



Canada's Record at the International Labour Organization (ILO)*

CANADA HAS BEEN a major participant in the ILO from the beginning and was a founding member of the organization in 1919.

In 1948, the government of Canada supported the adoption of both key labour rights Conventions: No. 87 – Freedom of Association and Protection of the Right to Organize, 1948 and No. 98 – Right to Organize and Collective Bargaining, 1949. In March 1972, Canada ratified Convention No. 87.

The government of Canada was an active participant in 1998 in drafting the ILO Declaration of Fundamental Principles and Rights at Work and voted in favour of its adoption. By its vote, Canada promised “to respect, to promote and to realize, in good faith” the principles underlying the core Conventions.

The federal Parliament went so far as to include in the Preamble of the Canada Labour Code reference to the ILO Conventions and the broadly defined principles of freedom of association.

The reality of Canada's record, federally and provincially, is quite different, at great cost to Canadians.

Let's examine Canada's record at the ILO:

- At the annual June Conference of the ILO, the Canadian government representatives take an active role in developing the ILO's Conventions and always vote in favour of adoption of each Convention. Canada's record at ratifying those Conventions however, is extremely poor. Of the ILO's 189 Conventions, Canada has only ratified 34. Out of the 34 Conventions ratified

by Canada, 32 are in force and 2 have been denounced.

- Canada has only ratified eight of the 31 ILO Conventions developed since 1982.
- The last ILO Convention Canada ratified was No. 29 – Forced Labour, 1930, one of the ILO's eight fundamental Conventions.
- By the time Canada had ratified Convention No. 29, there were only 10 of the ILO's 183 states which had not yet ratified Convention No. 29.
- Canada has ratified only six of the eight ILO fundamental Conventions. Canada is one of only 24 countries in the world that have not ratified Convention No. 98 – Right to Organize and Collective Bargaining, 1949. Canada is one of only 22 countries in the world that have not ratified Convention No. 138 – Minimum Age, 1973.
- Since 1982, Canada's record with respect to the number of complaints submitted to the ILO's Freedom of Association Committee is one of the worst of the 183 member States of the ILO, with unions in Canada filing more complaints than the national labour movements of any other country.
- There have been 86 ILO complaints filed against Canadian federal and provincial labour legislation since 1982.
- Of those 86 complaints, the ILO has ruled on 81 cases and found that freedom of association principles had been violated in 74 of the cases.

- Ninety-one percent of all ILO complaints on restrictive labour laws passed in Canada since 1982 were found to be in violation of ILO freedom of association principles.

The Canadian government is failing in its responsibility under international labour and human rights standards to deter such attacks and protect workers' rights. In fact, the federal government's record of workers' rights violations is as deficient as or worse than many of the provincial governments in Canada.

It's time for labour to respond

We will need to focus on the ILO and its provisions. We will need to pressure the Canadian government to ratify the remaining two fundamental ILO Conventions still not ratified by the Government of Canada: No. 98 – Right to Organize and Collective Bargaining, 1949 and No. 138 – Minimum Age, 1973.

We should promote the enactment of the ILO principles by all provinces in Canada. This would include monitoring of compliance with ILO provisions, public information on ILO standards and reports on Canadian complaints. It should be a matter of considerable shame and embarrassment that governments in this country continue to violate international standards for workers' rights. Governments must face increased public scrutiny for such actions.

*For a complete list of complaints against restrictive labour legislation submitted by Canadian unions to the International Labour Organization between 1982 and 2014, visit ILO Complaints on www.labourrights.ca.

