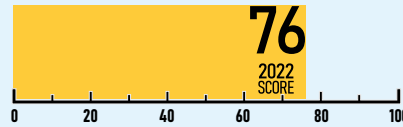




Canada



76  
2020 SCORE

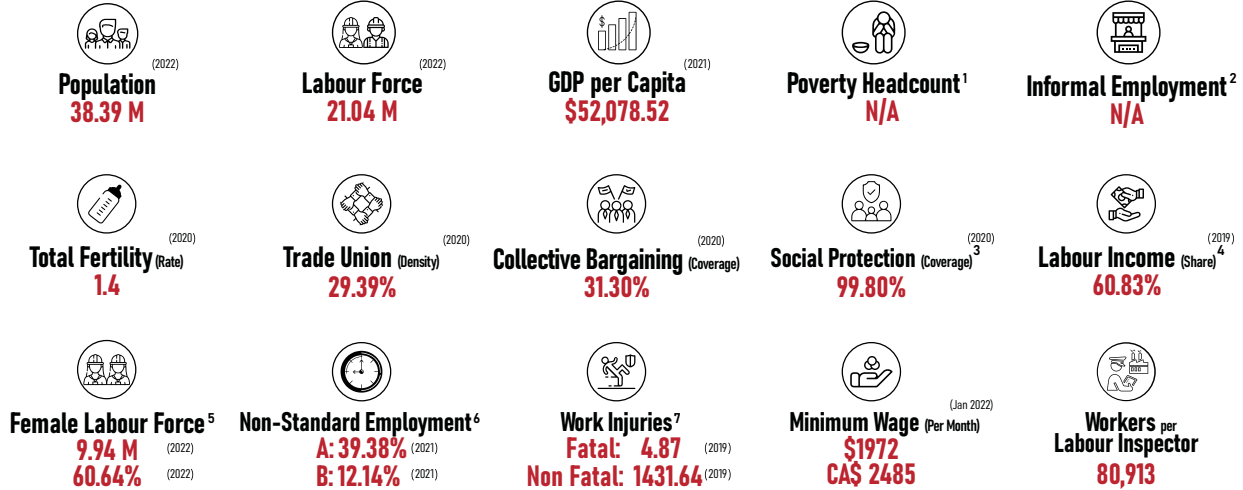
North America

High income

Reasonable Access to Decent Work

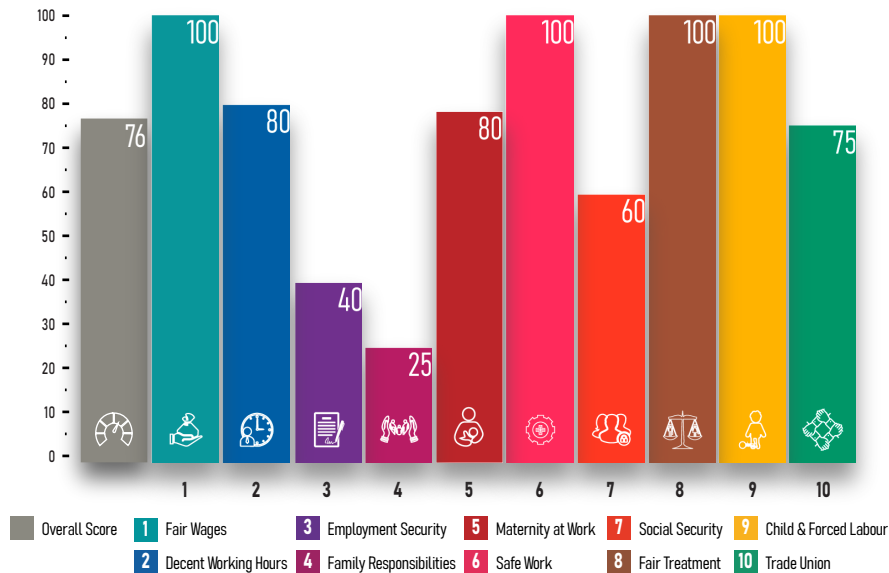


## Contextual Indicators



Sources: World Bank  
International Labour Organization  
WageIndicator Minimum Wages and Living Wages Database  
M=Million

## Legislative Performance Indicators



## Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

The legal data refers to the legislation applicable to the most populous province (Ontario, Canada). Different rules may apply in other jurisdictions, necessitating review of other sources. Following this approach, Canada's overall score is 76 out of 100. The overall score for Canada is higher than the regional average observed across North America (70). Within the North America region, the highest score is observed for Canada.

<sup>1</sup> Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1

<sup>2</sup> Share of informal employment in total employment (%), as measured under SDG 8.3.1

<sup>3</sup> Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1

<sup>4</sup> Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1

<sup>5</sup> The female labour force is shown in absolute number along with the female labour force participation rate

<sup>6</sup> Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)

<sup>7</sup> Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

The country rating is based on the overall score of 0-100, with the following coding:

(90.5-100) Decent Work | (80.5-90) Approaching Decent Work | (70.5-80) Reasonable Access to Decent Work | (60.5-70) Limited Access to Decent Work | (50.5-60) Basic Access to Decent Work | (0-50) Total Lack of Decent Work

# LABOUR RIGHTS INDEX 2022

	Question <sup>9</sup>	Answer	Legal Basis	Trend <sup>12</sup>
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	§178 and 178.1 of the Canada Labour Code, 1985; §23 Ontario Employment Standards Act 2000	●
	Does the law require regular payment of wages?	Yes	§247 of the Canada Labour Code, 1985; §11(1) Ontario Employment Standards Act 2000	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§174 of the Canada Labour Code, 1985	●
	Does the law require additional compensation for working on a weekly rest day?	Yes	§197 of the Canada Labour Code, 1985	●
2. Decent Working Hours	Does the law require additional compensation for night work?	Yes	§10.19 & 10.20 of the Ontario Public Service Act, 2000; Ontario Employment Standards Act, 2000	●
	Does the law stipulate general working hours as 48 hours or lower?	Yes	§197 of the Canada Labour Code, 1985	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§171 of the Canada Labour Code, 1985	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§173 of the Canada Labour Code, 1985	●
	Does the law require paid public holidays?	Yes	§196 of the Canada Labour Code, 1985	●
3. Employment Security	Does the law require at least three working weeks of paid annual leave?	No	§184 of the Canada Labour Code, 1985	●
	Does the law require written employment contracts or at least written employment particulars?	Yes	§15(1) of the Ontario Employment Standards Act, 2000	●
	Does the law restrict the hiring of fixed-term contract workers?	No	No applicable legal provisions could be located	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	Yes	§230 of the Canada Labour Code, 1985; §54 of the Ontario Employment Standards Act, 2000	●
	Does the law require a 30-day notice before contract termination?	No	§230 of the Canada Labour Code, 1985	●
4. Family Responsibilities	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	No	§235 of the Canada Labour Code, 1985	●
	Does the law require parental leave for parents?	Yes	§206.1 of the Canada Labour Code, 1985; §48 & 49 of the Ontario Employment Standards Act 2000	●
	Does the law require at least one week of paid paternity leave for fathers?	No	§206.1 of the Canada Labour Code 1985	●
	Does the law require flexible work arrangements for workers with family responsibilities?	No	§177.1 of the Canada Labour Code, 1985	●
5. Maternity at Work	Does the law require paid nursing breaks?	No	§181.2 of the Canada Labour Code, 1985	●
	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	§3 and 10 of the Canadian Human Rights Act, 1985; §5, 10 & 23 of the Ontario Human Rights Code, 1990	●
	Does the law require paid maternity leave of at least 14 weeks?	Yes	§12 of the Employment Insurance Act, 1996	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	No	§22 of the Employment Insurance Act, 1996	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§23(1)(c) of the Employment Insurance Act, 1996	●
6. Safe Work	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§3 of Canada's Human Rights Act, 1985; §139.1 of the Canada Labour Code, 1985	●
	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§122.2 & 125 of the Canada Labour Code 1985; §25 & 32 of Ontario Occupational Health and Safety Act 1990	●
	Does the law require the employer to train workers on health and safety issues?	Yes	§125.1 of the Canada Labour Code 1985; §25, 32, 37 & 47 of Ontario Occupational Health and Safety Act 1990	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§132 & 204 of the Canada Labour Code 1985	●
	Does the law provide for employment injury benefit?	Yes	§43-48 of the Workplace Safety and Insurance Act, 1997	●
	Does the law provide for an old age pension?	No	§3 of the Canada Pension Plan, 1985; §3 of the Old Age Security Act 1985	●
7. Social Security	Does the law provide for a dependants/survivors' pension?	Yes	§44 of the Canada Pension Plan, 1985	●
	Does the law provide for unemployment benefit?	Yes	§6-10 of the Employment Insurance Act, 1996	●
	Does the law require paid sick leave for the first 6 months of sickness?	No	§206.6 & 239 of the Canada Labour Code, 1985	●
	Does the law provide for invalidity benefit?	Yes	§55.3 of the Canada Pension Plan, 1985	●
	Does the law require equal remuneration for work of equal value?	Yes	§11 of Canadian Human Rights Act, 1985	●
8. Fair Treatment	Does the law prohibit sexual harassment in employment?	Yes	§247.1-247.3 Labour Code 1985; §1 & 32.0.1, Ontario OHS Act 1990; §7(2) & 7(3), Ontario Human Rights Code, 1990	●
	Does the law prohibit discrimination in employment matters? <sup>10</sup>	Yes	§7 of Canadian Human Rights Act, 1985	●
	Does the law allow women to do the same jobs as men?	Yes	§3 and 7 of the Human Rights Act, 1985; §145 of the Canada Labour Code, 1985	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	Canada Pension Plan, 1985	●
	Does the law prohibit employment of children?	Yes	Ontario Occupational Health & Safety Act, 1990	●
9. Child and Forced Labour	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	§21 of the Ontario Education Act, 1990	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	Ontario Occupational Health & Safety Act, 1990	●
	Does the law prohibit forced labour?	Yes	§279.01 & 279.011 of the Canada Criminal Code, 1985	●
10. Trade Union	Does the law allow workers to form and join unions of their own choice?	Yes	§2(d) of Constitution Act 1982; §3 & 8 of Canada Labour Code 1985; §1 & 5 of Ontario Labour Relations Act 1995	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	Yes	§4, 24, 48 & 50 of Canada Labour Code 1985; §3, 7 & 17 of Ontario Labour Relations Act 1995	●
	Does the law provide for the right to strike?	No	§4, 24, 48 & 50 of Canada Labour Code 1985; §3, 79 & 80.1 of Ontario Labour Relations Act 1995	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	§94(2.1) of Canada Labour Code 1985	●

## Covid 19 and Labour Market in Canada\*

Total Covid Cases	4.04 Million
Total Covid Deaths	43,573
Partial Vaccinated	87.0%
Fully Vaccinated	84.0%

Wage Subsidies	✓
Social Security Contributions (deferrals/waivers)	✗
Paid Sick Leave	✓
Add. Unemployment Benefits	✓

Protection from Dismissals	✗
Telework/flexible work	✓
Improved Health Access	✗
Training (activation measures)	✓

<sup>9</sup> The Index has 10 indicators and 46 evaluation criteria or questions.

<sup>10</sup> The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership". A score of 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

<sup>11</sup> A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Canada on SDG 8.8.2 is 0.32 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CHRHP) to measure a country's compliance on the Trade Union indicator.

<sup>12</sup> In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change