

# Canada

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>90.0</b>	<b>97.5</b>	<b>N/A</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women's economic empowerment in three areas: women's legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for Canada due to an insufficient number of responses received from this economy during data collection.

For Canada, data refer to the legal frameworks and supportive frameworks that are applicable to the main business city (Toronto). The scores for Canada are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	50.0	100.0	75.0	100.0	100.0	100.0	100.0	75.0	100.0	100.0
Supportive frameworks score	75.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Expert opinions score	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

In summary, the **WBL 2.0 legal frameworks score** for Canada (90.0 out of 100.0) is higher than the global average (64.2) and higher than the High income: OECD regional average (84.9). When it comes to constraints on freedom of movement, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, laws affecting childcare, laws affecting women's property and inheritance and laws affecting the size of a woman's pension, Canada obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Canada is on the indicator measuring laws affecting women's safety. To improve on the Safety indicator, Canada may wish to consider introducing legislation on femicide and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for Canada (97.5 out of 100.0) is higher than the global average (39.5) and higher than the High income: OECD regional average (68.1). When it comes to supportive frameworks affecting freedom of movement, supportive frameworks affecting women's decisions to work, supportive frameworks affecting women's pay, supportive frameworks related to marriage, supportive frameworks affecting women's work after having children, supportive frameworks affecting childcare, supportive frameworks related to women starting and running a business, supportive frameworks affecting women's property and inheritance and supportive frameworks affecting the size of a woman's pension, Canada obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Canada is on the indicator

measuring supportive frameworks affecting women's safety. To improve on the Safety indicator, Canada may wish to consider putting in place special procedures for cases of sexual harassment.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Divorce Act, Secs. 2(1) and 7.8; Family Law Act, Secs. 24 and 46; Criminal Code, Arts. 271, 278 and 718.2(a)(ii)
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	Yes	Canadian Human Rights Act, Sec. 14(1) and (2); Ontario Occupational Health and Safety Act, Secs. 1, 32.0.1 and 66; Ontario Human Rights Code, Secs. 7(2), 7(3), 9, 45.2, 46.1 and 46.2(1); Canada Labor Code, Part II, Secs. 122(1) and 125(1); Criminal Code, Secs. 4(8), 162.1 and 264(1) and (2)(b); Protecting Canadians from Online Crime Act S.C. 2014, c. 31, Sec. 372(3)-(4)
Is there legislation on child marriage?	No	No applicable provisions could be located
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Canadian Passport Order, Art. 5
Can a woman choose where to live in the same way as a man?	Yes	Family Law Act, Sec. 64
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Citizenship Act, Art. 3(1)
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in employment based on gender?	Yes	Ontario Human Rights Code, Secs. 5 and 23
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Ontario Human Rights Code, Sec. 5
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	Yes	Ontario Pay Equity Act, Sec. 6
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	No restrictions could be located
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Divorce Act, Art. 8
Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	Yes	Employment Insurance Act, Secs. 12(3)(a) and 12(4)(a) and 23
Are leave benefits for mothers paid solely by the government?	Yes	Employment Insurance Act, Sec. 22
Is there paid leave available to fathers?	Yes	Employment Insurance Act, Secs. 12(4.01) and 23
Is dismissal of pregnant workers prohibited?	Yes	Ontario Human Rights Code, Secs. 5(1) and 10(2); Employment Standards Act, Sec. 53
<b>Childcare</b>		

Does the law establish provision of childcare services in center-based settings?	Yes	Child Care and Early Years Act of 2014, Secs. 2, 49, 51, 54 and 61; Ontario Regulations 137/15 under Child Care and Early Years Act of 2014, Sec. 1 and Schedule 1
Does the law establish any form of support to families for childcare services?	Yes	Ontario Regulation 138/15 (Funding, Cost Sharing and Financial Assistance), Secs. 8-10; Ontario Regulations 137/15 under Child Care and Early Years Act of 2014, Sec. 77.1; Official Website of Ontario, Child Care Fee Subsidy; Income Tax Act, Sec. 63; Official Website of Ontario, Child Care Tax Credit
Does the law establish any form of support to non-state childcare providers?	Yes	Ontario Regulation 138/15 (Funding, Cost Sharing and Financial Assistance), Sec. 7; Official Website of Toronto, Service Agreements for Early Years Programs; Official Website of Ontario, Canada-Ontario Early Years and Child Care Agreement; Corporate Tax Act of Ontario, Sec. 13.2
Does the law establish quality standards for the provision of childcare services in center-based settings?	Yes	Ontario Regulations 137/15 under Child Care and Early Years Act of 2014, Secs. 7, 8, 24(5), 53, 54, 58(1) and Schedule 1; Early Childhood Educators Act of 2007, Secs. 6(1) and 7; Official Website of Ontario
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Family Law Act, Sec. 3; Business Corporations Act, Art. 5
Does the law prohibit discrimination in access to credit based on gender?	Yes	Canadian Human Rights Act, Arts. 3 and 5
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	Yes	Ethical Procurement Certification, Art. 4; Supply Manual, Sec. 4.45
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Family Law Act, Sec. 5(3); Land Titles Act, Sec. 30; Canadian Human Rights Act, Sec. 3(1) and (5); Constitution, Art. 15
Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Succession Law Reform Act, Secs. 46-47
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Succession Law Reform Act, Secs. 46-47
Does the law provide for the valuation of nonmonetary contributions?	Yes	Family Law Act, Sec. 5(7)
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Pension Benefits Act of 1990, Sec. 35(1)
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Pension Benefits Act of 1990, Secs. 41(1) and 74(1.3)(c)
Is the mandatory retirement age for men and women equal?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Canada Pension Plan of 1985, Sec. 48(2)

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	Sexual Harassment in Employment (Fact Sheet), Ontario Human Rights Commission; Legal Aid Ontario; Ontario Network of Sexual Assault/Domestic Violence Treatment Centres; Improving Access to Justice for Canadians Through Judicial Training on Intimate Partner and Family Violence in the Family Justice System
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located

Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	Minister for Women and Gender Equality and Youth; Gender Results Framework
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	Yes	2022-23 Departmental Plan, Minister for Women and Gender Equality and Youth
<b>Mobility</b>		
Are passport application processes the same for women and men?	Yes	Passport application form
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	Yes	2022-23 Gender Based Analysis Plus; Transport Canada Development Plan 2022-2023
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	Yes	Human Rights at Work 2008 Third Edition 5: Interviewing and making hiring decisions
Has the government published guidelines on flexible work arrangements?	Yes	Canadian Centre for Occupational Health and Safety Flexible Work Arrangements
Is there a specialized body that receives complaints about gender discrimination in employment?	Yes	Ontario Human Rights Code, Secs. 5, 32 and 34
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	Yes	Ontario Pay Equity Act, Secs. 12, 13 and 25
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	Yes	Intergovernmental Forum on Mining, Minerals, Metal and Sustainable Development: Women and the Mine of the Future. A Gendered Analysis of Employment and Skills in the Large-Scale-Mining Sector: Canada; Statistics Canada: Table 14-10-0023-01 Labour force characteristics by industry
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Family Law Act, Art. 47.2(1)
Are there specialized family courts?	Yes	Family Court at the Ontario Court of Justice
Is legal aid available for family law disputes?	Yes	Legal Aid Program; Legal Aid Ontario
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Employment Insurance Act, Sec. 22
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	Yes	Employment Standards Act 2000, Sec. 74
Has sex-disaggregated data on unpaid care work been published?	Yes	Statistics Canada: The value of unpaid childcare and paid employment by gender: What are the impacts of the low-fee universal childcare program?
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Official Website of the Ministry of Education of Ontario
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Ontario Regulation 138/15 (Funding, Cost Sharing and Financial Assistance), Secs. 9-10; Official Website of Ontario, Child Care Fee Subsidy, Official Website of Toronto, Application for Fee Subsidy
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	Yes	Official Website of Toronto, Service Agreements for Early Years Programs
Has the government published any reports on quality of childcare services within the last 3 years?	Yes	Official Website of Ontario Ministry of Education
<b>Entrepreneurship</b>		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	Yes	Statistics Canada - Gender, Diversity and Inclusion Statistics Hub
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	Yes	Women Entrepreneurship Strategy; Thrive Venture Fund for Women; Women entrepreneurs in Ontario



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Is there a current national government plan or strategy with a focus on women's access to financial services?	Yes	The Women Entrepreneurship Strategy (WES)
<b>Assets</b>		
Are there mechanisms or incentives to encourage women to register immovable property?	Yes	Family Law Act, Sec. 18-20; Conveyancing and Law of Property Act, Sec. 40
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	Yes	Government of Canada, "Rights of Women" webpage; Government of Ontario, "Dividing property when a marriage or common law relationship ends" webpage
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	Yes	Statistics Canada
<b>Pension</b>		
Are there incentives in place to increase women's retirement benefits?	Yes	Canadian Registered Retirement Savings Plan (RRSP)
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Canada Pension Plan Regulations, Sec. 74.1; Department of Employment and Social Development Act, Secs. 44(1) and 64

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