

LABOUR MANAGEMENT REVIEW COMMITTEE

November 29, 2010

Honourable Jennifer Howard
Minister of Labour and Immigration
Room 317,
Legislative Building
Winnipeg MB R3C 0V8

Dear Minister:

Thank you for providing the Labour Management Review Committee (LMRC) with an opportunity to review and make recommendations on the issue of amending *The Employment Standards Code* (the Code) to provide for unpaid leaves of absence for workers to attend their citizenship ceremonies. The LMRC continues to review the other issues contained in your correspondence of September 20, 2010 and will report to you in due course.

The LMRC has reviewed the issue and unanimously agrees on the appropriateness of such legislation. We feel that providing leave so that newcomers can attend their citizenship ceremony will help recognize the significance of this occasion as well as the importance of immigration for Manitoba's economic growth, and in attracting skilled workers.

Upon considering the discussion documents that were provided for our review, we have developed a unanimous recommendation for a legislative approach that is based on leave provisions currently in the Code for reservist and compassionate care leave. Our recommendation is attached for your review.

We would like to thank the members of the LMRC for their input on this issue, as well the staff of the Department in providing assistance in this important matter.

Sincerely,

Original signed

Kevin Rebeck
Labour
Caucus Chair

Original signed

Michael Werier
Chairperson

Original signed

Peter Wightman
Management
Caucus Chair

Enclosure

cc: Members of the Manitoba Labour Management Review Committee

INTERIM REPORT OF
THE MANITOBA LABOUR MANAGEMENT REVIEW COMMITTEE

Unpaid Leave for Employees to Attend their Citizenship Ceremonies
November 29, 2010

MANDATE OF THE LABOUR MANAGEMENT REVIEW COMMITTEE

The Manitoba Labour Management Review Committee (LMRC) was tasked with conducting a review of a proposal to provide for unpaid leave for employees to attend their citizenship ceremonies under *The Employment Standards Code*. Staff of the Department of Labour and Immigration provided background material for consideration by the LMRC. Staff was also available to provide further information and to answer the Committee's concerns.

RECOMMENDATIONS

The LMRC recognizes the significance of this occasion and of being a new Canadian. Every year, approximately 4,500 immigrants are sworn in as Canadian Citizens in Manitoba at ceremonies administered by Citizenship and Immigration Canada. Manitoba's *Employment Standards Code* (the Code) currently does not provide workers with the right to take an unpaid leave of absence to attend these ceremonies. The LMRC is of the opinion that any concerns that employees may have respecting their access to leave should be alleviated by appropriate changes to the Code.

The LMRC's proposal reflects provisions currently in the Code for unpaid compassionate care leave and unpaid reservist leave. Following discussion of the issue, the LMRC achieved consensus with respect to the following recommendations for unpaid leave for employees to attend their citizenship ceremonies:

An employee who has been employed for at least 30 days may take up to four hours of unpaid leave to attend Canadian Citizenship Court to receive his or her certificate of citizenship pursuant to the *Citizenship Act* (Canada).

Before taking a leave under this section, the employee must give the employer at least fourteen days notice, unless circumstances necessitate a shorter period. If requested by the employer, the employee must also provide evidence of his or her entitlement to the leave.