

Private Members' Business

ic. She could suddenly find herself without a job if an employer was not sympathetic towards her.

So, in Canada, we must have an act to protect the worker who is in such a situation.

[*English*]

Mrs. Edna Anderson (Simcoe Centre): Mr. Speaker, I am pleased to be able to speak today on this motion which touches on two issues I care deeply about: human rights and economic productivity.

First, this is a human rights matter because the added support for pregnant workers that the motion proposes would have the effect of defending women's right to equal opportunity at work. Our Charter of Rights and Freedoms and other human rights legislation have established that special benefits for pregnant women do not constitute unequal treatment. In fact, such special benefits may be necessary to ensure that women are not discriminated against, even unintentionally, because they are pregnant.

Second, this motion, if acted upon, helps to remove some of the stresses on pregnant workers that would otherwise interfere with their productivity at work. I hardly need to remind the House how important worker productivity is to the economic health of Canada in an age of increasing competitive global markets.

One of Canada's great advantages in those competitive markets is its well-educated, healthy, highly motivated work force. As we will know, a significant and growing part of that work force consists of women of childbearing age.

Women now represent 44 per cent of the country's labour force. That means that virtually every Canadian industry, office, hospital and assembly line depend on women to get the job done. Increasingly, women occupy responsible, essential positions in management, the trades and in the professions. Gone are the days when a woman could simply be sent home if she became pregnant.

Labour unions have led the way through collective bargaining in winning protection for their members from such arbitrary treatment. Today, the Canadian Labour Code provides for maternity and child care leave as basic labour standards available throughout the federal jurisdiction.

Nowadays, enlightened employers value the women who work for them and do whatever is necessary to retain them as productive employees. If this means offering generous benefit packages, including maternity leave and extended child care leave, most employers recognize that the cost of such benefits is small compared with the economic benefits they bring.

The additional leave provisions envisioned by this motion could easily be accommodated at very little expense to the economy. As I have said, the result would be the full recognition of an important human right: the right to equality of opportunity in the workplace.

A provision allowing for precautionary withdrawal for pregnant workers would, in the first place, apply only to the relatively few cases where a woman experiences medical complications during pregnancy or where a normal condition of her work causes abnormal difficulties for risks.

The latter condition might arise in a number of professions. A pregnant worker might be concerned about the effect of heavy lifting or the effect of prolonged standing. A laboratory technician may be concerned in her especially vulnerable condition that normal occupational exposures might pose an unusual risk to her or her child. In any one of these cases some form of precautionary withdrawal, either reassignment or leave, would go a long way toward relieving a woman's concerns.

• (1750)

I do not wish in any way to prejudice the results of the consultations with employer and employee groups, which as the parliamentary secretary has said, are currently under way. Here is one way I think the matter could be dealt with through an amendment to the Labour Standards section of the Canada Labour Code.

An amendment might be introduced that would mirror the already existing provision in Part III of the Code which allows an employer to require a pregnant employee to take leave or be reassigned if she is unable to do an essential function of her job. But the new provision would allow the worker to initiate such an action by presenting a doctor's certificate that states there is a medical reason for concern.

Upon presentation of this medical certificate the employer would be obliged, if possible, either to modify the work environment to eliminate the risk or to reassign the pregnant worker to another job. The employee would be entitled to leave with full job protection and