



December 8, 2008

Honourable Rob Norris
Minister of Advanced Education, Employment
and Labour
Room 208
Legislative Building
Regina, Sask. S4S 0B3

Dear Minister Norris:

RE: Minimum Age of Employment

You have asked for our opinion on formalizing and lowering the minimum age of employment in Saskatchewan.

The Saskatchewan Federation of Labour (SFL) represents over 95,000 members, from 37 national and international unions. Our affiliate membership belongs to over 700 locals throughout the province, representing workers from every sector of the economy. As the largest labour organization in the province, the SFL retains the vast majority of unionized wage earners as members. The Federation also assumes the responsibility of speaking for and representing all wage earners in Saskatchewan – including young workers. The SFL's Ready for Work program, in particular, teaches high school students and new workers about workplace safety and workplace rights. It is in this context that we offer our concerns about potential changes to the regulations on the minimum age of employment.

Minimum Age of Employment

Current minimum wage legislation limits the minimum working age to 16 for the following sectors: hotels, restaurants, educational institutions, hospitals and nursing homes. The SFL believes that the minimum age of employment of 16 should be applied to all sectors and industries. The minimum age limit of 18 for miners and for workers dealing with radiation, asbestos and silica and any activity requiring the use of an atmosphere-supplying respirator, should remain in place.

The Saskatchewan Federation of Labour is concerned with the current trend in some regions of the country of lowering the minimum age of employment and we believe that Saskatchewan should not follow such a trend for several reasons.

A Regressive Trend

Alberta recently lowered its minimum age of employment laws, allowing children 12-to-14 years of age to work in the hospitality industry without obtaining provincial permits. In 2003, B.C. also lowered its minimum working age to 12-to-14 years. These regulations contravene the International Labour Organization (ILO's) *Minimum Age Convention, 1973 (No. 138)*, which

states that *“The minimum age...shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.”*

The SFL believes that Saskatchewan should honour the ILO’s Convention 138 on Minimum Age. Saskatchewan’s *Education Act, 1995* Section 149 (1) prohibits the employment of pupils under the age of 16 during the hours that school is in session. *The Act* also states that the age of completion of compulsory education is 16. Saskatchewan’s minimum age of employment regulations should be consistent with these age requirements and should prohibit children under the age of 16 from employment. Children belong in school and should be focused primarily on their education during these formative years.

Lowering the minimum age of employment is a trend that encourages child labour. The childhood years should be spent in the pursuit of education and personal development, including opportunities and time for sport, recreation, and the arts. Canada, like 192 other countries, is also a signatory to the *UN Convention on the Rights of the Child, Article 32* which states that: *“1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.*

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular: (a) Provide for a minimum age or minimum ages for admission to employment;

(b) Provide for appropriate regulation of the hours and conditions of employment;

(c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.”

Canada, as a developed nation and a modern society, and its provinces, should stand by our commitment to the protection of children from potentially exploitative employers and from the regressive notion that children under the age of 16 should be working rather than focusing on education and personal development.

Safety

It is incumbent on parents and government agencies charged with safety and fairness to protect youth from dangerous working conditions and from potentially exploitative employers. The hospitality industry, known for its low-paying jobs and therefore filled in large part by young people, is also known to be dangerous. Some of the most common injuries result from the operation of restaurant equipment such as deep fryers, hot grills, and sharp cooking instruments.

About one in four injured workers is between the ages of 15 and 24. And younger workers are more likely to be injured than older or more experienced workers.

The service sector is already dangerous for our young workers; the SFL believes we should not be lowering the working age even further and thereby endangering younger and less experienced workers.

Did you know that in 2006...

- *Nearly 8,000 young workers (15 to 24 years) were injured in Saskatchewan.*
- *Younger workers were more likely to be injured than older or more experienced workers.*
- *23 per cent of injured workers were between the ages of 15 and 24*
- *74 per cent of young workers injured were male*
- *Injuries occurred in all industries, particularly in commodity-wholesale-retail, manufacturing and processing, and the service industry sectors.*
- *In the last 5 years, on average 3 young people have died on the job each year (youth agriculture fatalities are not included).*
- *Most young workers who died on the job were equipment operators and labourers.*
- *The most frequent injuries occurred to the fingers, face and back.*
- *Over half of all injuries were from being in contact with objects and equipment.*
- *23 per cent of injuries were caused by bodily reaction and exertion.*
- *9 per cent of injuries were the result of exposure to harmful substances or environment.*

And finally, it has been suggested that young workers would be limited to work only 30 hours a week. This is far too many hours. It actually constitutes full time employment. In fact for the purposes of government reporting, Statistics Canada determines that 30 hours per week and more is full time work. What time would they have left in their week?

I thank you for your consideration of our position on this matter.

Sincerely,



Larry Hubich
President

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