



Global Care Policy Index

Technical Report for Canada

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Overview

The Global Care Policy Index (GCPI) is a composite index that provides a single numerical assessment of a country's support for and protection of home-based caregivers and careworkers who do the important but often invisible work of caring for the young, old, disabled, and infirm within the country. The GCPI incentivizes states to take an embedded economy approach, and recognize and reward the critical role that caregiving and carework within households play in supporting the reproduction of society and the functioning of the economy. This goal is in line with the 2030 UN Agenda for Sustainable Development and the ILO's Decent Work Agenda which aim for a future where everyone is able to access decent work. It recognizes that paying attention to, valuing, and dignifying (paid) carework and (unpaid) caregiving is essential if a society wants to improve the quality of life of its people.

For more detailed information about the GCPI, please visit globalcarepolicy.com.

Index Calculation

Each question in the index is scored on a scale of 0 to 1. Each sub-category score is calculated by summing the unweighted scores of all the questions in the sub-category and then converting that to a 0-to-10 scale. Each category score is calculated as an unweighted average of their respective sub-category scores. Each sub-index is calculated as an unweighted average of their respective category scores. Thus, all sub-categories, categories, and sub-indices are calculated out of 10. The overall GCPI score is calculated as an unweighted average of Sub-Indices A and B.

In the case of countries with decentralized legislation that varies from state to state, or province to province, a [two-step scoring logic](#) is used. This two-step logic takes into account the population coverage of any protective legislation (relative to the overall national population) and deducts points based on the average number of exclusionary conditions that exist in the various states/provinces where the relevant legislation is in force.

Scoring Notes for Canada

Because Canada is a decentralized polity, almost all questions in both sub-indices were scored using the two-step logic. Only questions A3.4, B2.1.1, B2.1.3, B2.1.4, B3.4.3, B3.4.4, B3.4.6, B3.4.7, B3.4.8, B3.5.1, B3.5.2, B3.5.8, B5.1.1, B5.1.2, B5.1.3, B6.1.1, B6.1.2, B6.2.1, B6.2.4, and B6.2.5 were scored using the one-step logic because protections for these questions were provided at the federal level. For the remaining questions which asked for protections provided at the provincial level, Canada's score was calculated by first coming up with a coverage score and then subtracting points for any exclusionary conditions.

The coverage score was calculated by determining how many Canadian provinces provided a certain protection. The population distribution of Canada's 10 territories and 3 provinces is: Ontario (38.82%), Quebec (22.53%), British Columbia (13.49%), Alberta (11.65%), Manitoba (3.64%), Saskatchewan (3.12%), Nova Scotia (2.58%), New Brunswick (2.06%), Newfoundland and Labrador (1.38%), Prince Edward Island (0.42%), Northwest Territories (0.12%), Yukon (0.11%), and Nunavut (0.10%). Legislation from the five major provinces (Ontario, Quebec, British Columbia, Alberta, and Manitoba) covers 90.13% of Canada's total population. Thus, if all of these five provinces provided a protection, that was enough for Canada to score 1 for coverage. If none of these five provinces provided a benefit, the coverage score was 0 because legislation that covers the remaining 9.87% of the population would not be enough to score above 0.

Therefore, scoring Canada primarily relied on assessing legislation from the five major provinces. Generally the five major provinces performed similarly, with either all providing a particular protection or none of them providing that protection. However, there were certain protections with only mixed coverage among the five major provinces. In such cases, it was necessary to look at legislation from additional provinces until the population coverage of the provinces left was not enough to bring the current coverage score up one threshold in the scale. For example, for question A1.4 ("Are eligible working women guaranteed extended prenatal maternity leave, if the actual date of childbirth is before or after initial predicted date of childbirth (indicated by a medical certificate) without any reduction in the postnatal maternity leave?"), out of the five major provinces, only Manitoba has legislation that provides this coverage. Legislation from Saskatchewan and Nova Scotia was considered but found to not provide any coverage. Manitoba covers 3.64% of Canada's total population. After looking at Saskatchewan and Nova Scotia, the remaining population left to look at in Canada was 4.62%, which is not high enough to bring Canada's coverage score from 0 to 0.25. Thus, Canada's coverage score for question A1.4 is 0.

Second, after finding the coverage score, exclusionary conditions, if any, were calculated. For some questions, such as B3.1.2 ("Are periods during which domestic workers remain to respond to possible calls required to be regarded as hours of work?"), the provinces that provided coverage all had one exclusionary condition. Thus, the deduction was 0.25 from the coverage score. For other questions, such as B3.1.4 ("Is there a requirement that hours of work be accurately recorded and the records freely accessible to the domestic worker?"), some of the provinces that provided coverage had one exclusionary condition and some did not have any exclusionary conditions. In that case, the deduction was calculated by multiplying 0.25 by the proportion of population coverage provided by the provinces with one exclusionary condition over the total population coverage of the provinces being considered. In B3.1.4, 0.25 was multiplied by 0.62 since that was the proportion of population coverage provided by Ontario, British Columbia, and Manitoba (which all had one exclusionary condition) out of the total population coverage of Ontario, Quebec, British Columbia, Alberta, and Manitoba (the total provinces being looked at for B3.1.4). Thus, the deduction for B3.1.4 was 0.155.

A small exception to the method of calculating Canada's score by subtracting deductions from the coverage score is questions that had a proportional scale. For these questions, the provinces that provided coverage scored different proportional scores. Each province's proportional score was multiplied by the province's population coverage, and these values were added together to produce Canada's final score for the question.

How to Cite this Technical Report

The recommended citation for this report is as follows:

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No.	Category/Sub-Category/Question	Country Score	Explanation of Score	Explanation of Coverage and Deductions
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Canada

SUB-INDEX A: PROTECTIONS FOR FAMILY CAREGIVERS

A1. Pregnancy and Maternity Leave Coverage				
A1.1	Are working women guaranteed maternity leave?	0.85	<p>Ontario A pregnant employee is entitled to a leave of absence without pay unless her due date falls fewer than 13 weeks after she commenced employment. Employment Standards Act 46(1)</p> <p>Quebec A pregnant employee is entitled to a maternity leave. Act Respecting Labour Standards 81.4</p> <p>British Columbia A pregnant employee who requests leave is entitled to up to 17 consecutive weeks of unpaid leave. Employment Standards Act 50</p> <p>Alberta A pregnant employee who has been employed by the same employer for at least 90 days is entitled to unpaid maternity leave. Employment Standards Code 45</p> <p>Manitoba A pregnant employee who has been employed by the same employer for at least 7 consecutive months is eligible for unpaid maternity leave. Employment Standards Code 53</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0.25 (Ontario has condition of 13 weeks prior employment), 0.25 (Alberta has condition of 90 days prior employment), 0.25 (Manitoba has condition of 7 months prior employment)</p> <p>Calculation 1-(0.25*0.6)=0.85</p>
A1.2	Are all categories of working women guaranteed maternity leave?	1.00	<p>Ontario Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid maternity leave to self-employed workers are not necessary. 1-(0/8)=1. Employment Standards Act 3</p> <p>Quebec Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid maternity leave to self-employed workers are not necessary. 1-(0/8)=1. Act Respecting Labour Standards 2-3</p> <p>British Columbia Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid maternity leave to self-employed workers are not necessary. 1-(0/8)=1. Employment Standards Act 1-3</p> <p>Alberta Law is phrased on the basis of universal coverage with some exclusions, but no listed sectors are excluded. 1-(0/8)=1. Employment Standards Code 2</p> <p>Manitoba Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid maternity leave to self-employed workers are not necessary. 1-(0/8)=1. Employment Standards Code 2</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
A1.3	How long a maternity leave are eligible working women guaranteed?	1.00	<p>Ontario An employee's pregnancy leave ends 17 weeks after the pregnancy leave began. 61 weeks of parental leave for mothers after maternity leave. Employment Standards Act 47(1)(a) & 49(1)</p> <p>Quebec A pregnant employee is entitled to a maternity leave without pay of not more than 18 consecutive weeks. 52 weeks of parental leave for mothers after maternity leave. Act Respecting Labour Standards 81.4 & 81.10</p> <p>British Columbia A pregnant employee who requests leave under this subsection is entitled to up to 17 consecutive weeks of unpaid leave. 61 weeks of parental leave for mother after maternity leave. Employment Standards Act 50 & 51</p> <p>Alberta The maternity leave to which a pregnant employee is entitled is a period of not more than 16 weeks. 37 weeks of parental leave for mother after maternity leave. Employment Standards Code 46(1) & 50(1)</p> <p>Manitoba An employee who is eligible for maternity leave is entitled to 17 weeks of leave. 63 weeks of parental leave for mothers after maternity leave. Employment Standards Code 54 & 58(1)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
A1.4	Are eligible working women guaranteed extended prenatal maternity leave, if the actual date of childbirth is before or after initial predicted date of childbirth (indicated by a medical certificate) without any reduction in the postnatal maternity leave?	0.00	<p>Ontario If an employee has taken a full 17 weeks of leave but is still pregnant, she may continue on the pregnancy leave until the birth. If she has a live birth, the pregnancy leave will end on the date of the birth (postnatal leave is thus reduced due to extension of prenatal leave). Employment Standards Act 46-47</p> <p>Quebec If the delivery takes place after the expected date, the employee is entitled to at least two weeks of maternity leave after the delivery. Act Respecting Labour Standards 81.4.1</p> <p>British Columbia No mention. Employment Standards Act</p> <p>Alberta No mention. Employment Standards Code</p> <p>Manitoba If the date of delivery is after the estimated date, 17 weeks and a period of time equal to the time between the estimated date and the date of delivery. However, Employment Insurance benefits will only pay for up to 15 weeks of maternity leave. Employment Standards Code 54(1)(b)</p> <p>Saskatchewan No mention. Employment Act</p> <p>Nova Scotia No mention. Labour Standards Code</p>	<p>Coverage 3.64% (Manitoba)</p> <p>Deductions 0.25 (Manitoba has condition of unpaid)</p> <p>Calculation 0-0.25=0</p>
A1.5	Are eligible working women guaranteed extended maternity leave in the case of simultaneous multiple births?	0.00	<p>Ontario No mention. Employment Standards Act</p> <p>Quebec No mention. Act Respecting Labour Standards</p> <p>British Columbia No mention. Employment Standards Act</p> <p>Alberta No mention. Employment Standards Code</p> <p>Manitoba No mention. Employment Standards Code</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 0</p>
A1.6	Are eligible working women entitled to freely choose when they wish to take the non-compulsory portion of their maternity leave - before or after childbirth?	1.00	<p>Ontario Pregnancy leave can start any time 17 weeks before the due date or from childbirth. Employment Standards Act 46</p> <p>Quebec The employee may spread the maternity leave as she wishes before or after the expected date of delivery. Act Respecting Labour Standards 81.4</p> <p>British Columbia Maternity leave can begin no earlier than 13 weeks before the expected due date and no later than the actual birth date, and ends 17 weeks after the leave begins. Employment Standards Act 50(1)</p> <p>Alberta Leave can start any time within the 13 weeks leading up to the estimated due date and no later than the date of birth. Employment Standards Code 46(1)</p> <p>Manitoba Maternity leave must begin not earlier than 17 weeks before the date of delivery estimated in the medical certificate and end not later than 17 weeks after the date of delivery. Employment Standards Code 54(2)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 0</p>
A1.7	Are eligible working women guaranteed a period of compulsory maternity leave after childbirth?	0.25	<p>Ontario No mention. Employment Standards Act</p> <p>Quebec No mention. Act Respecting Labour Standards</p> <p>British Columbia No mention. Employment Standards Act</p> <p>Alberta An employee who takes maternity leave must take a period of leave of at least 6 weeks immediately following the date of delivery. It can be paid through Employment Insurance maternity benefits. Employment Standards Code 46(2)</p> <p>Manitoba No mention. Employment Standards Code</p>	<p>Coverage 11.65% (Alberta)</p> <p>Deductions 0</p> <p>Calculation 0.25-0=0.25</p>

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A1.8	How long is the compulsory maternity leave that eligible working women are guaranteed after childbirth?	0.25	<p>Ontario Compulsory maternity leave not guaranteed. Employment Standards Act</p> <p>Quebec Compulsory maternity leave not guaranteed. Act Respecting Labour Standards</p> <p>British Columbia Compulsory maternity leave not guaranteed. Employment Standards Act</p> <p>Alberta An employee who takes maternity leave must take a period of leave of at least 6 weeks immediately following the date of delivery. Employment Standards Code 46(2)</p> <p>Manitoba Compulsory maternity leave not guaranteed. Employment Standards Code</p>	<p>Coverage 11.65% (Alberta)</p> <p>Deductions 0</p> <p>Calculation 0.25-0=0.25</p>
A1.9	Are eligible women guaranteed additional leave in case there is a documented medical illness, complications, or risk of complications arising out of pregnancy or childbirth?	0.25	<p>Ontario No mention. Employment Standards Act</p> <p>Quebec No mention. Act Respecting Labour Standards</p> <p>British Columbia An employee who requests leave is entitled to up to 6 additional consecutive weeks of unpaid leave if, for reasons related to the birth or the termination of the pregnancy, the employee is unable to return to work when the employee leave ends. If a child who is born is hospitalized, the period during which benefits are payable shall be extended by the number of weeks during which the child is hospitalized. Employment Standards Act 50(3), Employment Insurance Act 22(6)</p> <p>Alberta No mention. Employment Standards Code</p> <p>Manitoba No mention. Employment Standards Code</p>	<p>Coverage 13.49% (BC)</p> <p>Deductions 0</p> <p>Calculation 0.25-0=0.25</p>
A1.10	Do adoptive mothers have access to a similar system of protections regarding parenting leave, benefits, and employment protection?	1.00	<p>Ontario Adoptive mothers have access to the same parental leave. Employment Standards Act 48(1)</p> <p>Quebec The father and the mother of a newborn child, and a person who adopts a child, are entitled to the same parental leave. Act Respecting Labour Standards 81.10</p> <p>British Columbia Adoptive mothers have access to 62 weeks of parental leave (1 week more than birth parents). Employment Standards Act 51(1)(d)</p> <p>Alberta Adoptive mothers have access to the same parental leave. Employment Standards Code 50(1)(c)</p> <p>Manitoba Adoptive mothers have access to the same parental leave. Employment Standards Code 58</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
A2. Protections during Pregnancy and Maternity Leave				
A2.1 Financial Protections				
A2.1.1	What proportion of their salary are eligible working women entitled to receive while on maternity leave?	0.62	<p>Federal The rate of weekly benefits payable to a claimant is 55% of their weekly insurable earnings, up to a maximum of \$573/wk and up to 35 wks. Employees must have accumulated 600 insured hours of work in the 52 weeks before the start of the claim, or since the start of the last claim. Employment Insurance Act 14(1) & 14(1.1b)</p> <p>Quebec 70% of the average weekly earnings, up to 18 weeks. Employees must have at least \$2,000 in insurable income. Quebec Parental Benefits website (https://www.rqap.gouv.qc.ca/en/wage-earner/types-of-benefits/parental-benefits)</p>	<p>Coverage 100% (all provinces)</p> <p>Deductions 0.25 (Employees covered under federal law must have accumulated 600 insured hours of work), 0.25 (Quebec employees must have at least \$2,000 in insurable income)</p> <p>Calculation [(0.55/0.66-0.25)*0.77]+(0.75*0.23)=0.62</p>
A2.1.2	Is the woman entitled to cash benefits during maternity leave out of social assistance funds if she does not qualify for wage replacement or the country does not offer wage replacements?	0.00	<p>Federal No mention</p> <p>Quebec No mention</p>	<p>Coverage 100% (all provinces)</p> <p>Deductions 0</p> <p>Calculation 0</p>
A2.1.3	Does the government ensure that employers are not individually liable for the cost of providing cash benefits to working women during maternity leave either through compulsory social insurance or public funds?	1.00	<p>Federal Cash benefits for maternity leave come from compulsory Employment Insurance, which is funded by employers, employees, and the federal government; the government contributes an amount equal to the premiums paid by employers. Employment Insurance Act 67, 68, 74</p> <p>Quebec Cash benefits for maternity leave come from the compulsory Parental Insurance Plan, which is funded by employers, employees, and the provincial government. Not clear what percentage contribution from provincial government is. Act Respecting Parental Insurance 111</p>	<p>Coverage 100% (all provinces)</p> <p>Deductions 0</p> <p>Calculation 0</p>
A2.1.4	Are taxes and contributions due under compulsory social insurance, utilised to finance maternity benefits, payable equally by men and women, without distinction of sex?	1.00	<p>Federal A person employed in insurable employment shall pay a premium equal to their insurable earnings multiplied by the premium rate set. There is no distinction of sex. Employment Insurance Act 67</p> <p>Quebec Every employee resident in Québec at the end of a year is required, for that year, to pay the premium determined. There is no distinction of sex. Act Respecting Parental Insurance 50</p>	<p>Coverage 100% (all provinces)</p> <p>Deductions 0</p> <p>Calculation 1-0=0</p>
A2.1.5	Are unemployment benefits protected from loss or suspension in situations when a worker refuses a job offer on the grounds of conflicts with their family responsibilities?	1.00	<p>Federal Job opportunities may not be considered suitable employment if the hours you are required to work are not compatible with your family obligations. Canada Suitable Employment website (https://www.canada.ca/en/services/benefits/ei/suitable-employment.html)</p>	<p>Coverage 100% (all provinces)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
A2.2 Employment Protections				
A2.2.1	Are working women guaranteed a right to return to the same job/position or to an equivalent position, paid at the same rate at the end of their maternity leave?	1.00	<p>Ontario An employee who takes pregnancy leave is entitled to the same job or a comparable job, if the employee's old job no longer exists. In either case, the employee must be paid at least as much as she was earning before the leave unless for a reason totally unrelated to the pregnancy leave. Employment Standards Act 53</p> <p>Quebec At the end of a maternity, paternity, the employer shall reinstate the employee in the employee's former position with the same benefits, including the wages to which the employee would have been entitled had the employee remained at work. Act Respecting Labour Standards 81.15.1</p> <p>British Columbia An employer must not, because of an employee's pregnancy or a leave allowed, change a condition of employment without the employee's written consent. An employer must place the employee in the position the employee held before taking leave or a comparable position. Employment Standards Act 54</p> <p>Alberta The employer must reinstate the employee in the position occupied when maternity leave started, or a comparable position, at not less than the earnings and other benefits that had accrued to the employee when the maternity leave started. Employment Standards Code 53(7)</p> <p>Manitoba At the end of an employee's leave, the employer shall reinstate the employee to the position the employee occupied when the leave began or to a comparable position, with not less than the wages earned by the employee before the leave began. Employment Standards Code 60(2)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>

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A2.2.2	Are working women protected from dismissal from work while they are on maternity leave, except on grounds unrelated to the pregnancy or birth of the child and its consequences or nursing?	1.00	<p>Ontario No employer shall dismiss or otherwise penalize an employee because the employee is or will become eligible to take a leave, intends to take a leave, or takes a leave. Employment Standards Act 74(1)(viii)</p> <p>Quebec No employer may dismiss an employee on the ground that such employee is pregnant and/or on the ground that such employee has exercised her right under the Act to take maternity leave. Act Respecting Labour Standards 122(1) & 122(4)</p> <p>British Columbia An employer must not, because of an employee's pregnancy or a leave allowed, terminate employment. Employment Standards Act 54</p> <p>Alberta No employer may terminate the employment of, or lay off an employee solely because the employee is entitled to or has started maternity leave. Employment Standards Code 53</p> <p>Manitoba No employer shall lay off or terminate the employment of an employee entitled to take a leave because the employee is pregnant. Employment Standards Code 60(1)</p>
A2.2.3	Are working women protected from dismissal during a period following their return to work, except on grounds unrelated to the pregnancy or birth of the child and its consequences or nursing?	0.00	<p>Ontario No mention of specific period. Employment Standards Act</p> <p>Quebec No mention of specific period. Act Respecting Labour Standards</p> <p>British Columbia No mention of specific period. Employment Standards Act</p> <p>Alberta No mention of specific period. Employment Standards Code</p> <p>Manitoba No mention of specific period. Employment Standards Code</p>
A2.2.4	Are employers prohibited from requiring pregnancy tests of women applying for employment (except for work that is prohibited for nursing or pregnant women, or for work that poses significant risk to the health of the woman and the child)?	1.00	<p>Ontario Employment-related medical examinations or inquiries, conducted as part of the applicant screening process, are prohibited unless they are necessary to assess the individual's ability to perform the essential duties of a job. Ontario Testing website (http://www.ohrc.on.ca/en/policy-hivais-related-discrimination/testing)</p> <p>Quebec Questions pertaining to one of the prohibited grounds of discrimination (pregnancy is one) are not permitted in pre-employment medical examinations. Quebec Pre-hiring Practices website (http://www.cdpcj.qc.ca/en/droits-de-la-personne/motifs/Pages/formulaires.aspx)</p> <p>British Columbia Pre-employment medical tests cannot be conducted unless they are reasonable to the performance of the job itself. British Columbia (Superintendent of Motor Vehicles) v. British Columbia (Council of Human Rights)</p> <p>Alberta A medical examination should only be required if there are no other reasonable ways for the employer to determine the ability of the applicant to perform the key duties of the position. Alberta Pre-employment Medical Testing website (https://www.albertahumanrights.ab.ca/employment/employee_info/applications/Pages/pre_employment_testing.aspx)</p> <p>Manitoba Pre-employment medical testing must only assess conditions or abilities relevant for the occupation. Manitoba Pre-employment Inquiries website (http://manitobahumanrights.ca/v1/education-resources/resources/policies-pages/policies-g-6.html)</p>
A2.2.5	Are there laws to protect workers against direct or indirect job discrimination on the basis of their marital status or family responsibilities?	1.00	<p>Ontario Every person has a right to equal treatment with respect to employment without discrimination because of...marital status [or] family status. Human Rights Code 5(1)</p> <p>Quebec Discrimination based on civil status or pregnancy is prohibited. "Civil status" refers to family situation. It can mean being single, married, in a civil union, adopted, divorced, a member of a single-parent family, or any form of family ties or affinity with another person. No one may practise discrimination based on civil status or pregnancy in employment. Charter of Human Rights and Freedoms 10 & 16</p> <p>British Columbia A person must not discriminate because of marital status and family status in employment. Human Rights Code 13</p> <p>Alberta No employer shall discriminate because of marital status or family status in employment. Human Rights Act 7</p> <p>Manitoba The applicable characteristics of discrimination that are prohibited include marital or family status. No person shall discriminate with respect to any aspect of an employment. Human Rights Code 9(2) & 14(1)</p>
A3. Paternity Leave Policies			
A3.1	Are working men guaranteed paternity or parental leave?	0.85	<p>Ontario Both new parents have the right to take parental leave of up to 61 (if parent is birth mother who took maternity leave) or 63 weeks of unpaid time off work, if employed for at least 13 weeks before commencing the parental leave. Employment Standards Act 49</p> <p>Quebec An employee is entitled to a paternity leave of not more than 5 consecutive weeks, without pay, on the birth of his child. The father and the mother of a newborn child, and a person who adopts a child, are entitled to parental leave without pay of not more than 52 consecutive weeks. Act Respecting Labour Standards 81.10</p> <p>British Columbia For fathers, parental leave is to be taken, up to 62 consecutive weeks of unpaid leave, which must begin within 78 weeks after the birth of the child. Employment Standards Act 51</p> <p>Alberta In the case of a parent who has been employed by the same employer for at least 90 days, a period of not more than 37 consecutive weeks within 53 weeks after the child's birth. Employment Standards Code 50(1)</p> <p>Manitoba An employee who adopts or becomes a parent of a child is entitled to unpaid parental leave to a maximum of 63 continuous weeks if the employee has been employed by the employer for at least 7 consecutive months. Employment Standards Code 58(1)</p>
A3.2	Are all categories of working men guaranteed paternity leave or parental leave?	1.00	<p>Ontario Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid paternity leave to self-employed workers are not necessary. Employment Standards Act 3</p> <p>Quebec Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid paternity leave to self-employed workers are not necessary. Act Respecting Labour Standards 2-3</p> <p>British Columbia Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid paternity leave to self-employed workers are not necessary. Employment Standards Act 3</p> <p>Alberta Law is phrased on the basis of universal coverage with some exclusions, but no listed sectors are excluded. Employment Standards Code 2</p> <p>Manitoba Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid paternity leave to self-employed workers are not necessary. Employment Standards Code 2</p>
A3.3	How long a paternity or parental leave are eligible working men guaranteed?	1.00	<p>Ontario 63 weeks. Employment Standards Act 49</p> <p>Quebec 5 weeks paternity leave. And 52 weeks parental leave. Act Respecting Labour Standards 81.10</p> <p>British Columbia 62 weeks. Employment Standards Act 51</p> <p>Alberta 37 weeks. Employment Standards Code 50(1)</p> <p>Manitoba 63 weeks. Employment Standards Code 58(1)</p>

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A3.4	What proportion of their salary are eligible working men entitled to receive while on paternity leave?	0.62	Federal The rate of weekly benefits payable to a claimant is 55% of their weekly insurable earnings, up to a maximum of \$573/wk and up to 35 wks. Employees must have accumulated 600 insured hours of work in the 52 weeks before the start of the claim, or since the start of the last claim. Employment Insurance Act 14(1) & 14(1.1b) Quebec 70% of the average weekly earnings, up to 5 weeks. Employees must have at least \$2,000 in insurable income. Quebec Parental Benefits website (https://www.rqap.gouv.qc.ca/en/wage-earner/types-of-benefits/parental-benefits)
			Explanation of Coverage and Deductions Coverage 100% (all provinces) Deductions 0.25 (Employees covered under federal law must have accumulated 600 insured hours of work), 0.25 (Quebec employees must have at least \$2,000 in insurable income) Calculation [(0.55/0.66*0.77)+(1*0.23)]-0.25 =0.62
A3.5	In the case of the death of the mother before the expiry of the postnatal leave, is the employed father of the child entitled to take leave of a duration equal to the unexpired portion of the postnatal maternity leave?	0.00	Ontario No mention. Employment Standards Act Quebec No mention. Act Respecting Labour Standards British Columbia No mention. Employment Standards Act Alberta No mention. Employment Standards Code Manitoba No mention. Employment Standards Code 2020/06/04
			Explanation of Coverage and Deductions Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba) Deductions 0 Calculation 0
A3.6	In the case of sickness or hospitalisation of the mother after childbirth where the mother cannot take care of the child, is the employed father of the child entitled to leave of a duration equal to the unexpired portion of the postnatal maternity leave?	0.00	Ontario No mention. Employment Standards Act Quebec No mention. Act Respecting Labour Standards British Columbia No mention. Employment Standards Act Alberta No mention. Employment Standards Code Manitoba No mention. Employment Standards Code
			Explanation of Coverage and Deductions Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba) Deductions 0 Calculation 0
A3.7	Do adoptive fathers have access to a similar system of protections regarding parenting leave, benefits, and employment protection?	1.00	Ontario Adoptive fathers have access to the same parental leave. Employment Standards Act 48(1) Quebec Adoptive fathers are entitled to the same parental leave. Act Respecting Labour Standards 81.10 British Columbia Adoptive fathers have access to 62 weeks of parental leave (1 week more than birth parents). Employment Standards Act 51(1)(d) Alberta Adoptive fathers have access to the same parental leave. Employment Standards Code 50(1)(c) Manitoba Adoptive fathers have access to the same parental leave. Employment Standards Code 58
			Explanation of Coverage and Deductions Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba) Deductions 0 Calculation 1-0=1
A4. Dependent Care Leave Policies			
A4.1	Are eligible workers entitled to leave to take care of their children?	0.96	Ontario An employee is entitled to a 8 week leave of absence to provide care or support to a child, step-child or foster child. Employment Standards Act 49.3 Quebec An employee may be absent from work for 10 days per year to fulfil obligations relating to the care, health or education of the employee's child. An employee may be absent from work for a period of not more than 36 weeks to care for a child suffering from a serious illness or accident. Act Respecting Labour Standards 79.7 & 79.8 British Columbia An employee is entitled to up to 5 days of unpaid leave for the care, health or education of a child or other immediate family member. Also, up to 36 weeks unpaid leave to care for a child with a serious illness or injury. And up to 27 weeks of unpaid leave to care for any immediate family member with a serious illness with a significant risk of death within 26 weeks. Employment Standards Act 52, 52.1, 52.11 Alberta An employee who has been employed by the same employer for at least 90 days and is a parent of a critically ill child is entitled to an unpaid critical illness of child leave of up to 36 weeks for the purpose of providing care. Also 5 days leave for personal reasons and family responsibilities. Employment Standards Code 53.96(1) & 53.982(1) Manitoba An employee who has been employed by the same employer for at least 30 days is entitled to an unpaid leave of absence from employment of up to 37 weeks to provide care or support to a critically ill child who is a family member of the employee. Employment Standards Code 59.8(2)
			Explanation of Coverage and Deductions Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba) Deductions 0.25 (Alberta has condition of 90 days prior employment), 0.25 (Manitoba has condition of 90 days prior employment) Calculation 1-(0.25*0.17)=0.96
A4.2	Are eligible workers entitled to leave to take care of immediate family members who may be suffering from an illness?	0.96	Ontario An employee is entitled to a 8 week leave of absence to provide care or support to a family member. Employment Standards Act 49.3 Quebec An employee may be absent from work for a period of not more than 27 weeks to care for an adult relative suffering from a serious and potentially mortal illness. Act Respecting Labour Standards 79.8.1 British Columbia An employee is entitled to up to 5 days of unpaid leave for the care, health or education of a child or other immediate family member. Also, up to 16 weeks unpaid leave to care for a child with a serious illness or injury. And up to 27 weeks of unpaid leave to care for any immediate family member with a serious illness with a significant risk of death within 26 weeks. Employment Standards Act 52, 52.1, 52.11 Alberta An employee who has been employed by the same employer for at least 90 days is entitled to unpaid compassionate care leave for a period of up to 27 weeks for the purpose of providing care or support to a seriously ill family member with a serious risk of death within the next 26 weeks. Employment Standards Code 53.9(1) Manitoba An employee who has been employed by the same employer for at least 90 days is entitled to unpaid compassionate care leave of up to 28 weeks to provide care or support to a seriously ill family member with a risk of death in the next 26 weeks. Also 3 days unpaid leave for family responsibilities. Employment Standards Code 59.2(2) & 59.3(1)
			Explanation of Coverage and Deductions Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba) Deductions 0.25 (Alberta has condition of 90 days prior employment), 0.25 (Manitoba has condition of 90 days prior employment) Calculation 1-(0.25*0.17)=0.96
A4.3	Are all categories of workers guaranteed dependent care leaves?	1.00	Ontario Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid dependent care leave to self-employed workers are not necessary. Employment Standards Act 3 Quebec Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid dependent care leave to self-employed workers are not necessary. Act Respecting Labour Standards 2-3 British Columbia Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid dependent care leave to self-employed workers are not necessary. Employment Standards Act 3 Alberta Law is phrased on the basis of universal coverage with some exclusions, but no listed sectors are excluded. Employment Standards Code 2 Manitoba Law is phrased on the basis of universal coverage with some exclusions. Workers in self-employment excluded, but not counting this as an exclusion for Canada because laws guaranteeing unpaid dependent care leave to self-employed workers are not necessary. Employment Standards Code 2
			Explanation of Coverage and Deductions Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba) Deductions 0 Calculation 1-0=1
A5. Flexible Work Arrangements			
A5.1	Do employees with care responsibilities have the right to request reduced working hours?	0	Ontario No mention. Employment Standards Act Quebec No mention. Act Respecting Labour Standards British Columbia No mention. Employment Standards Act Alberta No mention. Employment Standards Code Manitoba No mention. Employment Standards Code
			Explanation of Coverage and Deductions Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba) Deductions 0 Calculation 0

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A5.2	Do employees with care responsibilities have the right to request flexitime, telecommuting, etc.?	0.00	<p>Ontario No mention. Employment Standards Act</p> <p>Quebec No mention. Act Respecting Labour Standards</p> <p>British Columbia No mention. Employment Standards Act</p> <p>Alberta No mention. Employment Standards Code</p> <p>Manitoba "Flexitime arrangements" - at the request of an employee who is not covered by a collective agreement and who regularly works at least 35 hours per week, an employer may enter into a written agreement with the employee that exempts the employee from the standard hours of work. An agreement must establish alternative standard hours of work that do not exceed 40 hrs/wk and 10 hrs/day. Employment Standards Code 14.1(1)</p>
A5.3	Are the special needs of workers with family responsibilities taken into account in shift-work arrangements and assignments to night work?	0.00	<p>Ontario No mention. Employment Standards Act</p> <p>Quebec No mention. Act Respecting Labour Standards</p> <p>British Columbia No mention. Employment Standards Act</p> <p>Alberta No mention. Employment Standards Code</p> <p>Manitoba No mention. Employment Standards Code</p>
A5.4	Is a woman allowed to leave the workplace, if necessary, after notifying her employer, in order to undergo medical examinations related to her pregnancy?	0.10	<p>Ontario No mention. Employment Standards Act</p> <p>Quebec An employee may be absent from work without pay for a medical examination related to her pregnancy or for an examination related to her pregnancy carried out by a midwife. Act Respecting Labour Standards 81.3</p> <p>British Columbia No mention. Employment Standards Act</p> <p>Alberta No mention. Employment Standards Code</p> <p>Manitoba No mention. Employment Standards Code</p>
A6. Family-Friendly Workplace Policies			
A6.1 Nursing Support in the Workplace			
A6.1.1	Is the mother guaranteed daily breaks or reduction of work hours to pump milk, breastfeed, or nurse for her child?	0.10	<p>Ontario Employers may not discriminate against employees because of sex, which includes pregnancy and breastfeeding. Employers have a duty to accommodate pregnancy and breastfeeding, which may include nursing breaks. The employee should request and voice the accommodation she needs. Ontario Breastfeeding website (http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-pregnancy-and-breastfeeding)</p> <p>Quebec Employers may not discriminate against employees because of sex, which includes pregnancy and breastfeeding. Employers have a duty to accommodate pregnancy and breastfeeding, which may include nursing breaks. The employee should request and voice the accommodation she needs. Quebec Reasonable accommodation website (https://www.cdpdj.qc.ca/en/droits-de-la-personne/responsabilites-employeurs/Pages/accommodement.aspx)</p> <p>British Columbia Employers may not discriminate against employees because of sex, which includes pregnancy and breastfeeding. Employers have a duty to accommodate pregnancy and breastfeeding, which may include nursing breaks. The employee should request and voice the accommodation she needs. BC Breastfeeding website (https://www.healthlinkbc.ca/health-topics/hw130471)</p> <p>Alberta Employers may not discriminate against employees because of sex, which includes pregnancy and breastfeeding. Employers have a duty to accommodate pregnancy and breastfeeding, which may include nursing breaks. The employee should request and voice the accommodation she needs. Alberta Duty to Accommodate website (https://www.albertahumanrights.ab.ca/publications/bulletins_sheets_booklets/bulletins/Pages/duty_to_accommodate.aspx)</p> <p>Manitoba Employers may not discriminate against employees because of sex, which includes pregnancy and breastfeeding. Employers have a duty to accommodate pregnancy and breastfeeding, which may include nursing breaks. The employee should request and voice the accommodation she needs. Manitoba Breastfeeding website (http://www.manitobahumanrights.ca/v1/education-resources/resources/fact-sheet-pages/fact-sheet-breastfeeding.html)</p>
A6.1.2	Are these breaks counted and compensated as working time?	0.00	<p>Ontario No explicitly guaranteed breaks. Employment Standards Act</p> <p>Quebec No explicitly guaranteed breaks. Act Respecting Labour Standards</p> <p>British Columbia No explicitly guaranteed breaks. Employment Standards Act</p> <p>Alberta No explicitly guaranteed breaks. Employment Standards Code</p> <p>Manitoba No explicitly guaranteed breaks. Employment Standards Code</p>
A6.1.3	On the production of a medical certificate, can the frequency and length of these nursing breaks be adapted to particular needs?	0.00	<p>Ontario No explicitly guaranteed breaks. Employment Standards Act</p> <p>Quebec No explicitly guaranteed breaks. Act Respecting Labour Standards</p> <p>British Columbia No explicitly guaranteed breaks. Employment Standards Act</p> <p>Alberta No explicitly guaranteed breaks. Employment Standards Code</p> <p>Manitoba No explicitly guaranteed breaks. Employment Standards Code</p>

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A6.1.4	Are employers required to provide infrastructural provisions/facilities at or near the workplace that mothers may use to nurse or pump milk?	0.10	<p>Ontario Employers may not discriminate against employees because of sex, which includes pregnancy and breastfeeding. Employers have a duty to accommodate pregnancy and breastfeeding, which may include infrastructural support. The employee should request and voice the accommodation she needs. Ontario Breastfeeding website (http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-pregnancy-and-breastfeeding)</p> <p>Quebec Employers may not discriminate against employees because of sex, which includes pregnancy and breastfeeding. Employers have a duty to accommodate pregnancy and breastfeeding, which may include infrastructural support. The employee should request and voice the accommodation she needs. Quebec Reasonable accommodation website (https://www.cdpcj.qc.ca/en/droits-de-la-personne/responsabilites-employeurs/Pages/accommodement.aspx)</p> <p>British Columbia Employers may not discriminate against employees because of sex, which includes pregnancy and breastfeeding. Employers have a duty to accommodate pregnancy and breastfeeding, which may include infrastructural support. The employee should request and voice the accommodation she needs. BC Breastfeeding website (https://www.healthlinkbc.ca/health-topics/hw130471)</p> <p>Alberta Employers may not discriminate against employees because of sex, which includes pregnancy and breastfeeding. Employers have a duty to accommodate pregnancy and breastfeeding, which may include infrastructural support. The employee should request and voice the accommodation she needs. Alberta Duty to Accommodate website (https://www.albertahumanrights.ab.ca/publications/bulletins_sheets_booklets/bulletins/Pages/duty_to_accommodate.asp)</p> <p>Manitoba Employers may not discriminate against employees because of sex, which includes pregnancy and breastfeeding. Employers have a duty to accommodate pregnancy and breastfeeding, which may include infrastructural support. The employee should request and voice the accommodation she needs. Manitoba Breastfeeding website (http://www.manitobahumanrights.ca/v1/education-resources/resources/fact-sheet-pages/fact-sheet-breastfeeding.html)</p>
A6.2 Workplace Safety for Pregnant and Nursing Women			
A6.2.1	Are employers required to assess and report workplace risks related to the health and safety of pregnant and nursing women and their children?	0.00	<p>Ontario No mention. Occupational Health and Safety Act</p> <p>Quebec No mention. Act Respecting Occupational Health and Safety</p> <p>British Columbia No mention. Occupational Health and Safety Regulation</p> <p>Alberta No mention. Occupational Health and Safety Act</p> <p>Manitoba When a worker informs her employer that she is pregnant or nursing, the employer must inform the worker of any known or foreseeable risk that conditions at the workplace pose of may pose to the safety or health of the worker or to her unborn or nursing child. Workplace Safety and Health</p>
A6.2.2	Is a pregnant or nursing woman exempt from performing work that has been determined to be prejudicial to the health of the mother or the child?	1.00	<p>Ontario A worker may refuse to perform work she has reason to believe is dangerous. The work will be assessed by the employer in the presence of a third party official if there is such. She will remain in a safe place during the assessment and is exempt from the work if deemed dangerous by the assessment. Occupational Health and Safety Act Part V</p> <p>Quebec If a requested re-assignment is not made immediately, the pregnant worker may stop working until she is re-assigned or until the date of delivery. Act Respecting Occupational Health and Safety 41</p> <p>British Columbia A worker may refuse to do work she has reason to believe is dangerous. The work will be investigated first by the employer and, if not resolved, by a third party official. Occupational Health and Safety Regulation 3.12</p> <p>Alberta A worker has the right to refuse work if she has reason to believe it is dangerous. The work will be investigated by the employer in the presence of a third party official if it is reasonable. Occupational Health and Safety Act 31</p> <p>Manitoba A worker has the right to refuse work if she believes on reasonable grounds that it is dangerous. The work will be investigated by the employer in the presence of a third party official. Workplace Safety and Health Act 43(1)-(3)</p>
A6.2.3	Is the woman entitled to eliminate risk elements from work (if possible), adapt the conditions of her work, or transfer from harmful labor to other kinds of work that do not pose risks to her health?	1.00	<p>Ontario A worker may refuse to perform work she has reason to believe is dangerous. The work will be assessed by the employer in the presence of a third party official if there is such. She will remain in a safe place during the assessment and is exempt from the work if deemed dangerous by the assessment. The employer must take steps to remedy the dangerous work. Occupational Health and Safety Act Part V</p> <p>Quebec A pregnant worker who furnishes to her employer a certificate attesting that her working conditions may be physically dangerous to her unborn child, or to herself by reason of her pregnancy, may request to be re-assigned to other duties involving no such danger. A worker who furnishes to her employer a certificate attesting that her working conditions involve risks for the child she is breast-feeding may request to be re-assigned to other duties. Act Respecting Occupational Health and Safety 40 & 46</p> <p>British Columbia Unsafe or harmful conditions found in the course of an inspection must be remedied without delay. Occupational Health and Safety Regulation 3.9</p> <p>Alberta The employer required to inspect shall take any action necessary to remedy any dangerous condition, or ensure that such action is taken. Occupational Health and Safety Act 31 (4)</p> <p>Manitoba The person required to inspect the dangerous condition shall take any action necessary to remedy any dangerous condition, or ensure that such action is taken. Workplace Safety and Health Act 43(4)</p>
A6.2.4	On the production of a medical certificate, is the woman exempt from doing night work if it may be incompatible with her pregnancy or nursing?	0.00	<p>Ontario No mention. Employment Standards Act</p> <p>Quebec No mention. Act Respecting Labour Standards</p> <p>British Columbia No mention. Employment Standards Act</p> <p>Alberta No mention. Employment Standards Code</p> <p>Manitoba No mention. Employment Standards Code</p>

SUB-INDEX B: PROTECTIONS FOR DOMESTIC WORKERS

B1. Coverage under National Labor Laws

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B1.1	Are domestic workers covered under national labor laws?	0.75	<p>Ontario Partial coverage under the Employment Standards Act. "Domestic workers" (employed by a private individual) fully covered. "Homemakers" (not employed by a private individual) covered but excluded from normal hours of work, daily/weekly rest, time off between shifts, eating periods, and overtime pay. Employment agencies for local dw not regulated. Employment contracts only required for migrant dw. Living conditions for live-in workers requirements limited to migrant dw. Only migrant dw legally entitled to keep travel and identity documents. Additions: employers must write down regular hours of work and hourly pay for "domestic workers". Also, there are limits on amount of wage deductions for accommodation for "domestic workers" and some standards for accommodation quality. Employment Standards Act, O. Reg. 285/01 19</p> <p>Quebec Partial coverage under the Act respecting labour standards. Dw fully covered. Dw without contracts excluded from the Act respecting occupational health and safety. Employment contracts only required for migrant dw. Information about employer/employee in employment contract only required for dw hired by agency. Living conditions for live-in workers requirements limited to migrant dw. Only migrant dw legally entitled to keep travel and identity documents. Additions: employers of live-in dw are prohibited from charging for room and board. Act Respecting Labour Standards</p> <p>British Columbia Partial coverage under the Employment Standards Act for some workers. "Domestic workers" (live-in) fully covered. "Live-in home support workers" (24 hr live-in caring through a government funded program) covered but excluded from regulations on hours of work and overtime, and have a daily minimum wage. "Night attendants" (caring for a disabled person at night) covered but excluded from regulations on hours of work and overtime. Employment contracts only required for migrant dw. Living conditions for live-in workers requirements limited to migrant dw. Only migrant dw legally entitled to keep travel and identity documents. Additions: Written employment contract requirement and limitations on cost of accommodation for "domestic workers". Also, employers must register employees working in residences. Employment Standards Act</p> <p>Alberta Partial coverage under the Employment Standards Code. "Domestic workers" (employed by private individual) and "home care workers" (employed by agency) are both covered but excluded from normal hours of work and overtime regulations. For the Occupational Health and Safety Act, definition of "occupation" excludes live-out dw employed by private individual. Employment contracts only required for migrant dw. Living conditions for live-in workers requirements limited to migrant dw. Only migrant dw legally entitled to keep travel and identity documents. Additions: Live-in "domestic workers" have a monthly minimum wage. "Home care workers" have a 2 hr minimum payment and must be paid for outings with clients. Employment Standards Code</p> <p>Manitoba Partial coverage under the Employment Standards Code. "Domestic workers" (work in employer's private residence, may live-in) and "residential caregivers" (care for a child/adult, work in client's home, live-in during hours of work) fully covered. Employment contracts only required for migrant dw. Living conditions for live-in workers requirements limited to migrant dw. Only migrant dw legally entitled to keep travel and identity documents. Additions: "Residential caregivers" are to be paid for 12 hours/day consisting of 8 hours at regular wages and 4 hours at the overtime rate, regardless of how many hours are worked that day. "Domestic workers" and "residential caregivers" given 36 hour weekly rest. Employment Standards Code, Employment Standards Regulation 6/2007</p>
B1.2	Do the legislations for domestic workers cover all categories of domestic work and contractual arrangements?	0.75	<p>Ontario Legislation for domestic workers excludes "sitters" (provide care to children on an occasional basis) entirely. Ontario domestic workers website (https://www.ontario.ca/document/your-guide-employment-standards-act-0/domestic-workers)</p> <p>Quebec Legislation for domestic workers excludes "sitters" (care for an individual occasionally or in the context of helping a family) entirely, except for legislation on retirement and psychological harassment. Act Respecting Labour Standards Coverage website (https://www.cnt.gov.qc.ca/en/not-covered/worker-not-covered-by-the-act-respecting-labour-standards/index.html)</p> <p>British Columbia Legislation for domestic workers excludes "sitters" (cares solely for an individual in a private residence) entirely. BC Definitions of Workers website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/forms-resources/igm/definitions#sitter)</p> <p>Alberta Legislation for domestic workers excludes "casual babysitters" entirely. Alberta Domestic Employees website (https://www.alberta.ca/es-exceptions-domestic-employees.aspx)</p> <p>Manitoba Legislation for domestic workers excludes "sitters" (work 12 hrs/wk or less) entirely, except for legislation on unpaid leave and employment of children. Manitoba Domestic Worker website (https://www.gov.mb.ca/labour/standards/doc/domestic-workers.factsheet.html#q279)</p>
B2. Fair Employment Process			
B2.1 Standard Terms of Employment			
B2.1.1	Is there a requirement for domestic workers to be informed of their terms of employment, preferably through written contracts, though verifiable verbal contracts are allowed?	1.00	<p>Federal Low-wage temporary foreign domestic workers must sign an employment contract with their employer. Recommended for high-wage temporary foreign domestic workers. Canada TFW Rights website (https://www.canada.ca/en/employment-social-development/services/foreign-workers/protected-rights.html#h2.6)</p>
B2.1.2	Are domestic workers' contracts required to include standard information about the employment relationship?	0.13	<p>Ontario Not specified. O. Reg. 285/01 19</p> <p>Quebec The licence holder of a personnel placement agency licence must give the employee, at the time of assignment to a client, a document describing the working conditions that apply to the employee, including the name and contact information of the employer. (Score=4/8). Regulation Respecting Personnel Placement Agencies and Recruitment Agencies for Temporary Foreign Workers 22</p> <p>British Columbia Not specified. Employment Standards Act</p> <p>Alberta Not specified. Employment Standards Code</p> <p>Manitoba Not specified. Employment Standards Code</p> <p>Saskatchewan Not specified. Employment Standards Act</p> <p>Nova Scotia Not specified. Labour Standards Code</p> <p>New Brunswick Not specified. Employment Standards Act</p>
B2.1.3	Are domestic workers' contracts required to include information about working hours, rest and leave?	0.67	<p>Federal The employment contract for low-wage temporary foreign domestic workers should include details about the job duties and the maximum number of hours the dw will work each day and each week for regular pay, 2/3. Canada TFW Rights website (https://www.canada.ca/en/employment-social-development/services/foreign-workers/protected-rights.html#h2.6)</p>
B2.1.4	Are domestic workers' contracts required to include information about their wages?	0.29	<p>Federal The employment contract for low-wage temporary foreign domestic workers should include authorized deductions from wage and rate of pay for overtime, 2/7. Canada TFW Rights website (https://www.canada.ca/en/employment-social-development/services/foreign-workers/protected-rights.html#h2.6)</p>
B2.1.5	Are domestic workers' contracts required to include information about living conditions for live-in workers?	0.25	<p>Ontario Not specified. O. Reg. 285/01 19</p> <p>Quebec Not specified. Act Respecting Labour Standards</p> <p>British Columbia Cost of room and board. 2/2. Employment Standards Act 14</p> <p>Alberta Not specified. Employment Standards Code</p> <p>Manitoba Not specified. Employment Standards Code</p>
B2.2 Regulations for Recruitment and Employment Process			

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B2.2.1	Is there any regulation around how private employment agencies recruit and place local and migrant domestic workers?	0.58	<p>Ontario Recruiters may not threaten or intimidate a foreign nationals and must give her a copy of the employment standards in her native language. Employment Protection for Foreign Nationals Act 10 & 11</p> <p>Quebec No agency may remunerate an employee at a lower rate of wage than that granted to the employees of the client enterprise who perform the same tasks in the same establishment. Agencies for temporary foreign workers must be licensed by the government. Agencies for temporary foreign workers must not prevent hiring. Act respecting labour standards 41.2 & 92.5, Regulation Respecting Personnel Placement Agencies and Recruitment Agencies for Temporary Foreign Workers 23(2)</p> <p>British Columbia Employment agencies must be licensed by the Employment Standards Branch. Employment agencies must keep records of the employers and employees they help. Recruiters of temporary foreign workers must not produce false/misleading information about employee rights, misrepresent employment opportunities, or threaten workers. BC Employment Agencies website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/licensing/licensing-employment-agencies)</p> <p>Alberta Employment agencies must have a license issued by Service Alberta to exist in Alberta or recruit for an employer located in Alberta. Employment agencies must keep records of the employees and employers they help, not give false/misleading information about rights, or threaten employees. When there is an offer, agencies must communicate the job description, terms of employment, and employer contact information in writing or directly to the employee. Employment Agency Business Licensing Regulation 11</p> <p>Manitoba Agencies for foreign workers must be licensed and registered by the government (must have a history of good legal standing). All agencies must keep records of the employers and employees they help. Worker Recruitment and Protection Act 2(4) & 18</p>
B2.2.2	Are there measures to ensure that fees charged by private employment agencies are not deducted from the remuneration of domestic workers?	1.00	<p>Ontario No person who acts as a recruiter in connection with the employment of a foreign national shall directly or indirectly charge the foreign national or such other persons as may be prescribed a fee for any service, good or benefit provided to the foreign national. Employment Protection for Foreign Nationals Act 7</p> <p>Quebec No holder of a personnel placement agency licence may charge an employee fees for the employee's assignment to a client enterprise, for the training required for that assignment or for assistance or advice received in preparation for job interview. Regulation Respecting Personnel Placement Agencies and Recruitment Agencies for Temporary Foreign Workers 23</p> <p>British Columbia Employment agencies cannot charge workers to help them find a job. BC Employment Agencies website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/licensing/licensing-employment-agencies)</p> <p>Alberta Employment agencies cannot demand or collect a fee for recruiting services or for helping workers find a job. Alberta Employment Agencies website (https://open.alberta.ca/dataset/f0d0e848-7fc6-40ef-b2cf-2c604fff833a/resource/48ce4553-c552-4c2d-aeb3-bfaa75ad16ae/download/sa-consumer-tips-employment-agencies-2020-03.pdf)</p> <p>Manitoba A person who is engaged in an employment agency business must not, directly or indirectly, charge or collect a fee from an individual who is seeking employment or information about employers seeking employees (includes local and foreign dw). Worker Recruitment and Protection Act 15</p>
B2.2.3	Are there any measures to prohibit discrimination in employment of domestic workers on the basis of medical testing results?	1.00	<p>Ontario Employment-related medical examinations or inquiries, conducted as part of the applicant screening process, are prohibited unless they are necessary to assess the individual's ability to perform the essential duties of a job. Ontario Testing website (http://www.ohrc.on.ca/en/policy-hiv-aids-related-discrimination/testing)</p> <p>Quebec Questions pertaining to one of the prohibited grounds of discrimination are not permitted in pre-employment medical examinations. Quebec Pre-hiring website (http://www.cdpcj.qc.ca/en/droits-de-la-personne/motifs/Pages/formulaires.aspx)</p> <p>British Columbia Pre-employment medical tests cannot be conducted unless they are reasonable to the performance of the job itself. British Columbia (Superintendent of Motor Vehicles) v. British Columbia (Council of Human Rights)</p> <p>Alberta A medical examination should only be required if there are no other reasonable ways for the employer to determine the ability of the applicant to perform the key duties of the position. Alberta Pre-employment website (https://www.albertahumanrights.ab.ca/employment/employee_info/applications/Pages/pre_employment_testing.aspx)</p> <p>Manitoba Pre-employment medical testing must only assess conditions or abilities relevant for the occupation. Manitoba Pre-employment website (http://manitobahumanrights.ca/v1/education-resources/resources/policies-pages/policies-g-6.html)</p>
B3. Decent Working and Living Conditions			
B3.1 Working Hours and Environment			
B3.1.1	Is there a requirement of normal hours of work for domestic workers?	0.75	<p>Ontario Dw employed by private individual are limited to 8 hrs/day or 48 hrs/wk. These hours can be extended if an agreement between the employee and employer is made, but this condition is relevant for other workers too, so no deduction. Dw not employed by private individual may be exempt if they are paid minimum wage for no more than 12 hrs/day. Employment Standards Act 17, O. Reg. 285/01 11</p> <p>Quebec The regular workweek is 40 hours. Act Respecting Labour Standards 52</p> <p>British Columbia The standard hours of work (8 hrs/day or 40 hrs/wk) applies to "domestic workers". "Live-in home support workers", "night attendants", and "sitters" are excluded. BC domestic workers website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hiring/domestic-workers)</p> <p>Alberta No, both domestic workers and home care workers are excluded from normal hours of work regulations. Alberta Domestic Employees website (https://www.alberta.ca/es-exceptions-domestic-employees.aspx), https://www.alberta.ca/es-exceptions-caregivers.aspx)</p> <p>Manitoba The standard hours of work for an employee are 40 hrs/wk and 8 hrs/day. Employment Standards Code 10</p>
B3.1.2	Are periods during which domestic workers remain to respond to possible calls required to be regarded as hours of work?	0.50	<p>Ontario Work is deemed to be performed when the employee is not performing work and is required to remain at the place of employment waiting or holding himself or herself ready for call to work. O. Reg. 285/01 1.1(b)</p> <p>Quebec An employee is deemed to be at work while available to the employer at the place of employment and required to wait for work to be assigned. Act Respecting Labour Standards 57</p> <p>British Columbia An employee is deemed to be at work while on call at a location designated by the employer unless the designated location is the employee's residence. Employment Standards Act 1</p> <p>Alberta Not specified. Employment Standards Code, Employment Standards Regulation</p> <p>Manitoba The caregiver or domestic worker is deemed not to be performing work during any time that he or she is, by agreement with the employer, free from the performance of duties. Thus, standby work is not work. Employment Standards Regulation 6/2007 15(1)</p>
B3.1.3	Is there a limit to the number of hours of standby work domestic workers can be given, and are they entitled to compensation for this standby work?	0.75	<p>Ontario Yes, because standby hours are considered normal work (there are limits on normal hours of work, and normal work is paid). However, dw not employed by private individual are excluded from the limits on normal hours of work. O. Reg. 285/01 1.1(b)</p> <p>Quebec Yes, because standby hours are considered normal work (there are limits on normal hours of work, and normal work is paid). Act Respecting Labour Standards 57</p> <p>British Columbia Yes, because standby hours are considered normal work (there are limits on normal hours of work, and normal work is paid). Employment Standards Act 1</p> <p>Alberta Not specified. Employment Standards Code, Employment Standards Regulation</p> <p>Manitoba Not specified; standby hours not considered work. Employment Standards Code, Employment Standards Regulation 6/2007</p>

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B3.1.4	Is there a requirement that hours of work be accurately recorded and the records freely accessible to the domestic worker?	0.85	<p>Ontario An employer must record the date and times that the employee worked. This information must be made available for inspection as required by an employment standards officer, but not to the employee. Employment Standards Act Part VI</p> <p>Quebec An employer shall establish a registration system or keep a register in which are shown for each employee the number of hours of work. Regulation Respecting a Registration System or the Keeping of a Register 1</p> <p>British Columbia The employer must keep a record of the hours worked by the employee on each day, regardless of whether the employee is paid on an hourly or other basis. No mention of freely accessible to dw. Employment Standards Act 28</p> <p>Alberta Every employer must keep an up-to-date record of information for each employee, including the regular and overtime hours of work. On request, an employer must give to an employee a detailed statement of how the employee's earnings were calculated and the method of calculating any bonus or living allowance paid, whether or not it forms part of wages. Employment Standards Code Division 2</p> <p>Manitoba An employer shall keep and maintain at the principal place of business of the employer in the province records the regular hours of work and overtime, recorded separately and daily. No mention of freely accessible to the dw. Employment Standards Code 135</p>
B3.1.5	Is there a requirement to provide domestic workers with a safe and healthy working environment?	0.50	<p>Ontario The Occupational Health and Safety Act does not apply to private residences. Occupational Health and Safety Act 3(1)</p> <p>Quebec Dw (with contract) are covered under the Act respecting occupational health and safety. Act Respecting Occupational Health and Safety</p> <p>British Columbia All employees (except those working in mines) are covered under the Occupational Health and Safety Act. Occupational Health and Safety Act</p> <p>Alberta Dw are partially covered under the Occupational Health and Safety Act. Occupational Health and Safety Act</p> <p>Manitoba Dw meet the definition for "worker" and are thus covered under the Workplace Health and Safety Act. Workplace Health and Safety Act</p>
B3.2 Rest and Leave			
B3.2.1	Is there a requirement to provide daily rest for domestic workers?	1.00	<p>Ontario An employer shall give an employee a period of at least 11 consecutive hours free from performing work in each day. Dw not employed by a private individual are exempt if they are paid minimum wage up to 12 hrs/day. Employment Standards Act 18(1), O. Reg. 285/01 11</p> <p>Quebec The employer must grant to an employee a rest period of thirty minutes, without pay, for meals, for a period of five consecutive hours of work. That period shall be remunerated if the employee is not authorized to leave his work station. Act Respecting Labour Standards 79</p> <p>British Columbia An employer must ensure that each employee has at least 8 consecutive hours free from work between each shift worked. An employer must ensure that no employee works more than 5 consecutive hours without a meal break. Employment Standards Act 32 & 36</p> <p>Alberta An employer must provide each employee who works 5 hours or more with at least 30 minutes of rest, whether paid or unpaid, within every 5 consecutive hours of work. Employment Standards Code 18</p> <p>Manitoba An employer shall not require an employee to work for more than five consecutive hours without a break. Employment Standards Code 50(1)</p>
B3.2.2	Is weekly rest at least 24 consecutive hours for domestic workers?	0.95	<p>Ontario An employer shall give an employee a period free from the work equal to 24 consecutive hours in every work week or 48 consecutive hours in every period of two consecutive work weeks. Dw not employed by a private individual are exempt if they are paid minimum wage up to 12 hrs/day. Employment Standards Act 18(4), O. Reg. 285/01 11</p> <p>Quebec An employee is entitled to a weekly minimum rest period of 32 consecutive hours. Act Respecting Labour Standards 78</p> <p>British Columbia An employer must either ensure that an employee has at least 32 consecutive hours free from work each week OR pay an employee 1 1/2 times the regular wage for time worked by the employee during the 32 hour period the employee would otherwise be entitled to have free from work. Employment Standards Act 36</p> <p>Alberta Every employer must allow each employee at least one day of rest in each work week or 2 consecutive days of rest in each period of 2 consecutive work weeks or 3 consecutive days of rest in each period of 3 consecutive work weeks or 4 consecutive days of rest in each period of 4 consecutive work weeks. Employment Standards Code 19</p> <p>Manitoba 36 hr weekly rest. If the employer requests the dw to perform work, and he/she agrees, then the employer must provide compensatory rest OR pay for the hours worked during rest at overtime rate. Employment Standards Regulation 6/2007 10</p>
B3.2.3	Are there defined exceptions when domestic workers may be asked to work during periods of rest, and is compensatory rest mandatory?	0.75	<p>Ontario An employee may be required to work during periods of rest in the case of an emergency. However, compensatory rest is not mentioned. Employment Standards Act 19</p> <p>Quebec Not allowed to work during periods of rest. Act Respecting Labour Standards Division V</p> <p>British Columbia An employee may be required to work during periods of rest in the case of an emergency. However, compensatory rest is not mentioned. Employment Standards Act 36</p> <p>Alberta Employees may be asked to work when an accident occurs, urgent work is necessary or other unforeseeable or unpreventable circumstances occur. Or when it is not reasonable for the employee to take a rest period. Compensatory rest not mentioned. Employment Standards Code 18</p> <p>Manitoba If the employer requests the dw to work during the 36 hr rest period, and he/she agrees. Compensatory rest is not mandatory, only an option. Employment Standards Regulation 6/2007 10</p>
B3.2.4	Is paid annual leave at least 3 weeks per year for domestic workers?	0.75	<p>Ontario Dw are entitled to 3 weeks paid vacation leave upon completion of every 12 month vacation entitlement year, if the employee's period of employment is five years or more. These conditions are the same as for other workers. Ontario Vacation website (https://www.ontario.ca/document/your-guide-employment-standards-act/vacation)</p> <p>Quebec A dw who, at the end of a reference year, is credited with 3 years of uninterrupted service with the same employer is entitled to an annual leave for a minimum duration of 3 consecutive weeks. These conditions are the same as for other workers. Act Respecting Labour Standards 69</p> <p>British Columbia An employer must give a dw paid annual vacation of at least 3 weeks, after 5 consecutive years of employment. These conditions are the same as for other workers. Employment Standards Act 57</p> <p>Alberta An employer must provide an annual vacation to a dw of at least 3 weeks after 5 consecutive years of employment and each year of employment after that. These conditions are the same as for other workers. Employment Standards Code 34</p> <p>Manitoba A dw is entitled to an annual vacation of at least 3 weeks after 5 consecutive years of employment and each year of employment after that. These conditions are the same as for other workers. Employment Standards Code 34(1)</p>
B3.2.5	Is there a requirement that time spent by domestic workers accompanying household members on holiday should not be counted as part of paid annual leave?	0.44	<p>Ontario Not specified. O. Reg. 285/01</p> <p>Quebec An employee is deemed to be at work when travel is required by the employer. Act Respecting Labour Standards 57</p> <p>British Columbia It is not vacation time if the domestic worker goes with the employer on a trip or stays behind to work in the home. BC Domestic Workers website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hiring/domestic-workers)</p> <p>Alberta When a home care employee accompanies a client on an outing they must be paid at least their regular rate, unless agreed otherwise. Alberta Caregivers website (https://www.alberta.ca/es-exceptions-caregivers.aspx)</p> <p>Manitoba Not specified. Employment Standards Code, Employment Standards Regulation 6/2007</p>

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B3.3 Wages				
B3.3.1	Is the minimum wage for domestic workers at least the national minimum wage?	1.00	<p>Ontario Dw are covered under Employment Standards Act and thus entitled to Ontario's minimum wage of \$11.60/hr. Ontario Minimum Wage website (https://www.ontario.ca/document/your-guide-employment-standards-act/minimum-wage)</p> <p>Quebec Dw are entitled to be paid a wage that is at least equivalent to the minimum wage in Quebec, \$13.10/hr. Act Respecting Labour Standards 40</p> <p>British Columbia Domestic workers and night attendants must be paid the minimum wage in BC, \$14.60/hr. Live-in home support workers have a daily minimum wage of \$113.50/day or part day worked. BC Domestic Workers website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hiring/domestic-workers)</p> <p>Alberta Dw must be paid the minimum wage of Alberta, \$15/hr. The minimum wage for live in dw employed by private individual is \$2,848/month. Alberta Domestic Employees website (https://www.alberta.ca/es-exceptions-domestic-employees.aspx)</p> <p>Manitoba Dw are entitled to the minimum wage in Manitoba, \$11.65/hr. Manitoba Domestic Workers website (https://www.gov.mb.ca/labour/standards/doc_domestic-workers.factsheet.html#q279)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
B3.3.2	Is the overtime compensation rate for domestic workers at least 1.25 times their regular rate?	1.00	<p>Ontario Overtime pay is 1½ times the employee's regular rate of pay. Dw not employed by a private individual are exempt if they are paid minimum wage up to 12 hrs/day. Ontario Overtime Pay website (https://www.ontario.ca/document/your-guide-employment-standards-act/overtime-pay)</p> <p>Quebec Any work performed in addition to the regular work-week entails a premium of 50% of the prevailing hourly wage paid. Act Respecting Labour Standards 55</p> <p>British Columbia The BC overtime rate is 1.5. Live-in home support workers and night attendants are excluded from overtime pay requirements. BC Overtime Pay website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hours/overtime-pay)</p> <p>Alberta Domestic workers excluded from overtime compensation. Home care workers are eligible for overtime paid at 1.5 times the regular rate. For shifts less than 24 hours in length, overtime is paid for hours worked in excess of 12 hours a day or 264 hours in a work month. For shifts 24 hours in length, overtime is paid for hours worked in excess of 264 hours in a work month. Alberta Domestic Employees website (https://www.alberta.ca/es-exceptions-domestic-employees.aspx)</p> <p>Manitoba An employer must pay a dw a wage for overtime at an hourly rate that is not less than 150% of the employee's regular wage rate. Employment Standards Code 17(1)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
B3.3.3	Is there any limitation placed on wages paid in the form of payments in kind for domestic workers?	1.00	<p>Ontario If an employer provides room and board, they can deduct from the employee's pay. However, the employer cannot deduct more than: \$31.70 for a private room per week, \$0 for a non-private room per week, \$2.55 per meal up to \$53.55 per week, \$85.25 for meals and a private room per week, \$53.55 for meals and a non-private room per week. Ontario Household Services website (https://www.ontario.ca/document/industries-and-jobs-exemptions-or-special-rules/household-landscaping-and-residential-building-services#section-0)</p> <p>Quebec No benefit having pecuniary value may be taken into account in computing the minimum wage. The employer cannot require an amount of money from an employee for the purchase, use or upkeep of special clothing if that would cause the employee to receive less than the minimum wage. Act Respecting Labour Standards 41 & 85</p> <p>British Columbia Money cannot be deducted from an employee's wages to recover the cost of doing business or for damage to the employer's property (e.g. a broken vase). Employers can charge up to \$325 per month for room and board, and the employee must agree in writing before room and board can be deducted from their pay. BC Domestic Workers website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hiring/domestic-workers)</p> <p>Alberta There are limits to the deductions from the minimum wage for room and board that employers may take per month. The maximum allowable deduction per meal is \$3.35, the maximum allowable deduction for lodging is \$4.41 per night, and deductions may not be made for meals not consumed. Alberta Domestic Employees website (https://www.alberta.ca/es-exceptions-domestic-employees.aspx)</p> <p>Manitoba The amount employers can charge for room and board is limited. The deductions for room and board cannot reduce a dw's earnings below minimum wage for the pay period by more than \$7 per week for the room and by more than \$1 for each meal. Employers cannot deduct the cost of uniforms from dw wages. Manitoba Domestic Workers Website (https://www.gov.mb.ca/labour/standards/doc_domestic-workers.factsheet.html#q283)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
B3.3.4	Is there a requirement to provide at least a monthly payment of wages in cash for domestic workers?	0.89	<p>Ontario Employers must pay wages in cash, but there is no monthly requirement. Employers can determine the recurring pay period. Employment Standards Act 11</p> <p>Quebec Wages must be paid in cash in a sealed envelope, by cheque or by bank transfer. Wages must be paid at regular intervals of not over sixteen days. Act Respecting Labour Standards 42 & 43</p> <p>British Columbia Employers must pay all employees at least semimonthly and within 8 days after the end of the pay period in cash. Employment Standards Act 17 & 20</p> <p>Alberta A pay period must not be longer than one work month. Wage should be paid in cash, cheque, or direct deposit. Employment Standards Code 7(2) & 11</p> <p>Manitoba An employer shall pay a dw the wages earned by the employee at least semi-monthly and within 10 working days after the expiration of each pay period. Wages must be paid in cash, cheque, bill of exchange, or direct deposit. Employment Standards Code 86(1) & 86(2)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0.25 (Ontario has no monthly requirement)</p> <p>Calculation 1-(0.25*0.43)=0.89</p>
B3.3.5	Is there a requirement that domestic workers be given an understandable written account of the total wages due to them at the time of each payment?	1.00	<p>Ontario On or before the day on which the employer is required to pay wages, the employer shall provide a written statement setting out the total wages due, including any deductions. Employment Standards Act 12.1</p> <p>Quebec The employer must remit to the employee, together with his wages, a pay sheet containing sufficient information to enable the employee to verify the computation of his wages, including any deductions. Act Respecting Labour Standards 46</p> <p>British Columbia On every payday, an employer must give each employee a written wage statement for the pay period, including any deductions. Employment Standards Act 27</p> <p>Alberta At the end of each pay period, an employer must provide a written statement to each employee setting out the hours worked and wage rate, including any deductions. Employment Standards Code 14(2)</p> <p>Manitoba At the end of each pay period, the employer shall provide a written statement to the dw setting out the hours worked, any deductions, and net amount of wages paid. Employment Standards Code 135(4)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
B3.3.6	Is there a requirement that upon termination of employment, any outstanding payments should be made promptly to domestic workers?	1.00	<p>Ontario If an employee's employment ends, the employer shall pay any wages to which the employee is entitled to the employee not later than 7 days after the employment ends or the day that would've been the employee's next pay day. Employment Standards Act 11(5)</p> <p>Quebec At the time of employment termination, the employer must make sure that the dw receives all of the sums owing to him: wages, overtime, vacation indemnity (4% or 6%), etc. Quebec Termination of Employment website (https://www.cnt.gouv.qc.ca/en/end-of-employment/layoff-permanent-layoff-dismissal-and-resignation/index.html)</p> <p>British Columbia Final wage payment must be made within 48 hours after the last day an employee works when an employer ends employment or within six days after the employee's last day of work when an employee quits. BC Employment Termination website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/termination)</p> <p>Alberta In the event of employment termination, the employer must pay the employee's earnings not later than 3 consecutive days after the last day of employment if notice was given and 10 days after the last day of employment if notice was not given (termination pay instead). Employment Standards Code 9 & 10</p> <p>Manitoba When the dw's employment is terminated, wages should be paid within 10 working days after the termination. Employment Standards Code 86(1)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
B3.4 Social Security				

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B3.4.1	Are domestic workers eligible for healthcare coverage?	1.00	Ontario Dw are eligible for health insurance provided by the government. OHIP website (https://www.ontario.ca/page/apply-ohip-and-get-health-card#section-2) Quebec Dw are eligible for health insurance provided by the government. Health Insurance Act 5 British Columbia Dw are eligible for health insurance provided by the government. BC MSP website (https://www2.gov.bc.ca/gov/content/health/health-drug-coverage/msp/bc-residents/eligibility-and-enrolment/are-you-eligible) Alberta Dw are eligible for health insurance provided by the government. AHCIIP website (https://www.alberta.ca/ahcip-eligibility.aspx) Manitoba Dw are eligible for health insurance provided by the government. MHSIP website (https://www.gov.mb.ca/health/mhsip/#Q1)	Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba) Deductions 0 Calculation 1-0=1
B3.4.2	Are domestic workers eligible for paid sick leave?	1.00	Ontario A dw who has been employed by an employer for at least two consecutive weeks is entitled to a leave of absence of 3 days without pay because of a personal illness, injury or medical emergency. This sick leave can be paid through EI. Employment Standards Act 50 Quebec A dw may be absent from work for a period of not more than 26 weeks over a period of 12 months, owing to sickness, an organ or tissue donation for transplant, an accident, domestic violence or sexual violence. This can be paid through EI sickness benefits. Act Respecting Labour Standards 79.1 British Columbia After 90 consecutive days of employment with an employer, an employee is entitled to up to 3 days of unpaid leave in each employment year for personal illness or injury. This can be paid through EI benefits. Employment Standards Act 49.1 Alberta A dw who has been employed by the same employer for at least 90 days is entitled to unpaid leave of 16 weeks due to the illness, injury or quarantine of the employee. A dw who has been employed by the same employer for at least 90 days is entitled to up to 5 days of unpaid leave for personal health reasons. This can be paid for by EI benefits. Employment Standards Code 53.97 & 53.982(1) Manitoba A dw who is seriously injured or ill is entitled to an unpaid leave of absence of up to 17 weeks in any 52-week period, if the employee has been employed by the same employer for at least 90 days. A dw who has been employed for at least 30 days may take up to three days of unpaid leave each year for personal health. This can be paid by EI sickness benefits. Employment Standards Code 59.10(1)	Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba) Deductions 0 Calculation 1-0=1
B3.4.3	Are domestic workers eligible for unemployment benefits?	1.00	Federal Dw are eligible for unemployment benefits through EI as long as they meet the same conditions as other workers. Employers of dw should be paying EI premiums; thus dw are in insurable employment. Employing a Caregiver website (https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/payroll/payroll-deductions-contributions/special-situations/employing-a-caregiver-baby-sitter-domestic-worker.html)	Coverage 100% (all provinces) Deductions 0 Calculation 1-0=1
B3.4.4	Are domestic workers eligible for old-age benefits (if they have completed the required number of years of active economic contributions)?	1.00	Federal Dw are eligible for monthly old-age benefits from the Canada Pension Plan (CCP) as long as they meet the same conditions as other workers. Employers of dw should be paying CCP premiums. Employing a Caregiver website (https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/payroll/payroll-deductions-contributions/special-situations/employing-a-caregiver-baby-sitter-domestic-worker.html)	Coverage 100% (all provinces) Deductions 0 Calculation 1-0=1
B3.4.5	Are domestic workers eligible for employment injury benefits?	0.50	Ontario Dw are eligible for employment injury benefits if they meet the same conditions as other workers. However, employer payment into the insurance scheme that offers benefits is not mandatory for part-time domestic workers. Ontario WSIB guide (https://www.wsib.ca/en/injured-or-ill-people/resources-injured-or-ill-people/your-guide-benefits-services-and) Quebec Employment injury compensation does not apply to domestic services. Workers' Compensation Act 1 British Columbia Dw are eligible for employment injury benefits if they meet the same conditions as other workers. However, employer payment into the insurance scheme that offers benefits is not mandatory for part-time domestic workers. WorkSafe BC Benefits website (https://www.worksafecbc.com/en/claims/benefits-services) Alberta Employers of domestic workers are not required to pay into the insurance scheme that provides employment injury benefits. Alberta WCB Exempt Activities website (https://rm.wcb.ab.ca/wcb.ratemanager/webserver/ExemptActivities) Manitoba Dw are eligible for employment injury benefits if they meet the same conditions as other workers. However, employer payment into the insurance scheme that offers benefits is not mandatory for part-time domestic workers. Manitoba WCM Benefits guide (https://www.wcb.mb.ca/sites/default/files/resources/FAQ_BenefitsGuide.pdf)	Coverage 55.95% (Ontario, BC, Manitoba) Deductions 0 Calculation 0.5-0=0.5
B3.4.6	Are domestic workers eligible for invalidity benefits?	1.00	Federal Dw are eligible for monthly disability benefits through the Canada Pension Plan (CCP) as long as they meet the same conditions as other workers. Employers of dw should be paying CCP premiums. Employing a Caregiver website (https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/payroll/payroll-deductions-contributions/special-situations/employing-a-caregiver-baby-sitter-domestic-worker.html)	Coverage 100% (all provinces) Deductions 0 Calculation 1-0=1
B3.4.7	Are domestic workers eligible for survivors' benefit?	1.00	Federal Dw are eligible for monthly survivor's pension through the Canada Pension Plan (CCP) as long as they meet the same conditions as other workers. Employers of dw should be paying CCP premiums. Employing a Caregiver website (https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/payroll/payroll-deductions-contributions/special-situations/employing-a-caregiver-baby-sitter-domestic-worker.html)	Coverage 100% (all provinces) Deductions 0 Calculation 1-0=1
B3.4.8	Is there protection of domestic workers' claims in the event of the employer's insolvency or death?	1.00	Federal Dw are eligible for a federal program that provides timely payment of eligible wages owing to workers whose employer has gone bankrupt or become subject to receivership. Eligible wages include salaries, commissions, vacation, termination and severance pay. Canada Wage Earner Protection Program website (https://www.canada.ca/en/employment-social-development/services/labour-standards/reports/wage-protection.html)	Coverage 100% (all provinces) Deductions 0 Calculation 1-0=1
B3.5 Living Conditions for Live-in Workers				
B3.5.1	Are there measures to ensure that domestic workers are free to decide whether or not to live in the household?	1.00	Federal Employers cannot require a migrant dw to live in their home. Hire a TFW Caregiver website (https://www.canada.ca/en/employment-social-development/services/foreign-workers/caregiver/requirements.html)	Coverage 100% (all provinces) Deductions 0 Calculation 1-0=1
B3.5.2	For live-in workers, is there any requirement for the employer to provide accommodation that offers privacy?	1.00	Federal Employers of migrant dw must ensure that accommodation is private and bedroom door has a lock and safety bolt on the inside. Hire a TFW Caregiver website (https://www.canada.ca/en/employment-social-development/services/foreign-workers/caregiver/requirements.html)	Coverage 100% (all provinces) Deductions 0 Calculation 1-0=1
B3.5.3	For live-in workers, is there any requirement for the employer to provide access to suitable sanitary facilities?	0.25	Ontario Accommodation shall be deemed to have been paid as wages only if the room is reasonably accessible to proper toilet and wash-basin facilities. O. Reg. 285/01 19 Quebec Not specified. Act Respecting Labour Standards British Columbia Not specified. Employment Standards Act Alberta Not specified. Employment Standards Code Manitoba Not specified. Employment Standards Code, Employment Standards Regulation 6/2007	Coverage 38.82% (Ontario) Deductions 0.25 (Ontario has condition of only required if accommodation is paid as part of wages) Calculation 0.5-0.25=0.25

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B3.5.4	For live-in workers, is there any requirement for the employer to provide accommodation that has adequate lighting, heating, and air conditioning?	0.00	<p>Ontario Not specified. O. Reg. 285/01</p> <p>Quebec Not specified. Act Respecting Labour Standards</p> <p>British Columbia Not specified. Employment Standards Act</p> <p>Alberta Not specified. Employment Standards Code</p> <p>Manitoba Not specified. Employment Standards Code, Employment Standards Regulation 6/2007</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 0</p>
B3.5.5	For live-in workers, is there any requirement for the employer to provide appropriate meals of good quality and sufficient quantity?	0.00	<p>Ontario Not specified. O. Reg. 285/01</p> <p>Quebec Not specified. Act Respecting Labour Standards</p> <p>British Columbia Not specified. Employment Standards Act</p> <p>Alberta Not specified. Employment Standards Code</p> <p>Manitoba Not specified. Employment Standards Code, Employment Standards Regulation 6/2007</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 0</p>
B3.5.6	Are there measures to ensure that live-in workers are not obliged to remain in the household or with household members during rest or leave?	0.00	<p>Ontario Not specified. O. Reg. 285/01</p> <p>Quebec Not specified. Act Respecting Labour Standards</p> <p>British Columbia Not specified. Employment Standards Act</p> <p>Alberta Not specified. Employment Standards Code</p> <p>Manitoba Not specified. Employment Standards Code, Employment Standards Regulation 6/2007</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 0</p>
B3.5.7	Is there a requirement that live-in workers be given a reasonable period of notice and time off to seek new employment and accommodation in the event of termination of employment at the initiative of the employer?	0.00	<p>Ontario Employers must give a reasonable period of notice OR no notice and termination pay, so no points. Employment Standards Act 54 & 61</p> <p>Quebec The employer must give written notice to an employee before terminating his contract of employment. The notice period depends on the amount of uninterrupted service to the employer that the employee has served. OR the employer must give a compensatory indemnity equal to his regular wage excluding overtime for a period equal to the period or remaining period of notice to which he was entitled. No points. Act Respecting Labour Standards 82</p> <p>British Columbia Employers must give a reasonable period of notice OR no notice and termination pay, so no points. Employment Standards Act Part 8</p> <p>Alberta An employer may terminate the employment of an employee only by giving the employee termination notice OR pay without notice, so no points. Employment Standards Code Division 8</p> <p>Manitoba Employers must give a reasonable period of notice OR no notice and payment of wages in lieu, so no points. Employment Standards Code 61(1)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 0</p>
B3.5.8	Are live-in domestic workers legally entitled to keep in their possession their travel and identity documents?	1.00	<p>Federal Employers may not take away the passports or work permits of migrant dw. TFW Rights website (https://www.canada.ca/en/employment-social-development/services/foreign-workers/protected-rights.html#h2.2.1)</p>	<p>Coverage 100% (all provinces)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
B4. Labor Rights				
B4.1 Freedom of Association and Access to Collective Bargaining				
B4.1.1	Are there legislative provisions for domestic workers to establish their own organizations or join the workers' organizations, federations, or confederations of their own choosing?	0.50	<p>Ontario The Labour Relations Act explicitly excludes domestics employed in private homes. Labour Relations Act 3</p> <p>Quebec Every employee has the right to belong to the association of employees of his choice, and to participate in the formation, activities and management of such association. Labour Code 3</p> <p>British Columbia Dw are covered under the Labour Relations Code, and their trade unions can apply to be certified. They are not prohibited under "prohibited employee associations". Labour Relations Code Part 3 Division 1</p> <p>Alberta The Labour Relations Code explicitly excludes dw. Labour Relations Code</p> <p>Manitoba Every employee has the right to participate in the organization of a union. Dw are covered under definition of "employee". Labour Relations Act 5(1)</p>	<p>Coverage 39.66% (Quebec, BC, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 0.5-0=0.5</p>
B4.1.2	Are there legislative provisions to recognize domestic workers' rights to collective bargaining?	0.50	<p>Ontario The Labour Relations Act explicitly excludes domestics employed in private homes. Labour Relations Act 3</p> <p>Quebec Every employee has the right to belong to the association of employees of his choice, and to participate in the formation, activities and management of such association. Labour Code 3</p> <p>British Columbia Every employee is free to be a member of a trade union and to participate in its lawful activities. Dw are covered under definition of "employee". Labour Relations Code 4</p> <p>Alberta The Labour Relations Code explicitly excludes dw. Labour Relations Code</p> <p>Manitoba Every employee has the right to be a member of a union. Dw are covered under definition of "employee". Labour Relations Act 5(1)</p>	<p>Coverage 39.66% (Quebec, BC, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 0.5-0=0.5</p>
B4.2 Access to Complaint Mechanisms				
B4.2.1	Are there complaint mechanisms for domestic workers to report non-compliance with labor protections?	1.00	<p>Ontario Employees, including dw, can file a claim with the Ministry of Labour if they believe their employer is not complying with the law of the Employment Standards Act. Employment Standards Act 96</p> <p>Quebec Employees may file complaints to the Commission for non-compliance with the Act. Such a complaint may also be filed on behalf of an employee who consents thereto in writing by a non-profit organization dedicated to the defence of employees' rights. Act Respecting Labour Standards 102</p> <p>British Columbia Domestic workers, live-in home support workers, and night attendants can file complaints that may trigger investigations by the Employment Standards Branch. Employment Standards Act Part 10</p> <p>Alberta Employees, including dw, can file complaints if they feel minimum standards of the Employment Standards Code haven't been met. Alberta Complaints website (https://www.alberta.ca/employment-standards-complaint-resolution.aspx)</p> <p>Manitoba Employees, including dw, may file complaints for non-compliance with employment standards. Employment Standards Code 60(5), 82(2), 87</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>

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B4.2.2	Are there measures to ensure that domestic workers have access to courts, tribunals or other dispute resolution mechanisms?	1.00	<p>Ontario Dw have access to the prosecution mechanisms available for non-compliance with the Employment Standards Act. Employment Standards Act XXV</p> <p>Quebec Civil action can be brought from non-compliance with the Act. Act Respecting Labour Standards 115 & 119</p> <p>British Columbia Domestic workers, live-in home support workers, and night attendants have access to the prosecution mechanisms available for non-compliance with the Employment Standards Act. Employment Standards Act Part 11-14</p> <p>Alberta Employees, including dw, have access to prosecution for non-compliance with the Employment Standards Code. Alberta Penalties and Prosecutions website (https://www.alberta.ca/employment-standards-penalties-prosecutions.aspx)</p> <p>Manitoba Employees may appeal dispute resolution decisions by the labour board in court. Employees may obtain recourse before a court, tribunal or arbitrator rather than file a complaint. Dw are considered "employees". Employment Standards Code 93 & 130</p>
B4.3 Enforcement and Protection Mechanisms			
B4.3.1	Are conditions specified, under which access to household premises must be granted for on-site labor inspections of the employers of domestic workers?	1.00	<p>Ontario There is a department of officers to conduct labour inspections. An employment standards officer may, without a warrant, enter and inspect any place in order to investigate a possible contravention of the Employment Standards Act or to perform an inspection to ensure that the Act is being complied with. Inspections may be complaint-initiated or proactive. Employment Standards Part XXI</p> <p>Quebec In proceeding with an inquiry, the Commission or any person designated by it for such purpose may enter at any reasonable time any place of work or establishment of an employer and make an inspection thereof; such inspection may include the examination of registers, books, accounts, vouchers and other documents. Act Respecting Labour Standards 109</p> <p>British Columbia There is a department of officers with inspection powers to investigate employers to ensure compliance with the Employment Standards Act. There are also planned inspections for workplace safety. Employment Standards Act 85</p> <p>Alberta Employment Standards officers may conduct proactive and complaint initiated inspections of workplaces. Alberta Inspections website (https://www.alberta.ca/employment-standards-inspections.aspx)</p> <p>Manitoba The director may on his or her own initiative make any inspection, investigation or inquiry that he or she considers necessary or advisable to determine whether the Employment Standards Code is being complied with. Employment Standards Code 117(1)</p>
B4.3.2	Are there penalties for private employment agencies for non-compliance with domestic worker protection laws?	1.00	<p>Ontario There are different fine amounts for offences, depending on the situation. Employment Protection for Foreign Nationals Act 27, O. Reg. 47/10</p> <p>Quebec Agencies may have their license suspended or revoked. Agencies may also be subject to penalties (i.e. fines) for violating the Act Respecting Labour Standards. Regulation Respecting Personnel Placement Agencies and Recruitment Agencies for Temporary Foreign Workers 40, Act Respecting Labour Standards Chapter VII</p> <p>British Columbia There are different penalties for offences, depending on the situation. Examples: lien for unpaid wages, payment of interest, seizure of assets, monetary penalties. Employment Standards Act Part 11</p> <p>Alberta There are different penalties for offences, depending on the situation. Examples: administrative penalties, property freeze, payment into court. Consumer Protection Act Part 14</p> <p>Manitoba There are fines for non-compliance with the Worker Recruitment and Protection Act. Worker Recruitment and Protection Act 28(2)</p>
B4.3.3	Are there penalties for employers for non-compliance with all domestic worker protections?	1.00	<p>Ontario There are different penalties, depending on the situation. Examples: order to pay wages, a compliance order, a ticket (payments attached), a notice of contravention (fines attached), order to reinstate and/or compensate an employee, prosecution in court. Ontario Ministry of Labour website (https://www.ontario.ca/document/your-guide-employment-standards-act/role-ministry-labour#section-18)</p> <p>Quebec There are different penalties for offences, depending on the situation. Examples: fines, prosecution. Act Respecting Labour Standards Chapter VII</p> <p>British Columbia There are different penalties for offences, depending on the situation. Examples: lien for unpaid wages, payment of interest, seizure of assets, monetary penalties. Employment Standards Act Part 11</p> <p>Alberta There are different penalties, depending on the situation. Examples: administrative penalties (fines), prosecution. Alberta Enforcement website (https://www.alberta.ca/employment-standards-enforcement.aspx)</p> <p>Manitoba There are different administrative penalties (fines), depending on the situation. Employment Standards Code 138.1 & 140, Employment Standards Regulation 6/2007 Section 29</p>
B4.3.4	Are domestic workers legally protected against all forms of workplace abuse, harassment, and violence?	0.50	<p>Ontario The Occupational Health and Safety Act does not apply to private residences, so dw are not protected against workplace abuse, harassment, and violence. Occupational Health and Safety Act 3(1)</p> <p>Quebec Every employee has a right to a work environment free from psychological harassment. "Psychological harassment" means any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. Act Respecting Labour Standards Division V2</p> <p>British Columbia Dw are covered under the Occupational Health and Safety Act and are thus protected from workplace abuse, harassment, and violence. Occupational Health and Safety Act</p> <p>Alberta Dw are partially covered under the Occupational Health and Safety Act, which protects workers from workplace harassment and violence. Definition of "occupation" excludes live-out dw employed by private individual. Occupational Health and Safety Act</p> <p>Manitoba Dw are covered under the Workplace Safety and Health Regulation and are thus protected from workplace abuse, harassment, and violence. Workplace Safety and Health Regulation</p>
B5. Protections for Forced/Under-age Domestic Workers			
B5.1 Protections against Forced/Compulsory Labor			
B5.1.1	Is illegal extraction of forced or compulsory labor of domestic workers punishable as a penal offence?	1.00	<p>Federal Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable to imprisonment. Exploitation: "causing someone to provide, or offer to provide, labour or a service by engaging in conduct that could reasonably be expected to cause that person to believe that their safety, or the safety of a person they know, would be threatened if they failed to do so". Canada Criminal Code 279.01 & 279.04</p>
B5.1.2	Are domestic worker victims of forced labor provided with any protection?	1.00	<p>Federal Identification of victims of trafficking in a timely manner to ensure their safety and separation from their traffickers and to provide access to immediate health care needs. Also: providing temporary immigration status, ensuring basic needs are met, providing interim healthcare, offering financial assistance in some circumstances, protecting throughout investigations. Canada Human Trafficking website (https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ntnl-ctn-pln-cmbt/index-en.aspx#toc-02.2)</p>
B5.1.3	Are domestic worker victims of forced labor provided with any access to remedies?	1.00	<p>Federal Dw victims of forced labor have access to the same types of remedies that those who generally go through the criminal process are entitled to: restitution/damages. Canada Criminal Code 737.1</p>
B5.2 Protections for Under-age Laborers			

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B5.2.1	Is the minimum age for domestic workers 16 or higher, or the age of completion of compulsory schooling (if this is age 16 or higher)?	0.00	<p>Ontario No minimum age for dw. Ontario Minimum Age website (https://www.labour.gov.on.ca/english/hs/min_age.php)</p> <p>Quebec No employer may have work performed by a child under the age of 14 years without first obtaining the written consent of the holder of parental authority. So no points. Act Respecting Labour Standards 84.3</p> <p>British Columbia A person must not employ a child under 15 years of age unless the person has obtained the written consent of the child's parent or guardian. A person must not employ a child under 12 years of age without the director's permission. No points. Employment Standards Act 9</p> <p>Alberta Minimum age is 13 for domestic work (with a permit). No points. Alberta Youth Employment website (https://www.alberta.ca/youth-employment-laws.aspx)</p> <p>Manitoba No person shall employ a child under the age of 13 years. No points. Employment Standards Code 84(1)</p>
B5.2.2	Are domestic workers, who are under the age of 18 and above the minimum age of employment, still able to access compulsory education, or opportunities for further education or vocational training?	0.92	<p>Ontario Children must attend school until the age of 18. Employers are prohibited from employing children under the age of 16 years during school hours. However, children aged 14 years and older may be excused from school to attend supervised alternative learning programs, which may include employment. Education Act 21</p> <p>Quebec Children in Quebec must attend school until the school year in which he attains 18 years of age. No employer may have work performed during school hours by a child subject to compulsory school attendance. Act Respecting Labour Standards 84.4, Education Act 1</p> <p>British Columbia All children must attend school until 16. Children ages 12-14 have restrictions of working during school hours/days so that they may attend school. BC Hiring Young People website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hiring/young-people)</p> <p>Alberta All children must attend school until 16. Employees under 16 have restricted working hours to allow them to attend school. Education Act 7</p> <p>Manitoba Children must attend school until age 18. No person shall employ a young person under the age of 16 years for more than 20 hours during a week of school. Employment Standards Code 84.2</p>
B5.2.3	Are there extra limitations of hours of work of domestic workers who are under the age of 18 and above the minimum age of employment?	0.81	<p>Ontario Employers are prohibited from employing children under the age of 16 years during school hours. However, children aged 14 years and older may be excused from school to attend supervised alternative learning programs, which may include employment. Ontario Minimum Age website (https://www.labour.gov.on.ca/english/hs/min_age.php)</p> <p>Quebec An employer who has work performed by a child subject to compulsory school attendance must ensure that the child's work is scheduled so that the child is able to attend school during school hours. Act Respecting Labour Standards 84.5</p> <p>British Columbia Children who are 12 to 14 years old cannot: Be required to work during school hours, Work more than four hours on school days, Work more than seven hours on a non-school day, Work more than 20 hours during a week with five school days, Work more than 35 hours a week when school is not in session. BC Hiring Young People website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hiring/young-people)</p> <p>Alberta Employees 13-14 can't work during school hours. Employees aged 15 can't work during school hours. Alberta Youth Employment Website (https://www.alberta.ca/youth-employment-laws.aspx)</p> <p>Manitoba No person shall employ a young person under the age of 16 years between 11:00 p.m. and 6:00 a.m. or for more than 20 hours during a week of school. Employment Standards Code 84.2</p>
B5.2.4	Are there measures to prohibit domestic workers who are under the age of 18 and above the minimum age of employment to work at night?	0.40	<p>Ontario Not specified. Employment Standards Act</p> <p>Quebec No employer may have work performed by a child between 11 p.m. on any given day and 6 a.m. on the following day, except in the case of newspaper deliveries. Act Respecting Labour Standards 84.6</p> <p>British Columbia Not specified. BC Hiring Young People website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hiring/young-people)</p> <p>Alberta Employees 13-14 can't work from 9 pm-6 am. Alberta Youth Employment website (https://www.alberta.ca/youth-employment-laws.aspx)</p> <p>Manitoba No person shall employ a young person under the age of 16 years between 11:00 p.m. and 6:00 a.m. Employment Standards Code 84.2</p>
B5.2.5	Are there extra measures to restrict/limit work that is excessively demanding (whether physically or psychologically) for domestic workers who are under the age of 18 and above the minimum age of employment?	0.25	<p>Ontario Not specified. Employment Standards Act</p> <p>Quebec No employer may have work performed by a child that is disproportionate to the child's capacity, or that is likely to be detrimental to the child's education, health or physical or moral development. Act Respecting Labour Standards 84.2</p> <p>British Columbia Not specified. BC Hiring Young People website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hiring/young-people)</p> <p>Alberta Not specified. Alberta Youth Employment website (https://www.alberta.ca/youth-employment-laws.aspx)</p> <p>Manitoba Not specified. Employment Standards Code</p> <p>Saskatchewan Not specified. Saskatchewan Minimum Age and Workplace Restrictions website (https://www.saskatchewan.ca/business/hire-train-and-manage-employees/youth-in-the-workplace/minimum-age-and-workplace-restrictions)</p> <p>Nova Scotia Not specified. Nova Scotia Employment of Children website (https://novascotia.ca/lae/employmentrights/children.asp)</p> <p>New Brunswick Not specified. New Brunswick Employment of Children website (https://www2.gnb.ca/content/gnb/en/services/services_renderer.19676.employment_of_Children.html)</p>
B6.	Protections for Migrant Domestic Workers		
B6.1	Employment Support		
B6.1.1	Are mdws required to receive a written job offer, or enforceable contract of employment, prior to crossing national borders?	1.00	<p>Federal A migrant dw must have received an offer of employment from her employer prior to entering Canada, as this offer of employment is necessary to be included in the immigration/work permit application. Hire a Care Worker website (https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/hire-foreign-worker/in-home-caregiver.html)</p>
B6.1.2	Is there a national hotline for migrant domestic workers with interpretation services?	0.75	<p>Federal Individuals can report suspected misuse or abuse of the temporary foreign worker program by calling the toll-free Service Canada Confidential Tips Line at 1-866-602-9448. Interpretation services not mentioned. Reporting Abuse of TFW website (https://www.canada.ca/en/employment-social-development/services/foreign-workers/fraud.html)</p>
B6.2	Support after Termination of Employment		
B6.2.1	Are there measures to ensure that the loss of employment should not in itself imply the withdrawal of the migrant domestic workers' authorization of residence?	1.00	<p>Federal "A work permit becomes invalid when it expires or when a removal order that is made against the permit holder becomes enforceable." Work permits do not become invalid when an employer terminates an employee. However, terminated migrant dw with employer-specific closed work permits won't be able to legally work in Canada unless they apply for a new work permit (another employer-specific permit or an open permit). Immigration and Refugee Protection Regulations 209</p>

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B6.2.2	If it is established that the termination of employment was not justified, are the mdw entitled to reinstatement, to compensation for loss of wages or of other payment which results from unjustified termination, to access to a new job with a right to indemnification, or sufficient time to find alternative employment, with conditions no less favourable than other workers?	1.00	<p>Ontario Employees (including mdw) can sue an employer for wrongful dismissal OR file a claim for termination pay or severance pay with the ministry for the same termination or severance of employment. Ontario Termination of Employment website (https://www.ontario.ca/document/your-guide-employment-standards-act-0/termination-employment#section-17)</p> <p>Quebec An employee (including mdw) who has worked for the same enterprise for 2 years or more and who believes that he was dismissed without good and sufficient cause may file a complaint with the <i>Commission des normes</i>. After the complaint is accepted and subject to a hearing, the tribunal may order reinstatement, payment of an indemnity equal to the wages lost, or another reasonable decision. Quebec Wrongful Dismissal website (https://www.cnt.gouv.qc.ca/en/plaintes-et-recours/dismissal-not-made-for-good-and-sufficient-cause/index.html)</p> <p>British Columbia Employees (including mdw) who feel they have been fired without just cause can sue for wrongful dismissal. Thus, if it is found by a court that the termination was unjust, employees will receive damages/compensation. BC Dismissal website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/termination)</p> <p>Alberta Employees (including mdw) may sue their employer for wrongful dismissal or file a complaint with the employment standards office. If the termination is found to be unjust or improper, the employee will receive damages/compensation. Alberta Termination website (https://www.alberta.ca/termination-pay.aspx)</p> <p>Manitoba If your employer improperly fires you (including mdw), you may be able to go to court (the Manitoba Court of Queen's Bench) to sue the employer for wrongful dismissal. You will have to find your own lawyer, or represent yourself. If the court decides that you were wrongfully dismissed, it can't order your employer to reinstate you, but it can order your employer to pay you damages. Basic Legal Information for Manitoba Employees (http://www.communitylegal.mb.ca/wp-content/uploads/employment-law-brochure.pdf)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
B6.2.3	Are mdws entitled to the right of appeal before an administrative or judicial instance if they face expulsion order or termination of their employment and should be allowed sufficient time to obtain a final decision?	1.00	<p>Ontario Employees (including mdw) can sue an employer for wrongful dismissal. Ontario Termination of Employment website (https://www.ontario.ca/document/your-guide-employment-standards-act-0/termination-employment#section-17)</p> <p>Quebec An employee (including mdw) who has worked for the same enterprise for 2 years or more and who believes that he was dismissed without good and sufficient cause may file a complaint with the <i>Commission des normes</i>. After the complaint is accepted, and no mediation agreement can be found, bit will be subject to a hearing before the <i>Tribunal administratif du travail</i>. Quebec Wrongful Dismissal website (https://www.cnt.gouv.qc.ca/en/plaintes-et-recours/dismissal-not-made-for-good-and-sufficient-cause/index.html)</p> <p>British Columbia Employees (including mdw) who feel they have been fired without just cause can sue for wrongful dismissal. BC Dismissal website (https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/termination)</p> <p>Alberta Employees (including mdw) may sue their employer for wrongful dismissal in court. Alberta Termination website (https://www.alberta.ca/termination-pay.aspx)</p> <p>Manitoba If your employer improperly fires you (including mdw), you may be able to go to court (the Manitoba Court of Queen's Bench) to sue the employer for wrongful dismissal. You will have to find your own lawyer, or represent yourself. Basic Legal Information for Manitoba Employees (http://www.communitylegal.mb.ca/wp-content/uploads/employment-law-brochure.pdf)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
B6.2.4	Are migrant domestic workers entitled to repatriation at no cost on the expiry or termination of the employment contract?	1.00	<p>Federal If you are hired as a temporary foreign worker in a low-wage position, your employer must pay for all your transportation costs to and from Canada. TFW Rights website (https://www.canada.ca/en/employment-social-development/services/foreign-workers/protected-rights.html)</p>	<p>Coverage 100% (all provinces)</p> <p>Deductions 0</p> <p>Calculation 1-0=1</p>
B6.2.5	After termination of employment AND departure from the country of employment, can MDWs still access complaint mechanisms and pursue legal civil and criminal remedies?	0.00	<p>Federal Migrant dw have access to the same complaint mechanisms as other workers, but there are no current measures specific to migrant dw who are overseas. Migrant dw who are victims of abuse may apply for an open work permit but must be in Canada to do so. Open Work Permits for Vulnerable Workers website (https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/vulnerable-workers.html)</p>	<p>Coverage 90.13% (Ontario, Quebec, BC, Alberta, Manitoba)</p> <p>Deductions 0</p> <p>Calculation 0</p>