

individual and not on whether he is a married man with a family or is a bachelor.

It is well known that many of our working women are widows with children to support and educate, and unmarried women who support aged parents, for it is traditional in our country that the unmarried daughter assumes the support of needy parents. That happens many, many times. Now, the taxes paid by such women are certainly no lower because the taxpayers are women. Groceries, shelter and clothing, which they have to buy, cost them no less than the same things bought by men. The cost of educating children are not less for a mother than for a father. Why then should a woman who works for money to pay for these necessities get less for her work than a man does if she is doing the same work?

It has been said to me, even within the walls of this building, that if women and men are to receive equal pay it would work to the detriment of women, because under these circumstances an employer will always choose a man. Honourable senators, I do not believe this; and in any case women are quite willing to take that chance. I would point out that in the large number of countries where equal pay legislation has been put into effect no such result has accrued.

Five provinces of Canada have enacted equal pay legislation. Ontario took the lead in 1951, and was followed by Saskatchewan in 1953, British Columbia in 1954, and Manitoba and Nova Scotia in 1956. The Nova Scotia law will not come into force until January 1, 1957.

There have not been many prosecutions as yet under these acts, but there is considerable evidence of acceptance of the principle by employers. I would like to quote a statement of the Deputy Minister of Labour of Ontario, who, in referring to the Ontario act, said:

The Legislature of Ontario, in passing this statute, has established a principle for industry to follow, and it is understood that because of the existence of this legislation adjustments will be made, particularly by some of the larger firms in the province, without recourse to complaints made under the act.

Honourable senators, at last I have come to the provisions of the bill itself. I would point out that it applies to all the "works, business and undertakings" which, under the provisions of the British North America Act, are within the jurisdiction of the federal Parliament to legislate upon, including crown companies. The employees affected include those employed in telegraphy, broadcasting, transport, Canadian National hotels, banks, telephone companies, federal crown companies such as Canadian Arsenals and

Polymer, and by the railroads. It does not only apply to civil servants, because most of them are engaged through the Civil Service Commission, and it is established policy in the civil service to pay the same scale to both men and women according to their job classification.

Section 4 contains the basic provision of the bill. It provides that no employer shall employ a woman at a rate of pay less than he pays a man for identical or substantially identical work. It is the "job, duties or services the employees are called upon to perform" that must be considered to determine whether or not the work is identical, or substantially so. If there is a difference in the rates of pay of a man and woman for identical or substantially identical work, and the difference can be shown by the employer to be due to a general rule or personnel practice or any matter such as length of service or seniority which applies to all his employees, regardless of sex, such difference is not to be deemed to be failure to comply with the act. By section 5, an employee who makes a complaint is protected from discharge or from being the subject of any other discrimination.

In the remainder of the bill there is set out the enforcement procedure. It is provided that a woman who considers she has a grievance under the act may make a complaint in writing to the Minister of Labour. The complaint is to be referred to a fair wage officer, who is an official of the department, and who will try to help the parties to understand their positions under the act. The result may be a settlement, either through a wage adjustment or withdrawal of the complaint if it were not justified. This is a provision for voluntary settlement. If the fair wage officer is unable to arrange a voluntary settlement he is to make a report to the minister setting out the facts, with his recommendations. If there is merit in the complaint the minister will appoint a referee, who may or may not be a member of the department, who will make a full inquiry, hear both parties, and decide whether there has been a contravention of the act, and make whatever order is necessary. Such order may require an adjustment of pay for as far back as six months preceding the complaint. Failure to comply with the order is an offence under the act for which penalties are set out.

Although administrative procedure is provided for in the bill, a person who considers herself aggrieved is not precluded from starting court proceedings, if she prefers, but if she has made a complaint to the minister, and administrative proceedings have reached