

*Private Members' Business*

ary withdrawal. The woman in question could only be granted leave without pay.

When I reached my office Saturday morning and read the file, I realized that this pregnant worker was employed by a federally regulated bus company, and that as part of her day's work, she would lift parcels that might be as heavy as 70 pounds each. I immediately wrote to several ministers, including the Minister of Labour and the Attorney General of Canada, to find out what the situation was and why there was no provision in the Canada Labour Code for paid leave for pregnant workers on the basis of precautionary withdrawal, a provision that does exist in Quebec.

On January 17, I received a fairly quick answer to my letter of December 12, sent just before the holidays. The Minister of Labour, Mr. Jean Corbeil, wrote: "I am aware of the apparent discrepancy with respect to pregnant workers who are employed by federally regulated businesses in Quebec, who are denied compensation for precautionary withdrawal by the *Commission de la santé et de la sécurité du travail*". The minister also said: "Part III of the Canada Labour Code contains certain provisions to protect pregnant workers employed by federal businesses. The Code protects them against termination of employment or other disciplinary measures on the grounds of absence due to parental leave or illness. The employer must continue payment of the usual social premiums during parental leave or absence due to illness. However, if a pregnant employee is no longer able to perform the essential duties of her position and no other appropriate position is available, the employer may order her to take maternity leave. I can assure you that the issue of precautionary withdrawal of pregnant workers will be considered as part of a review of the Canada Labour Code".

I also received a letter from the Attorney General of Canada, the Hon. Kim Campbell, who said: "I will keep you informed of any changes in this respect when the Code is reviewed".

As the elected representative of the people of the vast riding of Abitibi, I never take any chances on an issue that is so important to the women in our area. On May 17, I tabled a petition in the House of Commons, with 35

signatures, which reads as follows: "The Canada Labour Code must observe the principle set forth in the Canadian Charter of Rights and Freedoms, and is thus supposed to protect the rights of women. The regulations on compensation for pregnant women do not consider all the demands of the workplace. The option of preventive withdrawal from the workplace for pregnant women is one that is both desirable and necessary for women working outside the home." The petitioners, from Senneterre and Val d'Or, humbly prayed and called upon Parliament to give serious consideration to the shortcomings of the legislation when the Canada Labour Code was reviewed and to recognize the need for including provisions in the Code concerning the preventive withdrawal of pregnant women from the workplace.

A petition always gets an answer from the minister. That is a very important point. Some members forget to present a petition, and it just stays there on the table or on the shelf. However, every petition tabled by a member of Parliament gets an answer from the minister—it is his duty—within a reasonable period of time. In his reply, Hon. Jean Corbeil stated:

The protection of pregnant women against the hazards in the workplace is assured, to a certain extent, by the general terms and holidays provided under Parts II and III of the Canada Labour Code.

As far as the reassignment of pregnant women and their preventive removal from the workplace is concerned, it is an issue which will be examined and dealt with alongside several others, within the framework of any legislative review of the Code, with both the representatives of the employers and employees under federal jurisdiction being present.

On or about May 22nd, I informed the media and constituents in my riding in a press release which reads as follows:

When a woman is expecting, the least of her worries should be the security of her job, just the same, in spite of a specific federal legislation dealing with maternity leave, she can only obtain leave without pay if she is compelled to ask for preventive removal.

And further:

I suggest that the Labour Code should not violate the principles in the Canadian Charter of Rights and Freedoms and it is therefore supposed to protect women's rights. The rules dealing with pregnant women's compensation do not take into account all the requirements of the labour market and the possibility of preventive removal for pregnant women is a desirable and necessary option for women in the labour force.