

(Standards) Code to provide for three weeks' annual vacation after three years of service for all workers, in addition to the statutory holidays to which everyone in the federal government's employ is entitled, be referred to the Standing Committee on Labour, Manpower and Immigration which would study the bill and decide on whatever recommendation the committee would wish to make to Parliament.

I cannot help but commend the hon. member for his persistence in introducing measures year after year to give workers additional time for leisure and recreation. I am sure all hon. members are genuinely sympathetic to the objective that Bill C-41 seeks to achieve. A similar bill to this has been introduced by the hon. member for Winnipeg North Centre (Mr. Knowles) on several occasions, as he intimated in his remarks, and in each case Parliament did not see the immediate need for such a measure when more pressing needs were awaiting government legislation.

While the principle of the bill may draw some sympathy, the proposed standard in Bill C-41 is three weeks' holiday with pay after only three years' service. It is, to a great extent, unusually ahead of current practice in government and industry generally. A recent survey of conditions indicates that in industries in the federal jurisdiction only 12 per cent of the non-office employees surveyed worked in establishments where three weeks' vacation with pay was granted after less than ten years' service. The proportion working in establishments where three weeks' vacation was granted after less than ten years was about 15 per cent.

In the booklet "Labour Standards in Canada" issued by the Department of Labour, and dated December, 1965, there is listed at page 50 vacation periods and the vacation pay requirements in the various provinces. I should like to quote from that page. In the federal service the length of annual vacation is two weeks or vacation pay amounting to 4 per cent of annual earnings. In Nova Scotia it is one week or 2 per cent of annual earnings; New Brunswick, one week or 2 per cent of annual earnings; Quebec, one week's regular pay if paid by the week or longer period, otherwise 2 per cent of annual earnings; in Ontario, one week or 2 per cent of annual earnings or 4 per cent, as the case may be, in the event of there being more than three or four years' service; Manitoba, two weeks' regular pay; Saskatchewan, two weeks or three weeks after five years' service. In Alberta it is two weeks' regular pay, and in British Columbia it is two weeks or 4 per cent of annual earnings. On page 50 we also find this passage:

● (4:10 p.m.)

In Quebec, if a worker has worked less than a year, he is entitled to a half-day of vacation for each calendar month of employment; in Saskatchewan, a worker with less than a year's service with his employer may be given one day of vacation for each month.

These changes were effective July 1, 1966. Saskatchewan is the only province with legislation to provide three weeks' vacation with pay, but after five years of service. Having regard to all the circumstances surrounding the

Canada Labour (Standards) Code

numerous difficulties arising in applying this bill, if passed, to the small businesses employing only a few persons, I wonder whether it would not be better to leave the question of three weeks' vacation with pay to the bargaining table and the collective agreement rather than imposing a law which would in some cases work hardship.

Annual vacations with pay have been provided for by law in industries subject to federal labour jurisdiction since 1958. The first federal law, the Annual Vacations Act, required employers within its scope to grant their employees one week's paid vacation after one year of employment, and two weeks after two years' service. This act was replaced by part III of the Canada Labour (Standards) Code. The code provides for vacation with pay of at least two weeks after every completed year of employment. Vacation pay is 4 per cent of wages for the year in which employees establish their claim to a vacation. A year of employment, under the federal law, must be continuous with one employer and may be a 12-month period commencing with the day the employee began to work for the employer or any subsequent anniversary of that date; or it may be a calendar year or another year approved by the Minister of Labour.

The Canada Labour (Standards) Code applies to industries within federal jurisdiction, and the only employees excluded are those who are managers, superintendents or persons who exercise management functions, members of the medical, dental, architectural, engineering and legal professions. The provincial laws govern employees in employment within the jurisdiction of the province, with the exception of the classes of the following employees. Farm workers are excluded in all provinces. Also excluded are persons employed in horticulture in British Columbia, in growing flowers, fruits or vegetables in Ontario, and in ranching and market gardening in Manitoba and Saskatchewan. Domestic servants are exempted in all provinces but Manitoba and Saskatchewan. Professional workers are excluded in British Columbia and Ontario, employees of municipal and school corporations in Quebec, and members of family undertakings in Saskatchewan. Salesmen are excluded in Alberta, Ontario and Quebec, but in Quebec the exclusion is limited to those with less than three months' service and those who work for two or more employers at the same time.

Part-time workers employed four hours or less a day, or 24 hours or less a week, are not covered in New Brunswick. Those working three hours or less a day are excluded in Quebec, and those employed for eight hours or less a week are exempted from the Alberta legislation. In addition to the groups already mentioned, excepted are workers employed in lumbering and commercial fishing in Nova Scotia, persons engaged in funeral directing and embalming in Ontario, and apartment house janitors, caretakers provided with free lodgings and home-workers in Quebec. The large group of workers governed by decrees under the Collective Agreement Act are also outside the scope of the Quebec vacation legislation. Workers governed by a collective agreement in British Columbia are exempted from the act if the Minister of