

ABOUT Women

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The Changing Face of Manitoba's Workforce

Positive impact of new legislation

Recent changes to *The Employment Standards Code* address issues that affect the new face of labour in the 21st century. Unlike the male-dominated workforce of the early 1970s, today's labour force is not shy about showing its feminine side.

Manitoba Federation of Labour President Darlene Dziewit says the changes are especially significant for women, particularly since their participation in the workplace has grown at such a rapid rate.

The dramatic rise of women in the workforce is probably one of the most significant social and economic changes seen in recent decades. Today, about 100,000 more women participate in Manitoba's labour force than was the case 30 years ago. But despite this growth, women are still considered the primary caregivers in the family. They are more likely to look after the children and care for elderly family members. Women also tend to shoulder the bulk of other family and household responsibilities.

So it's no surprise that working women are continually faced with the 'struggle to



struggle' the demands of work and home. This is the reason many women choose part-time or temporary work. (Studies show seven out of 10 part-time workers are female.) Women also occupy the majority of positions in the service and retail sectors – sectors that are less likely to be unionized.

Dziewit also notes that the code changes will be particularly important for employees in non-unionized workplaces, where employment standards play a critical role in protecting workers.

These and other factors make women particularly vulnerable in the workplace and increasingly dependent on labour laws such as the basic standards contained in *The Employment Standards Code*. The code establishes the minimum rights and obligations for all Manitoba employers and employees. It also offers workers options to pursue if they feel their rights have been violated.

Putting Code Changes to Work for Manitoba

In the fall of 2005, Labour and Immigration Minister Nancy Allan launched the first public review of *The Employment Standards Code* in 30 years. Because of a lack of changes to the code over this time, it has not kept pace with changes in our economy and labour market, or with the changing demands on workers and their families.

The review generated over 100 public and written submissions, including 15 from individual women and women's organizations. The process resulted in a series of legislative and regulatory changes, many of which directly benefit women.

More time for family, health needs

The new code changes will provide employees with:

- access to three unpaid days to deal with health needs or other family responsibilities
- access to three unpaid days to deal with the death of a "family member"

The definition of "family member" is being expanded to cover many immediate and extended family relationships, as well as neighbours and friends considered to be in a "like family" relationship.

These changes will particularly benefit women, who still deal with the lion's share of health and family responsibilities. The expanded definition will also give working women more options when taking leaves for family, bereavement and other eligible situations.

Putting Code Changes to



Minister's Message

Welcome to the Spring 2007 edition of *About Women*. This issue focuses on the theme for this year's

International Women's Day – *The Achievements of Women at Work*.

In my multiple roles as the Status of Women minister, Manitoba Labour and Immigration minister, and working wife and mother, I am proud to provide this newsletter containing important information for women in the workforce. The articles focus on recent changes to our labour legislation that directly influence the lives of working women. These include changes to our employment standards law, workplace safety and health regulations, and minimum wage – all of which address the needs and concerns of working women and their families.

I want to thank the individual women and the women's organizations who prepared submissions for the public review of *The Employment Standards Code*. The improved, modernized code, and other initiatives discussed in this newsletter, reflect contributions from women provincially, and a continuing dialogue that guides us towards our common goals: a province where workers and their families share in our prosperity and where our labour laws respond to evolving needs and challenges.

For more information on changes to *The Employment Standards Code*, the workplace safety and health regulations, and the minimum wage, visit www.gov.mb.ca/labour/standards and www.gov.mb.ca/labour/safety.

On March 8, please join me at the Legislative Building at 11:45 a.m. to celebrate International Women's Day. For event information, call the Women's Directorate at 945-3476 in Winnipeg or toll free at 1-800-263-0234.

I look forward to seeing you there.

Original signed by Nancy Allan

Nancy Allan
Minister responsible for the Status of Women

Part-time and vulnerable workers will see benefits

We know that women make up the majority of part-time employees. As a result, they will benefit from new legislation providing part-time workers with better access to holiday pay. Instead of having to work 15 of the 30 days leading up to the holiday, part-timers will be guaranteed holiday pay based on their earnings from the previous month.

Workers will also be better protected when it comes to giving notice. Under the new system, an employer will need to give one to eight weeks notice (or pay in lieu of notice), depending how long the worker has been there. While workers will still be required to give one or two weeks' notice, employers will no longer be able to withhold wages when workers don't give the required notice. This new system will be particularly helpful for employees at risk of being fired, or for those leaving jobs due to home or family demands.

Good news for service/retail employees

Because of the large numbers of women working in service and retail, code changes affecting these sectors will have a substantial impact on female employees.

Province Improves Workplace Changes provide direct benefits to women

Creating safer and healthier workplaces has been a major priority of the Manitoba government since 1999. Legislative improvements, combined with education and public awareness initiatives, like the SAFE Work program, have been instrumental in improving the safety and health culture in our workplaces. They have also helped reduce the time-loss injury rate by more than 20 per cent.

Much of our success comes from recognizing that different workplaces, and different categories of workers, sometimes require unique and targeted approaches, and that workplace hazards are constantly evolving and changing.

We continue to address hazards that affect women in the workplace. On February 1, 2007, changes to the workplace safety and health regulations took effect, addressing several issues that particularly concern women.

Workplace harassment: Employers must develop and implement a policy that prevents the mistreatment of a worker based on race, creed, religion, colour, sex, sexual orientation, marital status, disability, physical size or weight, age, or nationality – particularly when the behaviour creates a risk to the worker. The policy must include specific procedures to follow should harassment occur. This change complements other legal rights, such as those contained under human rights legislation.

Donna Ghidoni is a management trainer and consultant who's taught private and public-sector organizations how to create a harassment-free workplace since 1991. Ghidoni says the new regulation will significantly benefit workers, especially women, who are often the subject of harassment. Ghidoni is especially pleased the regulation addresses implementation. "It's not enough to have a written policy in place – it has to be implemented."

Work for Manitoba

Report to work - receive minimum pay

Under the existing legislation, a worker who reports for a scheduled shift at a restaurant, store or service establishment can be sent home without pay if business is slow. New regulations will guarantee this same worker a minimum of three hours' pay (or pay for the scheduled shift, if less than three hours).

No benefits, no deductions

Under the new legislation, employers can no longer make deductions from an employee's wages if there is no benefit to the employee.

Currently these deductions are more commonly seen in the service and retail sectors and are used to pay for things like uniforms, cash shortages and breakages. The new legislation prevents these deductions where workers are docked pay with no benefit in return.

New child employment restrictions welcomed

New child employment regulations will spell relief for many moms, who must often balance their children's wish to work with safety and education concerns. The new provisions still require parents' input on where and when their children can work, but now include further

restrictions. Children under 16 years old will NOT be allowed to work between 11:00 p.m. and 6:00 a.m., or for more than 20 hours during a school week. Those under 18 will NOT be allowed to work alone between 11:00 p.m. and 6:00 a.m. As well, no one under 18 will be allowed to work in occupations considered hazardous. All children under 16 years old will still require a permit from Employment Standards before they start work.

Experts agree – new legislation good for working women

Manitoba Federation of Labour President Darlene Dziewit notes the code changes are especially significant for women, immigrants and young workers – among the most vulnerable groups in our workforce.

Barb Bowes, a 20-year veteran in human resources consulting, agrees the amendments mean positive changes for working women. Bowes calls them “the most significant changes to the province's labour laws in about three decades.”

Minister Allan is pleased with the positive feedback. She believes the changes are a great stride forward and that “government, workers and employers must continue to identify emerging issues and challenges, and work together to ensure fairness and balance in our labour laws.”

Safety and Health Regulations

Working alone and workplace violence: Manitoba has been a national leader for years in the prevention of workplace violence. Because violence tends to happen when workers are alone, Manitoba was the first province to develop specific “working alone” legislation. Under the legislation, employers must have a plan in place to protect workers from any risks they may encounter when working alone, including violence.

In addition, the Women's Directorate developed *Keeping Safe at Work – Tips for Working Alone*, a provincewide initiative that focuses on women's safety when working alone or when travelling to and from work alone. The initiative provides information to increase workplace awareness of potentially threatening situations. It also helps employers and employees plan ahead to avoid crimes of opportunity.

The new regulations include measures that deal specifically with workplace violence. Employers must now:

- identify and assess the risk of violence in the workplace
- instruct workers about any risks
- develop and implement a violence prevention policy (It must include ways to eliminate or minimize risks of workplace violence.)
- train workers to recognize and respond to risks of violence
- provide information on specific procedures employees must follow if violence occurs

Pregnant and nursing women: Under the new regulations, employers must protect pregnant or nursing female staff by identifying workplace hazards and taking steps to minimize those hazards. This includes assigning these employees temporarily to alternate work.

Ergonomics: Employers must now assess the potential risk for tasks that are known to cause musculo-skeletal injuries in the workplace, and implement measures to reduce or eliminate this risk. This is particularly important for women who work in clerical, service, health care and retail fields, where injuries to arm, shoulder and back are a concern.

Health care workers: Many women also work in the health care sector. New regulations require employers in the health care sector to develop and implement safe work procedures for duties involving infectious material, waste and laundry, and patient handling. These measures complement a 2005 legislative change, which addresses needle-stick injuries among health care workers.

Workplace safety and health remains high priority

“The new provisions are important in recognizing and responding to safety and health issues, especially as they relate to the needs and circumstances of women workers,” says Minister Allan. “The provisions will build on our past initiatives, modernize existing requirements, and provide clear direction to employers and workers – measures that will further reduce workplace injuries and illness in the province.”

The minister thanked employers and labour for contributing to the modernization of Manitoba's workplace safety and health regulations. She encourages them to continue to help make our workplaces safe and healthy for all Manitobans.

Minimum Wage Increases Benefit Working Women

Increasing the minimum wage is one element of the provincial government's plan to assist low-income Manitobans. This is good news for working women, since they make up the majority of minimum wage earners.

The Manitoba government has increased the minimum wage six times since 1999, bringing it from \$6 per hour to \$8 per hour, effective April 1, 2007. This 33 per cent increase has restored the wage's spending power, which suffered from a lack of increases and inflation during the 1990s. The increase will make Manitoba's minimum wage the highest among Canadian provinces, in line with Ontario and British Columbia.

Increases to the minimum wage are particularly important to women, because female workers represent nearly 60 per cent of minimum wage earners in Manitoba. This is due, in part, to the fact that minimum wage jobs are concentrated in sectors that tend to employ women, such as accommodation, food, retail and clerical. As well, most minimum wage earners work part time, and most part-time workers are women, since they are more likely to take responsibility for family obligations such as child care. In fact, in 2004, 18 per cent of women cited child care as the reason they worked part time, compared to two per cent of men.

The provincial government remains committed to addressing poverty and improving the quality of life for all Manitobans, including women. Increasing the minimum wage is just one element of this strategy. The government has also eliminated the claw-back of the National Child Benefit, increased day care funding, and focused on programs to strengthen communities, improve the prospects of Manitoba children through the Healthy Child initiative, and provide more affordable housing.

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About Women is a publication of the Women's Directorate that focuses on issues of interest to women and provides practical, timely information they can use. It is available without charge upon request.

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Women's Directorate
Status of Women
Manitoba Labour and Immigration
409 – 401 York Avenue
Winnipeg, Manitoba R3C 0P8

Phone: 204-945-3476
Or toll free: 1-800-263-0234
Fax: 204-945-0013

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