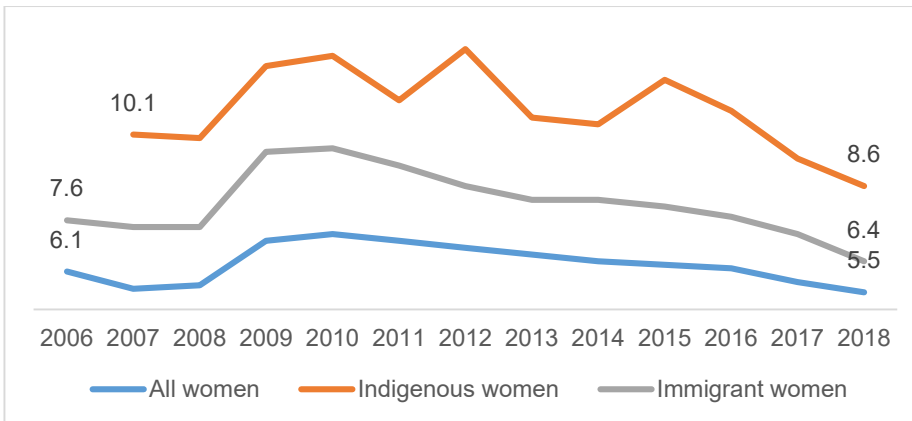
Figure 2: Employment rate (percentage), women 15 years and over, annual, 1997 to 2018.



Source: Statistics Canada, 2019.

Similarly, the unemployment rate also differs among women with intersecting social factors, where the rates are consistently higher for immigrant and Indigenous women (see Figure 3). For women with a disability, the unemployment rate was 7.0% in 2017.

Figure 3: Unemployment rate (percentage) of all women, Indigenous and immigrant women, 2006 to 2018.

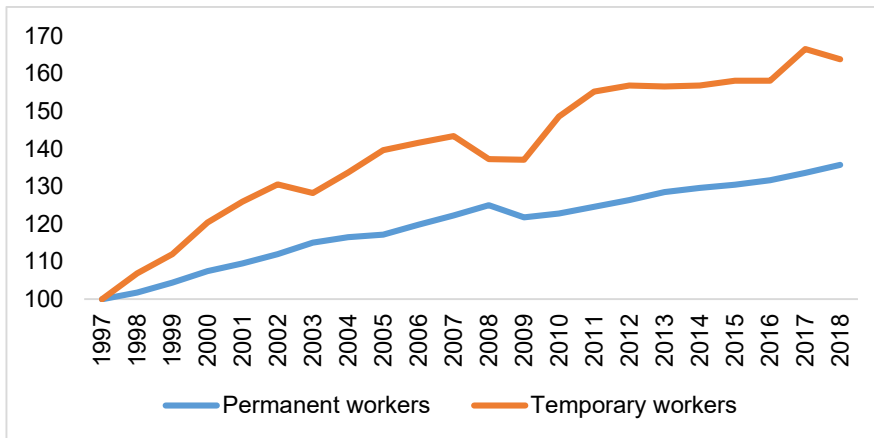


Source: Statistics Canada, 2019.

Too many women are working in temporary, part-time and precarious jobs, or work in sectors that offer low pay, poor working conditions and few opportunities for advancement.

Temporary jobs grew at a faster rate than permanent jobs between 1997 and 2018 (see Figure 4). Most of the growth in temporary jobs was due to the increase of term or contract workers.¹⁰

Figure 4: Employment index by job permanency, 1997 to 2018, index (1997=100).



Source: Statistics Canada, 2018.

We often hear that women have to “lean in” or that we can achieve gender equality by improving the numbers of women in management or STEM careers. Unless we examine the structural barriers that limit workplace fairness, any gains that some women make will not be shared by women in all job classes, categories and sectors.

Women’s continued majority responsibility for providing care is a very persistent barrier to their economic justice. In Canada, women continue to do most of the unpaid household work, including caring for children and sick or aging relatives. This impacts their employment and workplace opportunities, choice of job, or limit their chances of promotion. Unfortunately, our economy’s reliance on women’s unpaid care work contributes to women’s poverty, affects mental and physical health, lifetime earnings and increased family stress.

Stereotypes about women and mothers have a demonstrated impact, or the “motherhood penalty,” on hiring decisions, and also impact opportunities to advance at work. In Canada, 25 to 34 year old women experience a substantial earnings penalty five years after the birth of their child, including 48% drop in their

¹⁰ Patterson, Martha. November 6, 2018. [Who works part time and why?](#) Statistics Canada.

earnings the first year after childbirth.¹¹ In contrast, men see an increase in earnings for having children.¹²

Racism and Islamophobia

In addition to gender discrimination, racism and Islamophobia are barriers to women's human rights in the world of work.

Canada is known to the rest of the world as being a country with many diverse cultures and religions. However, Canada is not immune to the rabid encroachment of right-wing populism and nationalism. Systemic and structural racism remains stubbornly embedded in the world of work, eroding women's rights.

Indigenous Peoples in Canada are First Nations, Metis and Inuit. For Indigenous women, the legacy of colonialism and residential schools have an intergenerational injurious effect in every aspect of their lives. Racism, discrimination and sexism are daily assaults on Indigenous women's participation and contributions in the world of work. Indigenous women's labour force outcomes are among the poorest.

Among employed Indigenous Peoples 15 years and over, women were more likely to work multiple jobs than men, and were more likely to work part-time than men. Indigenous women stated that the lack of education attainment or training, as well as the lack of quality child care made it difficult for them to find jobs.¹³

Racism and discrimination experienced by women who are racialized, newcomers, Black, Indigenous and Muslim have poorer labour force outcomes than non-racialized population. For example, in interviews and surveys of working Muslim women in manufacturing, retail and commercial services, the authors of a 2002 study found that a very high proportion of Muslim women encountered employers referring to their hijab in the course of applying and interviewing for paid positions.¹⁴ The same study found that two in five women reported being asked to remove the hijab as a condition of employment. A related study summarizing the experiences of Muslim working women in Toronto reported that:

¹¹ Agopsowicz, Andrew. March 2019. [Family matters: the cost of having children on women's careers](#). RBC Economic Research.

¹² Ibid.

¹³ Statistics Canada. November 2018. [Aboriginal Peoples Survey, 2017: Labour Market Experiences of First Nations People Living Off Reserve: Key Findings from the 2017 Aboriginal Peoples Survey](#).

¹⁴ Persad, Judy Vashti, and Salome Lukas. 2002. ['No Hijab is Permitted Here': A Study on the Experiences of Muslim Women Wearing Hijab Applying for Work in the Manufacturing, Sales and Service Sectors](#). Toronto: Women Working with Immigrant Women.

*[W]omen who wear hijabs are given incorrect information regarding job availability, are denied the opportunity to apply for jobs, made to feel invisible and unwelcome when applying, they are fired from jobs, and they are harassed in the workplace as a result of wearing hijab. Muslim women wearing hijabs experienced this discrimination regardless of their age, skin colour, experience in Canada, accent, mannerisms and education.*¹⁵

In Canada, one of the tools for leveraging equity in employment is the *Employment Equity Act* that applies to all federally regulated public and private workplaces with more than 100 employees. The *Employment Equity Act's* purpose is to achieve equality in the workplace through equal employment opportunities or benefits, and to rectify conditions of disadvantage in employment experienced by women, Indigenous peoples, persons with disabilities and racialized people.

Given the changes in the world of work, and the dynamic diversity of the Canadian population, the Act is overdue for a review, as the last review was conducted in 2002. When the review of the Act takes place, it will have to incorporate better ways to address gender and the intersection with other social factors.

To strengthen rights for women and other underrepresented groups, better and more detailed employment equity reporting is needed to better understand where and what the employment gaps are across the various groups. Further, the federal government should return to the stronger 1995 equity thresholds of the Federal Contractors' Program that covers contractors who do business with the Government of Canada.

Trends in the Types of Women's Jobs

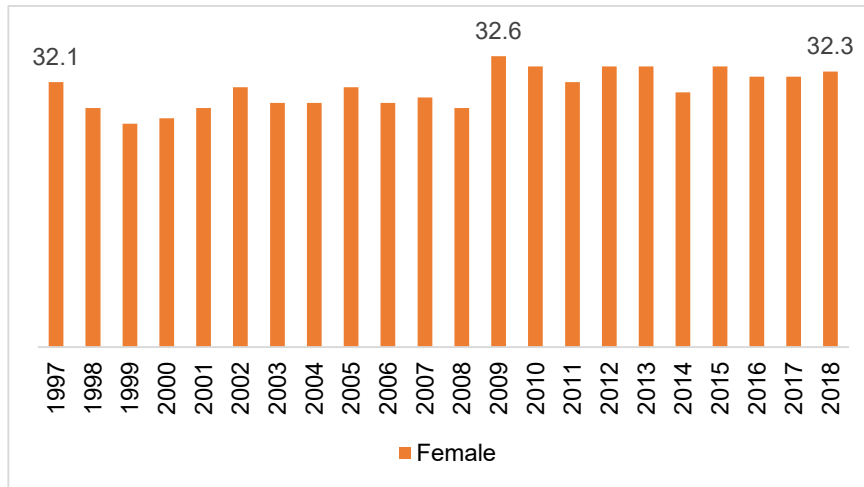
Unionization Coverage and Occupational Segregation

There is gender occupational segregation with women workers, concentrated mostly in health and social services, educational services, and accommodation and food services. The number of male workers have always outnumbered female workers in the goods-producing sector, but it was only since the mid-1980s that female workers outnumbered male workers in the services-producing sector.

Overall, union coverage by collective agreement remained fairly stable between 1997 and 2018 for women (see Figure 5).

¹⁵ Women Working with Immigrant Women. 2004. [Types of Workplace Discrimination Experienced by Muslim Women Wearing Hijab](#). Best Workplace Policies and Practices: Accommodating the Workplace Needs of Muslim Women Wearing Hijab. Toronto.

Figure 5: Union coverage by collective agreement, women, 1997 to 2018.



Source: Statistics Canada, 2019.

Union coverage provides workers with quality decent jobs with representation to ensure workers have good wages, working conditions, benefits and workplace protections. In Canada, union coverage by collective agreement for both sexes has declined to 30.1% in 2018, from 33.7% in 1997.¹⁶

However, women made gains in the public sector and suffered losses in the private sector (see Table 1). Overall, the private sector has over three times the workers compared to the public sector in Canada.¹⁷

Since 1997, women’s union coverage declined in the goods-producing sector and gained in the services-producing sector. Of the eleven industries in the services-producing sectors, only three saw gains in women’s union coverage:

- Business, building and other support services;
- Professional, scientific and technical services; and
- Transportation and warehousing.

Business, building and other support services increased to 14.9% in 2018, from 9.5% in 1997.

¹⁶ Statistics Canada. 2019. [Table 14-10-0132-01 Union status by industry.](#)

¹⁷ Statistics Canada. 2019. [Table 14-10-0027-01 Employment by class of worker, annual \(x 1,000\).](#)

Table 1: Union coverage by collective agreement, women, 1997 and 2018 comparison.

	1997	2018	+/-
	Percentage		
Total employees, all industries	32.1	32.3	+
Goods-producing sector	23.1	15.5	-
Agriculture	3.6	x	n/a
Forestry, fishing, mining, quarrying, oil and gas	14.4	13.2	-
Utilities	58.8	57.2	-
Construction	6.3	5.8	-
Manufacturing	24.9	16.8	-
Services-producing sector	33.4	34	+
Wholesale and retail trade	12.9	11.1	-
Transportation and warehousing	38.6	39.2	+
Finance, insurance, real estate, rental and leasing	11.2	9.5	-
Professional, scientific and technical services	4.2	4.3	+
Business, building and other support services	9.5	14.9	+
Educational services	73.9	73.9	same
Health care and social assistance	55.4	54	-
Information, culture and recreation	29.2	24.4	-
Accommodation and food services	8.5	5.9	-
Other services (except public administration)	9.4	8.7	-
Public administration	71.4	72.1	+
Public sector	75.0	76.5	+
Private sector	15.5	12.6	-

Note:

1. Industries according to the North American Industry Classification System (NAICS).
2. X=value is too small.

Source: Statistics Canada, 2019.

Union coverage for women was suppressed with the growth in temporary jobs, where they made up 82% of temporary workers in health care and social assistance, and 68% in educational services.¹⁸

Trends in the Quality and Conditions of Women's Work

Gender Earnings Gap

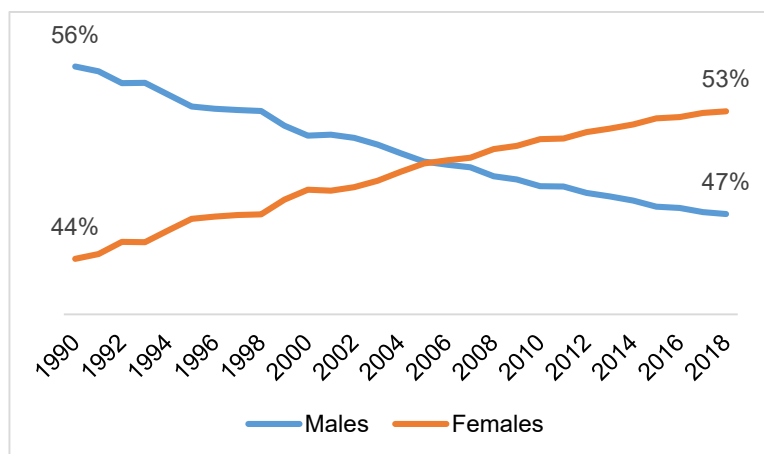
Educational attainment usually means higher earnings. Canada is the most educated country in the world, with 56.7% of the population aged 25 to 64 years achieving tertiary education (63.0% women, 50.4% men),¹⁹ compared to the OECD average of 36.9% for both genders (40.0% women, 33.8% men). In other words, Canada's university and college holders were approximately 20% above the OECD average. Many permanent immigrants to Canada have high levels of

¹⁸ Statistics Canada. May 14, 2019. [Temporary employment in Canada](#).

¹⁹ OECD. 2018. [OECD Data: Adult Education Level](#).

education that helps Canada maintain the high level of education attainment (see Figure 6).

Figure 6: University education by gender in Canada, 1990 to 2018.

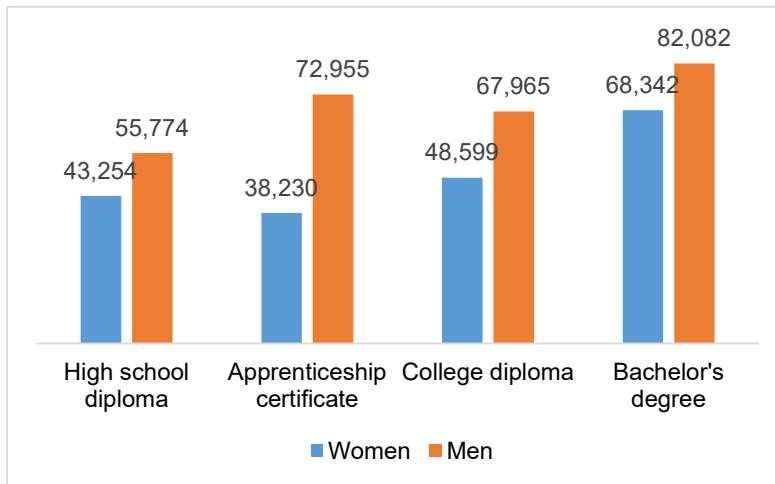


Source: Statistics Canada, 2019.

Yet, the earnings gap between women and men remain. Women in Canada are being paid less than men for work of equal value. It is happening to women regardless of their level of education or whether they work full-time or part-time (see Figure 7).

Since the mid-2000s, more Canadian women than men earned a university degree. However, across different educational attainment categories, women's earnings remained stubbornly below men's earnings who have the same educational attainment. The largest earnings gap between women and men aged 25 to 64, who worked full-time for a full year, was found among workers with apprenticeship certificates—women made 52% of what men earned in this group, or a difference of almost \$35,000 (see Figure 7).

Figure 7: Median annual earnings of women and men (\$CDN) aged 25 to 64 who worked full-time and full year as paid employees, by highest level of education and province or territory, 2015.



Source: Statistics Canada, 2017.

This earnings discrimination exists because work traditionally dominated by women—like work in the caring professions—has always been undervalued compared to work traditionally dominated by men.

The persistence of the earnings gap where women are always paid less than men for work of equal value is the systemic devaluation of women's work and an affront to their fundamental human rights.

In 2019, women overall make 32% less than men. But the gender gap is even wider for some. Women with other social characteristics experience different disparity in wages when compared to white men born in Canada:

- Racialized women make 40% less;
- Indigenous women make 45% less;
- Immigrant women make 55% less; and
- Women with a disability make 56% less.

Overall, as a result, women are making less over their working lives, and are more likely to live in poverty and retire into poverty.

Pay Equity

In 2004, a Federal Pay Equity Task Force laid out the path for a proactive approach to ending wage discrimination against women in Canada. Since then,

trade unions and feminist organizations have consistently advocated for the implementation of the Task Force recommendations. Proactive pay equity regimes in several provinces—most notably Ontario and Quebec—offer good examples of what can be achieved, as well as what to avoid.

In December 2018, fourteen years after the Pay Equity Task Force report, pay equity became the law.

The *Pay Equity Act* requires public and private sector employers in the federal jurisdiction to take proactive steps to make sure different jobs are compared for their value in the workplace and evaluated based on skill, effort, responsibility and working conditions, leaving no room for gender discrimination.

The Act requires employers with more than 10 employees to carry out a structured pay equity analysis to ensure that their compensation practices are in line with pay equity requirements, develop a pay equity plan, and make any adjustments as required. Plans are to be reviewed every five years, and unionized employees as well as non-unionized employees in larger workplaces must be involved in developing and updating the plan.

The legislation will be enforced and administered by a Pay Equity Commissioner, who will work under the umbrella of the Canadian Human Rights Commission (CHRC). The new law does not take effect until regulations are developed, and the new Pay Equity Commissioner is in place—then, it will take another six to eight years for employers to comply. Justice delayed is justice denied for women who would have waited for almost 25 years to have equal pay for work of equal value.

Employment Insurance Program

The Employment Insurance (EI) program in Canada provides support to eligible workers by replacing part of their income while they look for new employment, undertake training or need to be temporarily away from their workplace for specific life situations. The EI program is funded by premiums from employers and workers.

The EI replacement rate is 55% of average insurable weekly earnings, up to a maximum amount. Since there is an earnings gap, women's lower earnings yield lower EI benefits.

Currently, there is also inadequate access for women workers to Employment Insurance (EI) benefits because the qualifying requirements are too high for

regular benefits and special benefits, including sickness, maternity, parental, compassionate care and family caregiver benefits.

The requirements to qualify for both regular and special EI benefits excludes many women, given their concentration in precarious employment. The entrance requirement for regular EI benefits varies according to the regional unemployment rate that determines the required insurable hours that range from 420 to 700 hours. Further, improvements to the current benefit rate and the number of weeks to receive the benefit will be very helpful to many women workers.

Under the EI program in 2016, compassionate care leave was increased to 26 weeks, from 6 weeks. The extension of weeks of income support is vital to women workers who still bear the majority of care for a sick and/or injured child or adult. However, the EI program offers sickness benefits to people unable to work because of illness, injury, or quarantine for only 15 weeks, with no provisions for workers with episodic or long-term illnesses.

Domestic Violence Leave

Domestic violence is not just a personal issue but extends to the workplace. The cost to domestic violence is tremendous for individuals and families. In Canada, direct and indirect costs to employers is estimated to be \$77.9 million annually.²⁰

The Canadian Labour Congress and Western University 2014 survey found that more than 80% of survivors reported that domestic violence negatively affected their job performance and 53% said they experienced violence at or near their workplace. Forty percent of those affected by domestic violence were prevented from getting to work and 8.5% lost their job.

Most women living in violent relationships experience some form of financial control and monitoring by their partners. If taking domestic violence leave results in the reduction of a paycheque, the unintended result of unpaid leave might be the escalation of violence and risk. If women are trying to leave, they will need financial security, particularly if they need to sort out new living arrangements, legal expenses, counselling or other costs.

Economic security helps give workers who experience domestic violence the stability they need to leave a violent relationship. Canada's unions have called on the federal government, and every province and territory, to legislate paid leave for those experiencing domestic violence. Several provincial and territorial

²⁰ Zhang, Ting, Josh Hoddenbagh, Susan McDonald, & Katie Scrim. 2012. [An Estimation of the Economic Impact of Spousal Violence in Canada, 2009](#). Department of Justice Canada, Research and Statistics Division.

governments have risen to the challenge. In December 2018, the federal government passed legislation to allow the first 5 days of paid leave for victims of family violence after 3 months of continuous employment (the effective date has not been determined yet).

Training

The federal government introduced a new Canada Training Benefit that would give workers money to help pay for training, provide income support during training, and offer job protection so that workers can take the time they need to keep their skills relevant and in-demand. The three new components of the Canada Training Benefit include:

- A non-taxable Canada Training Credit, for eligible workers between the ages of 25 and 64, would accumulate a credit balance at a rate of \$250 per year, up to a lifetime limit of \$5,000;
- An Employment Insurance Training Support Benefit at a replacement rate of 55% for eligible workers; and
- Job protected leave provisions from work for training, knowing that they will have a job to come back to when their training is done.

The government has not prioritized broad access to training opportunities for women and groups with fewer opportunities, including youth, lower skilled workers, workers with disabilities, racialized workers and newcomers to Canada. By restricting the Canada Training Credit to 50% of tuition fees and providing a meagre EI Training Support Benefit with a 600-hours eligibility requirement, the government has limited uptake by women, especially low-wage workers to upgrade and acquire portable skills.

To make this opportunity more effective, the new EI Training Support Benefit period should be expanded to allow for acquiring certifiable and transferable credentials. As well, the replacement rate for the EI training support benefit should be set at 85% of average weekly earnings, rather than the proposed 55%.

Canada Pension Plan

The Canada Pension Plan (CPP) is a public pension plan based on contributions from workers and employers. The CPP provides contributors and their families with partial replacement of earnings in the event of retirement, disability or death.

With an earnings gap, more precarious employment and fewer hours of work than men, women's contribution to CPP is less, resulting in lower CPP benefits.

Promising Practices Emerging from Canada

Promising Practices Emerging From Canada

- What are the promising practices emerging from your country to ensure the realization of women's rights to work and women's rights at work, in the context of technological and demographic change, as well as continuing globalization and the shift towards sustainability? (laws; economic, labour market and social policies; programmes).

Pay Equity Act (2018)

The purpose of the *Pay Equity Act* is to achieve pay equity through proactive means of redressing the systemic gender-based discrimination in the compensation practices and systems of employers, experienced by employees who occupy positions in predominantly female job classes so that they receive equal compensation for work of equal value. The Act applies to federally regulated workplaces, including the federal private sector, the federal public service, Parliamentary workplaces and Ministers' offices.

Accessible Canada Act (2019)

The goal of the *Accessible Canada Act* is to create a barrier-free Canada through the proactive identification, removal and prevention of barriers to accessibility wherever Canadians interact with areas under federal jurisdiction. This Act will also put in place compliance and enforcement measures, and a complaints mechanism. The Act applies to the Government of Canada and sectors within the federal jurisdiction, such as banking, telecommunications and transportation industries. The areas of employment are specified in the Act.

Canada Labour Code Legislated Changes

Changes to modernize the federal labour standards are set out in Part III of the *Canada Labour Code*. A number of amendments and new standards come into force on September 1, 2019, including:

- Leaves: Workers are entitled to medical leaves, family violence leaves, court or jury duty leaves, and personal responsibilities leaves. Workers will no longer need to complete at least six months of continuous service before being entitled to maternity leave, parental leave, critical illness leave, leave related to the death or disappearance of a child, and general holiday pay;

- Scheduling and hours of work: Workers are entitled to various provisions for rest periods, including unpaid breaks for breastfeeding, pumping breastmilk or for medical reasons, and advance written notice of work schedules and changes; and
- Vacation pay: Sets out minimum vacation entitlements.

Other changes that will come into force at a later date:

- Domestic violence leave: The first five days of leave for victims of family violence will now be paid after three months of continuous employment.
- Personal leave: Five days of personal leave, with the first three days being paid after three months of continuous employment, including for:
 - Carrying out responsibilities related to the health or care of any family members;
 - Carrying out responsibilities related to the education of family members who are under the age of 18 years; and
 - Addressing any urgent family matter.

Pay Transparency Measures

The government is currently reviewing the Employment Equity Regulations that apply to federally regulated employers, and the introduction of pay transparency measures in these regulations as a means of addressing the gender wage gap.

Technology

Specific questions

Technology

- How is technological change impacting on women's experiences of work in your national context? (e.g. increasing access to ICTs, robotics, machine learning, automation)
 - What are some of the good practices for supporting women to benefit equally from technological advances? (*laws, economic and social policies, institutional measures, regulation, actions by employers*)

Advanced technological change, such as machine learning, robotics and advanced automation, is anticipated to change the world of work greatly in Canada. It is

estimated that 46% of work activities in jobs, or an equivalent of 7.7 million jobs across all industries, have the potential to being automated in Canada.²¹

Another study estimated that 54% of jobs or 3.4 million jobs that have a high degree of risk of being automated are held by women.²² Automation and technology will replace many jobs that are repetitive and task-oriented. It is suggested that less replicable skillsets, including critical thinking, writing, social interactions and problem-solving that women have, will serve them well in the world of work in the future. The key is to transform these skills through training and re-skilling to weather the disruption and transition to new types of jobs in the future.

Women will be very impacted by the advancing wave of technological changes in the future of their work. The need for training to transition through the technological disruption is not adequately available. The new Canada Training Benefit, discussed above, is based on qualifying under the EI program that requires 600 insurable hours. This training benefit will be very inaccessible for women with jobs that do not provide enough insurable hours or who do not have jobs, and will be left far behind during the technological disruption.

‘Gig’ and ‘On-Demand’ Economy

‘Gig’ and ‘On Demand’ Economy

- How is the rise of more flexible forms of labour, including the ‘gig’ and ‘on demand’ economy impacting on women’s experiences of work in your national context?
 - What are the implications for job security for increased flexibility and women’s caring responsibilities, and for harassment and violence?
 - Which groups of women are most likely to be impacted by this type of work?
 - What are some of the good practices for ensuring access to social protection for women in informal and ‘on demand’ work? (*laws, economic and social policies, institutional measures, regulation, actions by employers*)
 - What are the good practices for women’s collective organising in the context of more flexible forms of labour?

The gig and on-demand economy are part of the ongoing “race to the bottom” relying on a supply of workers who are vulnerable due to underrepresentation, and

²¹ Lamb, Creig & Matt Lo. June 2017. [Automation Across the Nation: Understanding the potential impacts of technological trends across Canada](#). Brookfield Institute.

²² Desjardins, Dawn & Andrew Agopsowicz. 2019. [Advantage women: how an automated future could play to women’s strengths](#). RBC Economics.

with poor labour force outcomes, including for women and especially those with intersecting social factors.

Gig and on-demand workers are paid for work activities and not jobs, employment risks are downloaded from employer to workers, wages are low, labour rights and employment standards are eroded, and workplace health and safety are diminished.

There is not a lot of information on the gig and on-demand economy in Canada, although work is underway by Statistics Canada to try to capture this information.

Women face many systemic and structural barriers in the labour force, and their share of part-time as well as temporary work is higher than men's. Women's share is anticipated to be substantial as well in the gig and on-demand economy.

The unpredictable nature of on-demand jobs amplifies the issue of child care for many women when they get the call to go in for work.

In Canada, the online gig economy is growing, where workers can access digital work websites to find digital work from anywhere in the world. Like any gig work, there is little to no regulation of labour standards, nor work-related or social protections.

Such is the case with digital platform businesses, like Uber, Lyft and SkipTheDishes, where there is a misclassification of employees as "independent contractors," so that employers can bypass existing employment laws and standards.

The gig and on-demand jobs may give women more flexibility, but it mostly disadvantages them more by capitalizing on existing inequalities and will further aggravate labour force gaps. The impact of gig and on-demand jobs for women impacts their social and economic well-being, leaving them poorer, with more job insecurity, less workplace and social protections, and poorer working conditions.

Demographic Change

Demographic change

- How is demographic change in your national context impacting on women's experience of work?
 - What are the implications of an ageing population and of the 'youth bulge'?
 - What economic and social policies are needed to ensure that the growth in the care sector creates decent work opportunities for women? What are some emerging promising practices? (*laws, economic and social policies, institutional measures, regulation, actions by employers*).

In 2014, Canadians aged 65 or over represented 15.6% of Canada's population; by 2030 it is estimated to rise to 23%.

The rapidly aging population means that demands for caregiving are growing. Without a significant investment in our already-stretched public care services, women will be left to pick up the slack.

Both governments and employers need to be willing to break down the barriers that keep women from work, and to make investments to help address one of the biggest challenges: unpaid care and household work.

Gender equality at work means fair wages and working conditions in all job categories and classes. It means a liveable wage and access to comprehensive benefits and leaves, regardless of whether a worker is full-time or part-time, hourly or salaried, permanent or temporary. It means opportunities for advancement and fair hiring policies. And it means control over one's schedule, and workplace policies that help workers meet their family responsibilities.

Change must begin at the lowest levels of the company's job categories and pay scales—it will not trickle down from the top.

Governments can use employment standards to help promote gender equality and fair work for all workers, and ensure that labour legislation respects, protects and promotes the right to organize and bargain collectively.

The federal government must address the care crisis and the changing world of work by building and growing the care sector with good jobs that do not rely on women's unpaid or under-paid work.

Transition to Sustainability

Transition to sustainability

- What measures are necessary to ensure that women benefit equally from the transition to sustainability in your national context? What are some of the promising practices to ensure that green jobs do not replicate existing gender inequalities in other sectors (e.g. occupational segregation, gender pay gap)?

Canada's unions are calling for a just transition to a green economy that leaves no one behind. Climate change is unique in terms of transition because some workers will not only lose their jobs but also their vocation, given that new available jobs might not be in the same occupation or sector, or require the same skills. The key to Canada's future prosperity lies in investment in the creation of green jobs, while offering as many options as possible so workers and their families have a better future.

The government's new Canada Training Benefit needs to prioritize women, especially those with other intersecting social factors such as immigrant and Indigenous women, racialized and Black women, LGBTQ2SI, and women with disabilities. The Canada Training Benefit needs to extend training time, leaves and replacement income, especially for low-wage workers to upgrade and acquire portable skills for green jobs.

In preparing for sustainability of the green economy, more trade workers are needed. Currently in Canada, women—especially immigrant and racialized women—are very underrepresented in the trades and as apprentices.

Women only made up 13.7% of apprentices, while they are about half of the total population.²³ There is a huge gap for women in apprenticeship and in working in male-dominated trades. Priority is needed to increase women's labour force participation in male-dominated trades to increase the supply of tradespeople needed for a green economy, the diversity of the trades workforce and to improving women's wages.

Women have many of the skills needed for future jobs²⁴ and need the supports in training and re-skilling to be a robust part of the future labour force for a green economy. Inequalities women currently face in the world of work are systemic and

²³ Frank, Kristyn and Emily Jovic. March 29, 2017. [National Apprenticeship Survey: Canada Overview Report 2015](#). Statistics Canada.

²⁴ Desjardins, Dawn & Andrew Agopsowicz. 2019. [Advantage women: how an automated future could play to women's strengths](#). RBC Economics.

structured. In fully advancing forward to a green future accompanied by great technological change, these inequalities must be thoroughly addressed.

Increasing women's labour force participation by three percent, employment in high productivity sectors such as advanced technology jobs, and work time by 50 minutes a week is estimated to add \$150 billion to the GDP by 2026.²⁵



²⁵ Devillard, Sandrine, et al. June 2017. [*The power of parity: Advancing women's equality in Canada.*](#) McKinsey and Company