

*Maternity Leave Act*

sary as these may be. Rather, we must take legislative steps to provide equality of employment where pregnancy is concerned. This is not merely a women's problem. She certainly did not create it by herself. This is not merely an individual's problem. It is a family problem and a community problem, and must be met as such.

● (5:00 p.m.)

The Minister of Labour (Mr. Mackasey) is to be congratulated for having recognized this social responsibility by including provisions to deal with the problem of pregnancy in the new white paper on unemployment insurance. I wish to offer him warm congratulations for it as far as it goes, but I would point out that its proposals fall far short of providing complete maternity leave protection. I will return to that a little later. I surely hope the white paper will come through the labour committee unscathed; we have seen what has happened to other white papers in committees, notably to the white paper of the Minister of Finance (Mr. Benson). We can only hope. This one is running into heavy weather from a number of powerful employer organizations which all believe that motherhood is a very good idea, but not at the expense of the unemployment insurance fund.

In providing protection for women in employment where pregnancy is concerned, we are up against years of basic social organization and assumptions which have built a barrier of discrimination against women in the labour force. According to these traditions, woman's main permanent responsibility is marriage, a family, and taking care of the home. When a woman seeks employment, she is expected at the same time to fulfil her primary responsibilities of home making. Ideally, a woman starting a family has the protection and income of a man to support her during pregnancy, childbirth and early child care. Men are supposed to support their wives and children. Women are supposed to provide care.

Of course, today's facts do not support these suppositions; but myths die slowly—and painfully for women, I may add. Many women today have turned to gainful employment outside the home because their husband's paycheque is insufficient to provide a modern standard of living. Many others are the sole support of their families. It is instructive to note that of all female employees under the Public Service Employment Act, 57.4 per cent have children and 46.3 per cent of these are the sole support of their children. Yet, in spite of these facts, women are treated as though they were temporary accidents in the labour force, and as though, if conditions were sufficiently uncomfortable, they might go away. They are employed in the temporary and lower paid, less skilled positions and are viewed as supplementary employees both by their employers and, I might add, by themselves. Nowhere is this more evident than in the matter of maternity leave in both public and private industry and occupation.

Fortunately, more and more people are coming to realize that women have the right to continue to keep their employment, in the same way as men have that right. The purpose of maternity leave, the purpose of this bill, is to make this right more secure.

[Mrs. MacInnis.]

Some people argue that providing maternity leave legislation discriminates against some employees in favour of others. Such people, perhaps, do not realize that the Public Service Employment Act now provides special benefits for some of its employees, benefits which are not extended to all. These include: special leave, with full pay for an employee who has a death in the family, a serious illness in the family or a family or household emergency; leave with full pay for military reserve force training, attendance at court, veterans' medical treatment or examination, marriage and paternity leave for the father. Surely, no one could claim that such provisions discriminate against those who do not encounter any one of these emergencies. Why, then, should maternity leave be regarded as any more discriminatory than paternity leave?

The provisions of my bill, Mr. Speaker, are quite simple. They provide for seven weeks leave of absence for a woman before the probable date of her confinement. Should the certificate of her doctor recommend more time than that, it can be given. The same length of time can be granted after her confinement but there is nothing to stop the woman from returning to her employment earlier than that should she desire to do so.

These periods before and after the birth of her child are more flexible than those proposed in the white paper, which gives a straight nine weeks before confinement and six weeks after, a total of 15 weeks. My bill would provide greater attention to the needs of the individual woman concerned. My bill states categorically that an employer shall not dismiss an employee for any reason arising out of her maternity leave absence until, and unless, she has been absent for a period of 16 weeks. There is nothing, of course, in the white paper on unemployment insurance to prevent her dismissal for reasons arising from her pregnancy.

The great value of the unemployment insurance proposals is the fact that during her 15 weeks of absence due to pregnancy the woman will receive two-thirds of her previous earnings. I should very much like to have been able to bring in a similar proposal in this bill, but the rules did not permit me to do so. However, I shall content myself with congratulating the minister and supporting his proposal fully.

My bill has two other very important provisions. The first is that the employee's job shall be held open for her should she wish to return to it after the birth of her child at the end of her maternity leave period. The second is that she shall suffer no loss of her seniority rights because of her absence during the maternity leave period.

These are the terms of my bill, which is in line with the International Labour Organization Convention that was passed in 1919 and revised in 1952. That is a convention which, I should point out, we have been unable to sign in Canada because of our peculiar constitutional set-up and because all our provinces are not yet ready to accept it. It is my hope that the federal government, as the largest single employer of labour in this country, will adopt this bill, or at the very least, send its subject matter to the