



Canadian Labour Congress

Congrès du travail du Canada

## **STATEMENT ON MINIMUM AGE CAMPAIGN**

This Statement is intended to guide the actions of individuals and affiliate organizations who have pledged to take part in a national campaign to raise awareness about Canada's inadequate minimum age laws and to advocate for Canada to ratify the International Labour Organization (ILO) Convention 138 (C138).

The "Minimum Age" Campaign is driven by young members of affiliate trade unions working in coordination with social partners, student groups and other civil society organizations. These groups carry this Campaign forward, united under the same banner, "Canadians Opposed to Child Labour" (as coined by the CLC Young Workers Working Group).

The objective of the Campaign is to ensure each provincial and territorial government agrees to amend delinquent labour legislation in accordance with the provisions as outlined in the ILO C138 for the minimum age of employment. Provincial and territorial movement on these issues will pave the way for the federal government to proceed with ratification of this core labour convention. The ultimate goal of this Campaign is for the federal government to officially sign on to ILO C138 and make the appropriate steps for implementation.

Today all of the existing minimum age laws under Canada's federal, provincial and territorial jurisdictions contravene C138. In some cases (as with the provinces of British Columbia and Alberta), official minimum age laws have weakened in recent years, dropping to as low as 12 years of age. At the same time, young worker injury rates are on the climb and still too few young workers are aware of their rights at work.

Millions of Canadians are unaware of this disturbing reality. Not only does the Minimum Age Campaign set its sights on abolishing child labour in Canada, it aims to bring this issue to the forefront of public debate and joins with others internationally who are tackling the issue as a global problem.

We must demand that Canada become a leader in the fight to defeat child labour around the world instead of remaining passively complicit, if not active proponents, of it here at home.

## Background

In coordination with the annual International Trade Union Confederation (ITUC) “World Day for Decent Work,” the Minimum Age Campaign started its roots on October 7, 2009. Young workers across the country delivered a statement to their respective minister of labour calling on them to amend provincial labour laws to comply with the terms and conditions of ILO C138. Young workers, representing various provincial federations of labour and affiliate unions, reminded these elected officials of Canada’s obligation to ratify C138 based on its membership in the ILO and its adoption of the ILO “Fundamental Principles and Rights at Work.” Today, Canada remains one of only 27 countries which have not ratified C138, along with the likes of India, Iran, Mexico, and Myanmar.

To fulfil its obligations as a member organization of the ILO, the Canadian government provides regular reports to the ILO on ongoing discussions with the provinces and territories regarding C138. However, these discussions have proved fruitless since all current legislation on child labour in Canada does not comply with the Convention regulations.

Convention 138 outlines the age of employment “shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.” This threshold is set to protect the health and well-being of young people, to ensure that they have the proper means to develop as individuals and citizens through sufficient education. In all provinces and territories, young Canadians are compelled to attend school until at least the age of 16. Yet, no jurisdiction attaches similar conditions to the minimum age of work. You will find a copy of our recent review of C138 and Canada’s non-complying legislation, which is available at:

<http://documents.clc-ctc.ca/international/CLC-Briefing-Note-C138.pdf>

This document would serve as a follow-up to the current information which is posted on the Human Resources and Skills Development Canada (HRSDC) website on this topic at:

[http://www.hrsdc.gc.ca/eng/labour/labour\\_law/esl/minage.shtml](http://www.hrsdc.gc.ca/eng/labour/labour_law/esl/minage.shtml)

## Our Campaign Demands

We firmly believe that Canada must pursue a policy to abolish child labour, in line with the provisions of ILO C138, by progressively raising the minimum age of employment in each jurisdiction.

We call upon the federal, provincial and territorial governments to:

- 1. Make the commitment.** Clearly articulate and publicize your intention to ratify Convention 138, indicating concrete time lines.
- 2. Develop a plan.** Involve civil society organizations and social partners in each jurisdiction to establish a plan for the progressive, fair and effective implementation of necessary legislative changes in a manner that is open and transparent.
- 3. Sign the deal.** Have minimum age laws in lock-step across all jurisdictions, positioning the federal government to better ILO Convention 138.
- 4. Advocate for change.** Once Canada is an official signatory to ILO Convention 138, let's advocate for positive social change around the world and end child labour once and for all.

***The Minimum Age Campaign hereby commits itself to advocate on the above demands and calls upon all affiliate organizations, civil society groups and allies to work actively, collectively, and to the best of their ability to ensure these Campaign demands are met. The Minimum Age Campaign also calls on young workers to play a central role in its direction and development. Together we will not allow the status quo to go unchanged. United we will abolish child labour in Canada!***