



Freedom from Exploitation in the Workplace: How are we doing?

In 2012 the Canadian Coalition for the Rights of Children (CCRC) and the UN Committee on the Rights of the Child called on Canada to take four steps to stop exploitation of young people in the workplace:

1. Make age 16 the minimum age for employment so children can focus on education.
2. Make sure there are rules across Canada to protect children from unsafe working conditions and enforce them.
3. Collect and make public information about young workers, including data on injuries.
4. Ratify an international convention that deals with minimum age, hours, and working conditions, the International Labour Organization's Convention 138.

Significant Progress

In June 2016 Canada ratified ILO Convention 138 to make age 16 the minimum age for employment. The agreement comes into force in June 2017.

Attention Needed

Provinces need to upgrade their laws and enforcement of them to better protect young people.

A review of the rules in provinces across Canada reveals the following:

Age of Employment:

- »The minimum age for employment varies from age 12 in Alberta to age 14 in Ontario. Ten provinces and territories have no minimum age in their labour laws.
- »Specific restrictions on types of employment for young workers vary widely from province to province. (See background paper for detailed information for each province.) [Link to paper.](#)
- »The rules in all provinces are not consistent with ILO Convention 138.

Working Conditions for Young Workers:

- »Policies relating to working hours and working conditions for young workers vary widely by province.
- »Education and general well-being of young people are named as priorities, but it is not clear how the principles or rules are enforced to protect young people from abusive and unfair treatment in workplaces.
- »High rates of workplace injuries show there is a need to pay more attention to preventative measures.

Enforcement:

- »Complaint mechanisms and enforcement are uneven; young people report being fired if they speak up.
- »Data gaps and lack of regular reporting hamper public information and accountability.
- »No province has a systematic way to consider the voice of young people in this area of public policy.

Youth (15-19) Workplace Injuries

Workplace safety remains a significant concern across Canada. Below are available data of incidents involving workers between the ages of 15 and 19 who have had to lose work time due to injuries.

	Total	NL	PEI	NS	NB	QC	ON	MB	SK	AB	BC	NT/NU	YT
2013	7760	86	24	143	75	2284	1663	588	435	1129	1289	27	17
2014	7789	78	32	137	103	1976	1699	603	372	1149	1805	30	14
2015	8155	70	23	142	113	2064	1819	592	367	1059	1881	16	9

Source: <http://awcbc.org/wp-content/uploads/2016/12/Lost-Time-Claims-by-Age-and-Jurisdiction-2013-2015.pdf>

Association of Workers' Compensation Boards of Canada (AWCBC), National Work Injury/Disease Statistics Program (NWISP), extracted February 6, 2017

Experience of Young People

"Kids tend to get paid less than adults do for the same work."

"We've learned that girls get paid less than boys too." (CCRC Youth Consultation, October 2, 2011)

Incidents of abuse in the workplace are often not formally reported or investigated. Young people observed that others who complained were fired, so they do not dare complain about working conditions. Adults have more ways to pursue fair treatment than young workers do in some provinces.

Accountability

In Article 9, ILO Convention 138 requires all governments to:

- Take action to enforce the rules
- Tell young people who is responsible for enforcement
- Collect and publish information about young workers

No province has mechanisms in place to comply with Article 9 of ILO Convention 138. In addition, implementation of ILO 182 and Article 32 of the Convention on the Rights of the Child needs attention

Next Steps

The CCRC recommends that:

- Children's right to be free from exploitation, harmful working conditions, and unfair treatment in the workplace receive focused attention by the federal and provincial ministries of labour before ILO 138 comes into force in June, 2017.
- An implementation plan be developed to ensure full implementation and public accountability for federal and provincial duty-bearers under the Convention on the Rights of the Child, ILO 138, and ILO 182.
- That young people in every province be informed before June 2017 about what rules are in place to support both their opportunities and rights as they engage in any of the various forms of employment, workplace training, etc.
- That particular attention be paid to avenues for enforcement of policies on safety in the workplace and fair treatment for young workers, with public accountability. The policy framework should include effective mechanisms for young people to address specific incidents of unsafe working conditions or unfair treatment, and have systematic input into the on-going development of policies and enforcement tools that fulfill their rights.

More Information

Background report is available on CCRC website: rightsofchildren.ca. The full Concluding Observations from Canada's last review are also on the website. The CCRC comprehensive report, *Right in Principle, Right in Practice*, will be updated for the next review. If you are interested or have relevant information, please contact us: info@rightsofchildren.ca



Canadian Coalition
for the Rights of Children

Coalition canadienne
pour les droits des enfants