

Dawn of Tomorrow

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CANADA BEGINS F.E.P. EDUCATION

The Federal Department of Labor, the Department responsible for the administration of Canada's Fair Employment Practices Act has already begun to make its provisions and application widely known throughout Canada. When the legislation was being considered by Parliament, Organized Labor, as represented by the two major Congresses strongly urged upon the Government the necessity and desirability of an educational programme to popularize the legislation and make both its provisions and its purpose widely understood throughout the country. It is apparent that the Department of Labor has taken these representations at their face value and is prepared to carry out such a programme.

The first beginnings of the new administration include the circularization of all employees by letter which was accompanied by a copy of the new act. In addition the Department's regular publication known as "Two minutes of Employment Facts" has devoted the May and June issues to highlighting the new legislation. The following paragraphs are taken from these two issues and indicate not only the broad purposes of the legislation, but how it is to be applied and administered.

On July 1, 1953, the Canada Fair Employment Practices Act came into effect, "to prevent and eliminate practices of discrimination against persons in regard to employment and in regard to membership in a trade union because of race, national origin, colour or religion."

Parliament, in passing the new Act at the session just ended, was translating into law a basic principle of human rights.

As a member of various international organizations, Canada in recent years has subscribed to general declarations of the basic rights and liberties of the individual. Among these declarations of right was one which the new legislation is designed to protect—the right of equality of vocation opportunity.

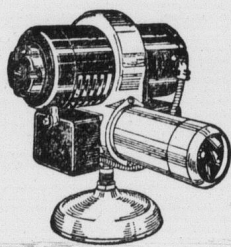
Like other Federal legislation in the labor field, the Act applies only to works and businesses within Federal jurisdiction, but the hope was expressed in Parliament that the legislation would have a far-reaching and healthy influence all across the country.

The new Act applies to employers in essentially the same industries and undertakings as does the Industrial Relations and Disputes Investigation Act. These are the undertakings which are within the legislative jurisdiction of the Parliament of Canada. It applies also to trade unions, to the extent that their operations fall within the authority of the legislation. The Act does not apply to employers of fewer than five employees, and it excludes non-profit educational, fraternal, charitable, religious and social organization. Specifically, the Act applies to such employments as navigation and shipping, railways, canals, telegraphs, aerodromes, aircraft and lines of air transportation, radio broadcasting stations and banks, as well as to works or undertakings that have been declared by the Parliament of Canada to be for the general advantage of Canada. The legislation also applies to Federal Crown Corporations.

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The act states that no employer shall refuse to employ or continue to employ, or otherwise discriminate against any person in regard to employment or any term or condition of employment, because of his race, national origin, colour or religion. Further, an employer is not to use any employment agency which practices discrimination against persons seeking employment.

Employers are not to publish any advertisement relating to employment which expresses directly or indirectly any limitation or preference based on race, national origin, colour or religion, except in cases where the preference or limitation is based on a bona fide occupational

qualification. There are similar provisions against the use of application forms by an employer which express such limitations.

While the Act lays down penalties for acts of discrimination, it is expected that most of the cases that arise will be settled by conciliation, without any need for recourse to the courts. Experience with similar legislation in other places has shown that the existence of the legislation alone is sufficient in many cases to prevent discrimination. Then, too, it is likely that many cases of discrimination or thoughtlessness on the part of one or both of the parties, and that in such cases the complaint can be ironed out without difficulty.

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