

*Private Members' Business*

If we could take a look more specifically at what the member for Abitibi is asking and see whether he could outline to the members of both the Liberal Party and the NDP how this would be structured, we would be more than willing to participate in looking at some improvements to the Canada Labour Code.

**Mr. Ken James (Parliamentary Secretary to Minister of Labour):** Mr. Speaker, I would like to begin by thanking my colleague, the hon. member for Abitibi, for his initiative in putting forward this important motion. I can assure him, and the House, that I fully support the spirit in which it is proposed.

As we all know, in recent years women have entered the work force in ever increasing numbers. Their contribution to society and to the economy has certainly been enormous. At the same time, we cannot neglect their contribution made as mothers of the next generation. Women's responsibilities to their families are just as important as their responsibilities to their employers.

• (1720)

Many recent initiatives of Labour Canada are intended to help workers, both men and women, balance their responsibilities at work and in the home. Most notable, perhaps, are the 1986 amendments to the Canada Labour Code which, among other things, extended the periods of leave for maternity and for child care. A further example of the study recently prepared by the Women's Bureau of Labour Canada, concerning leave for employees with family responsibilities. Another study by the women's bureau deals with workplace day care centres.

So Labour Canada is continually seeking ways to support workers in fulfilling their family responsibilities while continuing to contribute to the national economy at work.

Much has been done, but as my colleague has pointed out, more remains to be done. The Canada Labour Code currently provides a number of projections for pregnant workers. But further improvements may well be introduced in the future. I know the minister is open to suggestions and the current motion is an example of the kind of suggestion that he welcomes.

As we all know, many women go on working well into their pregnancies and return to work soon after giving birth. Not so many years ago, it was common for employers, as was mentioned by my hon. colleague across the way, to lay off workers who became pregnant, or forced them to take unpaid leave. For some reason it was considered inappropriate to have pregnant workers in the workplace. Of course, this situation caused needless hardship for women who lost their pay cheques just at the time they needed to save and have money. It also caused undue stress for women who felt forced to hide their condition from their employers in order to avoid losing their jobs.

For these reasons the Canada Labour Code prohibits the arbitrary lay-off of workers simply because they are pregnant. The law upholds a pregnant woman's right to continue working unless her employer can demonstrate that she is unable to perform an essential function of her job.

Pregnancy is not an illness. In most cases it does not affect a woman's ability to continue doing her job right up until the time that she decides she is ready to take maternity leave. The Canada Labour Code protects the rights of the majority of pregnant workers to decide when to take their leave.

Moreover, the law provides for the continuation of job benefits for women on maternity leave who have completed six months' service with their employer. Pension and health benefits continue on the same basis as when the worker was on the job. Seniority continues to accumulate. In addition, the worker has a right to receive notice of job and training opportunities that arise during her absence. She is entitled to return to the same job, or at least a comparable job at the same level, upon completion of her leave.

I should add that these same provisions apply to workers, both men and women, who take parental leave to take care of a newborn child, or a newly adopted child. A further provision enables these workers to receive income replacement through the unemployment insurance program. Many employers, recognizing the value to their organization of productive workers, voluntarily supplement these unemployment insurance payments, so that their employees do not suffer financially from taking maternity or parental leave.