

Committee on the Application of Standards

Date: 22 May 2024

Governments appearing on the preliminary list of individual cases have the opportunity, if they so wish, to supply on a purely voluntary basis, written information before 20 May 2024.

► Information on the application of ratified Conventions supplied by governments on the preliminary list of individual cases

Canada (ratification: 1964)

Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

The Government has provided the following written information.

Canada is a federated State in which authority over labour and social matters is divided under the Canadian Constitution between 14 separate governments: one federal, ten provincial and three territorial, each with the exclusive right to enact and implement laws, regulations, policies and programmes within their respective jurisdictions.

Article 1(1)(a). Discrimination on the grounds of political opinion and social origin

The federal government takes note of the Expert's comments concerning amendments to the Canadian Human Rights Act (CHRA) and will continue to take them under advisement.

To note, the Canadian Charter of Rights and Freedoms guarantees all Canadians freedom of thought, belief, opinion and expression (s. 2(b)). This freedom must be respected by the federal, provincial, and territorial legislatures and governments.

All 13 provinces and territories currently have in their human rights legislation prohibited grounds of discrimination that relate to economic or social disadvantage, including references to social condition/origin, social disadvantage, source of income or receipt of public assistance. Eight jurisdictions have listed a ground that touches on political belief, opinion or conviction, and/or political activity, association or affiliation.

Article 2. National equality policy

As a federated state, Federal-Provincial-Territorial (FPT) governments each have the exclusive authority to regulate labour and employment matters within their respective jurisdiction. Nevertheless, Canada's FPT governments attach importance to cooperating with each other, as well as with employers' and workers' organizations, to develop effective and coherent policies across the country to ensure equality in employment and occupation.

In a long-standing forum (since 1938) known as the Canadian Association of Administrators of Labour Legislation (CAALL), deputy ministers for FPT departments and agencies responsible for labour matters meet in person annually and speak via videoconference other times each year. FPT Ministers responsible for labour also meet on an annual basis through CAALL. During these meetings, matters related to equality in employment have been considered, with input from Canadian workers' and/or employers' organizations, leading to concrete actions taken to advance equality at work across Canada. For example:

- During the April 2024 CAALL FPT Ministers meeting, the British Columbia Building Trades presented to Ministers on the challenges workers face with regard to personal protective equipment (PPE) in the workplace, including ill-fitting PPE, especially for women, noting that these challenges present serious dangers on worksites and serve as barriers to the inclusion of women in the trades and other sectors. FPT Ministers agreed to collectively do more work in this area, including raising the issue directly with PPE manufacturers and convening a meeting of stakeholders to decide on next steps.
- During the April 2023 CAALL FPT Ministers meeting, the Canada Labour Congress and the University of Western Ontario presented to Ministers the results of recent research on violence and harassment in the workplace, highlighting the need for (among other things) prevention strategies that better acknowledge and address the disproportionate impacts on women and gender-diverse workers and those who face multiple and intersecting forms of discrimination at work. An engaged discussion followed during which Ministers committed to continue seeking ways to better prevent and address workplace harassment and violence, and FPT officials are developing a resource for the sharing of best practices across Canadian jurisdictions.

FPT Ministers responsible for the Status of Women also meet annually to review Gender Results Framework (GRF) performance indicators related to employment equity (namely, labour market participation rates, gender balance across occupations, gender pay gap and so on), and share information about FPT programmes and initiatives that are successful in advancing equity. FPT collaboration in this context, following public consultation with stakeholders, also led to the development and endorsement (in 2022) of a ten-year National Action Plan to End Gender-Based Violence (GBV), which includes (among other things) a focus on preventing and addressing GBV at work to ensure women and gender-diverse persons have safe and respectful workplaces free of discrimination.

Another example of collaboration between FPT governments on employment equity issues is in the pay equity context. The federal Pay Equity Act requires the Pay Equity Commissioner to "maintain close liaison with similar bodies or authorities in the provinces in order to coordinate efforts when appropriate".

Articles 2 and 3. Occupational gender segregation

Addressing gender-based occupational segregation and promoting the full and equal participation of women in the economy is a priority of FPT governments across Canada, and several initiatives are in place to promote the access of women, with an emphasis on Black women, to a wider range of employment and training opportunities in areas traditionally dominated by men. Here are but a few examples:

- To increase women's full participation in the workforce, Budget 2024 announced further investments into the existing Canada-wide Early Learning and Childcare Plan. This initiative addresses gender-based occupational segregation by ensuring affordable childcare across

Canada and helping to increase the participation of parents, especially mothers, in the workforce. For example, with support from the federal government, British Columbia has significantly improved access to childcare in recent years through ChildCareBC fee reductions and implementation of the \$10-a-day programme.

- To address gender-based occupational segregation in areas traditionally dominated by men, the federal government is investing up to \$41.6 million over four years, beginning in 2023–24, in the Canadian Apprenticeship Strategy's Women in Skilled Trades Initiative to support projects that aim to recruit and retain women apprentices in 39 eligible Red Seal trades found predominantly in the construction and manufacturing sectors. Approximately 10,500 women are anticipated to benefit from this investment. Preliminary results will be published in the fall of 2024. This new investment is a continuation of past government support for women in the skilled trades and builds on the success of previous measures such as the Apprenticeship Incentive Grant for Women and the Women in Construction Fund.
- In July 2023, British Columbia announced \$1 million for the BC Centre for Women in the Trades to support and increase the number of women in industrial trades, and to expand and enhance its inclusivity-based workplace training.
- In the Northwest Territories (NWT), the Trade and Occupation Wage Subsidy Program provides financial support to employers to hire and train skilled apprentices and occupation trainees. One objective of the programme is to encourage employers to hire women in non-traditional trades.
- The NWT's Skills Development Program provides support for eligible individuals to participate in short-term training opportunities for up to 52 weeks to upgrade or develop essential employability skills. As for client eligibility, priority is given to unemployed individuals including but not limited to income assistance recipients, indigenous peoples, persons with disabilities, older workers, youth, women, and new entrants and re-entrants to the labour market.
- In September 2022, Ontario announced a \$6.9 million investment over three years to enhance the Investing in Women's Futures (IWF) programme that enables organizations to provide a range of services, including gender-based violence supports, life skills and employment training opportunities for women who experience social and economic barriers. As of April 2023, the IWF programme is available at 33 locations across Ontario.
- To improve the participation rate of women in the construction industry (in which they are traditionally underrepresented), Ontario is undertaking efforts to establish women-friendly job sites, including by requiring women's-only washrooms on larger construction sites and ensuring women have properly fitting safety gear.
- In June 2023, the Ontario government announced a \$1.3 million investment to prepare 54 women, newcomers and others from underrepresented groups for in-demand careers in the trucking industry. To improve the participation rate of women in the trucking industry, the programme will reimburse up to \$4,500 for childcare and other living expenses.
- Since June 2022, Alberta has implemented initiatives to support women in pursuing careers in STEM (Science, Technology, Engineering and Mathematics) for example, through comprehensive Kindergarten to Grade 12 curricula that emphasize hands-on learning and practical applications in science and mathematics. Additionally, partnerships with organizations like Shad Canada and the implementation of recommendations from the Career Education Task Force ensure equitable access to STEM opportunities for women.

- In March 2024, Quebec announced nearly \$3 million in financial assistance to support the implementation of 18 projects that leverage partner expertise to carry out priority actions under the 2022–27 Government Strategy for Gender Equality. Some actions targeted by the project include increasing the presence of women in the trades and occupations with a promising future and in the construction industry; recognize the value of female-dominated jobs; and inform immigrant women about their rights and provide tools to support them.
- Manitoba's Leaders in Training Program was created to proactively recruit and develop individuals interested in pursuing a leadership role in Manitoba public service. The 2024 recruitment into the internship programme shows that Afro-Canadians accounts for over 61 per cent of the new recruits. In addition, Manitoba's Career Gateway Program was set up to specifically recruit Indigenous, visible minorities and persons with disabilities. Of the 749 participants of the Career Gateway Program in 2023, 272 were visible minorities group members. Ninety per cent of these visible minorities' participants were eventually hired into the government, making 44 per cent of all the total new recruits.
- Canada has also made transformative investments to empower Black communities, including Black women, across the country. In 2018, the Government of Canada endorsed the United Nations (UN) International Decade for People of African Descent, which runs from 2015 to 2024. The Government recently announced an extension to its efforts under the Decade until 2028.
- Since 2019, the Government of Canada has invested in more than 2,300 projects through the Supporting Black Canadian Communities Initiative to celebrate, share knowledge, and build capacity for Black communities in Canada. In 2023, the Government of Canada selected the Foundation for Black Communities to manage the Black-led Philanthropic Endowment Fund. The Fund will provide long-term, sustainable funding to charities and non-profit organizations to help fight anti-Black racism and improve social and economic well-being in predominantly Black communities. Many of these projects support organizations providing employment and training services to Black women across Canada. In addition, the Black Entrepreneurship Program helps thousands of Black Canadian business owners and entrepreneurs start up, scale up, and succeed.
- To further address structural barriers and ensure all employees' participation at work, including gender-diverse employees, in December 2023 the Government of Canada introduced regulations requiring employers to provide menstrual products in each federally regulated toilet room, regardless of their marked gender. Unrestricted access to menstrual products can better protect the physical and psychological health and safety risks for menstruating employees, helping to reduce barriers at work.