

Highlights as of March, 2018

ALBERTA:

Bill 23

Royal Assent

Came into force January 1, 2018

This bill amends the *Alberta Human Rights Act* to add “age” as a prohibited ground of discrimination under sections 4 and 5 of the act. These sections include the areas of tenancy, goods, services and accommodation or facilities.

- Section 4 of the act protects against discrimination when any goods, services, accommodation or facilities normally available to the public are provided.
- Section 5 prohibits discrimination regarding tenancy, including commercial tenancy and residential rental accommodations.
- Age is currently a prohibited ground of discrimination in all areas other than sections 4 and 5.
- Age is defined in the act to mean “18 years of age or older.” Given this, adding age to sections 4 and 5 of the act will not, for example, require bars to admit minors, or young children to be given drivers’ licences.
- Age-restricted condominiums that wish to can transition to being seniors-only during the transition period, notwithstanding continued occupancy by individuals who do not meet the seniors-only age-restriction.

Bill 17

Alberta’s new Employment Standards Code under the Fair and Family-friendly Workplaces Act (Bill 17), came into effect January 1, 2018. To summarize, key changes include:

- Employees are eligible for all leaves after 90 days of employment (previously one year).
- Compassionate care leave has been expanded to 27 weeks and maternity leave to 16 weeks.
- Parental leave has been expanded to 62 weeks following filing of supporting Regulations to implement Bill 17 on December 6, 2017.
- Critical illness leave has been introduced following filing of supporting Regulations to implement Bill 17 on December 6, 2017. Employees are now entitled to up to 16 weeks of job protection for employees who take time off to care for an ill or injured adult family member and up to 36 weeks of job protection for parents of critically ill or injured children.
- A new personal and family responsibility leave will provide up to five days of job protection per year for personal sickness or short-term care of an immediate family member. Includes attending to personal emergencies and caregiving responsibilities related to education of a child.
- A new long-term illness and injury leave will provide up to 16 weeks of job protection per year for long-term personal sickness or injury.

- A new bereavement leave to provide up to three days of job protection per year for bereavement of an immediate family member.
- A new domestic violence leave to provide up to 10 days of job protection per year for employees addressing a situation of domestic violence.
- A new citizenship ceremony leave to provide up to a half-day of job protection for employees attending a citizenship ceremony.
- A new death or disappearance of a child leave will provide up to 52 weeks of job protection for employees whose child disappeared as a result of a crime, or up to 104 weeks if a child died as a result of a crime.
- A 30-minute break is required (paid or unpaid) for every five hours of consecutive employment (previously “in excess” of five hours of work).
- Compressed workweeks is renamed “Averaging Agreement” and will require support of the majority of affected employees. Employers and employees will be allowed to agree to average work hours over a period of one to 12 weeks for the purpose of determining overtime eligibility. The agreement may not allow for a workday that exceeds 12 hours or a workweek that exceeds an average of 44 hours.
- The code will restrict employers from deducting wages for faulty work or cash shortages (i.e., “gas and dash” / “dine and dash” scenarios, as previously permitted).
- Overtime agreements will allow time to be banked for six months (previously three months) and overtime banking will be calculated at 1.5 times for ALL hours worked (previously hour for hour).
- All employees will be eligible for general holiday pay and regular and non-regular day of work distinction will be eliminated. Holiday pay will be calculated simply as 5% of wages from previous 4 weeks worked.
- Employees must be paid 4% of their total wages as vacation pay until they have been employed for 5 years after which they must receive at least 6% of their total wages. In addition, half-day vacation increments will be permitted (previously 1 day minimum).
- Employers will be prohibited from forcing employees to use entitlements such as vacation or overtime during a termination notice period, unless agreed to by both parties.
- Employers planning group terminations will have new notice periods, depending on the number of employees in the organization. Layoffs will be required to be limited to 60 days within a 120 day period.
- Written notice of a temporary layoff to an employee will be required with effective date and referencing applicable provision of the Code. Recall notices are required to be written.
- Termination pay will be calculated based on the previous 13 weeks of employment when the employee actually worked, not the calendar weeks preceding termination.

Bill 30

Occupational Health And Safety Changes

An Act to Protect the Health and Well-being of Working Albertans (Bill 30) amends the Occupational Health and Safety Act (OHSA) to better protect Albertans at work. Most of the changes will come into effect June 1, 2018.

- Among other changes, Bill 30 does the following:
- It will incorporate in the OHSA the three basic rights of workers in Alberta's legislation:
 1. The right to refuse unsafe work protects workers from any form of reprisal for exercising this right, including loss of compensation or benefits.
 2. The right to know ensures workers are informed about potential hazards and have access to basic health and safety information in the workplace.
 3. The right to participate ensures workers are involved in health and safety discussions, including participation in health and safety committees.
- Employees will also have the right to refuse dangerous work.
- As well, amendments will clarify the responsibilities of workplace parties, such as employers, employees, supervisors, contractors, prime contractors, etc.
- Changes to the act will enshrine a worker's right to know about workplace hazards and require all worksite parties to ensure that information on health and safety hazards is provided onsite.
- Joint health and safety committees will be required for larger employers (20 or more workers) and smaller employers (5-19 workers) will be required to have a health and safety representative.
- Employers with 20 or more workers must have a written health and safety program. The program must be reviewed every three years and include mandated elements. Employers with less than 20 employees must involve workers in hazard assessment and control.
- The government must be notified when a serious injury, incident or fatality occurs to ensure it's adequately investigated to prevent future occurrences. The threshold for reporting a serious injury would be changed to an injury that requires admission to hospital. Employers will be required to report "near misses" (incidents that had the potential to cause a serious injury or incident).

BRITISH COLUMBIA

NO UPDATE

NEW BRUNSWICK

New Brunswick will be observing Family Day (third Monday in February) as a public holiday for the first time this year.

Bill 44

An Act to Amend the Employment Standards Act

- Her Majesty, by and with the advice and consent of the Legislative Assembly of New Brunswick, enacts as follows:
 1. Subsection 43(1) of the Employment Standards Act, chapter E-7.2 of the Acts of New Brunswick, 1982, is amended by striking out “eleven weeks” and substituting “thirteen weeks”.
 2. Section 44.02 of the Act is amended
 - (a) in subsection (2) in the portion following paragraph (b) by striking out “thirty-seven consecutive weeks” and substituting “sixty-two consecutive weeks”;
 - (b) in subsection (8) by striking out “fifty-two weeks” and substituting “seventy-eight weeks”;
 - (c) in subsection (12.1) by striking out “thirty-seven weeks” and substituting “sixty-two weeks”;
 - (d) in subsection (12.2) by striking out “fifty-two weeks” and substituting “seventy-eight weeks”.
 3. The Act is amended by repealing the heading “CRITICAL ILLNESS LEAVE” following section 44.024 and substituting the following:
CRITICALLY ILL CHILD LEAVE
 4. Section 44.025 of the Act is amended by
 - repealing the definition “parent” and replacing it with “family member” and its definition: a family member as defined in the Employment Insurance Regulations under the Employment Insurance Act (Canada). (membre de la famille)
 - (b) in subsection (2)
 - (i) in the portion preceding paragraph (a) by striking out “an employee who is the parent” and substituting “an employee who is the parent or other family member”;
 - (ii) in paragraph (a) by striking out “his or her parents” and substituting “his or her parents or other family members”;
 - (c) in subsection (4) in the portion preceding paragraph (a) by striking out “If both parents” and substituting “If both parents or other family members”.

5. The Act is amended by adding after section 44.025 the following:
CRITICALLY ILL ADULT LEAVE

- 44.0251(1) The following definitions apply in this section.
 - “critically ill adult” means a person who is 18 years or older on the day on which a qualified medical practitioner certifies that the person’s baseline state of health has significantly changed and whose life is at risk as a result of an illness or injury. (adulte gravement malade)
 - “family member” means a family member as defined in the Employment Insurance Regulations under the Employment Insurance Act (Canada). (membre de la famille)
 - “qualified medical practitioner” means a person who is entitled to practise medicine under the laws of a jurisdiction in which care or treatment of a critically ill adult is provided. (médecin qualifié)
 - “week” means the period between midnight on Saturday and midnight on the immediately following Saturday. (semaine)
- 44.0251(2) Subject to subsections (3) to (8), on the request of an employee who is the parent or other family member of a critically ill adult, an employer shall grant the employee a leave of absence without pay of up to 16 weeks to provide care or support to that critically ill adult if a qualified medical practitioner has issued a certificate that
 - (a) states that the adult is a critically ill adult and requires the care or support of one or more of his or her parents or other family members, and
 - (b) sets out the period during which the adult requires that care or support.
- 44.0251(3) The leave of absence may be taken only during the period
 - (a) that starts with the first day of the week in which either of the following occurs:
 - (i) the day on which the first certificate in respect of the critically ill adult that meets the requirements of subsection (2) is issued; or
 - (ii) if the leave is commenced before the certificate is issued, the date from which the qualified medical practitioner certifies that the adult is a critically ill adult; and
 - (b) that ends with the last day of the week in which either of the following occurs first:
 - (i) the adult dies; or
 - (ii) the expiration of 16 weeks following the first day of the week referred to in paragraph (a).
- 44.0251(4) If both parents or other family members of a critically ill adult are employees of the same employer, the aggregate amount of leave that may be taken under subsection (2) for the care or support of the same critically ill adult shall not exceed 16 weeks and may

- (a) be taken wholly by one of the employees, or
- (b) be shared by the employees.

- 44.0251(5) An employee intending to take a leave of absence under subsection (2) shall advise the employer in writing as soon as possible of the employee's intention to take the leave, the anticipated commencement date of the leave, the anticipated duration of the leave and shall provide the employer with the certificate referred to in subsection (2).
- 44.0251(6) If circumstances beyond the control of the employee require a change in the duration of the leave of absence, the employee shall advise the employer in writing of the change as soon as possible.
- 44.0251(7) An employer is not required to extend an employee's leave of absence beyond the date that would result in the employee's total period of leave of absence exceeding 16 weeks from the commencement date of that leave.
- 44.0251(8) When an employee reports for work on the expiration of the period of leave granted under subsection (2), the employer shall permit the employee to resume work in the position the employee held immediately before the commencement of the leave or an equivalent position with no decrease in pay and with no loss of benefits accrued up to the commencement of the leave.

6. The Act is amended by adding after section 44.026 the following:
DOMESTIC VIOLENCE LEAVE, INTIMATE PARTNER VIOLENCE LEAVE OR SEXUAL VIOLENCE LEAVE

- 44.027(1) Subject to this section, on the request of an employee, an employer shall grant the employee a domestic violence leave, an intimate partner violence leave or a sexual violence leave in accordance with the regulations.
- 44.027(2) An employee intending to take a leave of absence under this section shall advise the employer in writing as soon as possible of the employee's intention to take the leave, the anticipated commencement date of the leave and the anticipated duration of the leave.
- 44.027(3) If circumstances beyond the control of the employee require a change in the duration of the leave of absence, the employee shall advise the employer in writing of the change as soon as possible.

7. Section 85 of the Act is amended

(a) by repealing the portion preceding paragraph (a) in the English version and substituting the following:

The Lieutenant-Governor in Council may make regulations concerning any matter for the effectual working of this Act and, without limiting the generality of the foregoing, may make regulations

(b) in paragraph (a) of the English version by striking out “prohibit” and substituting “prohibiting”;

(c) in paragraph (b) of the English version by striking out “exempt” and substituting “exempting”;

(d) by adding after paragraph (b) the following:

(b.1) respecting a domestic violence leave, an intimate partner violence leave or a sexual violence leave under section 44.027, including

(i) whether the leave or any part of the leave of absence may be taken as paid or unpaid leave, or any combination of them, and, if the leave or any part of the leave of absence is paid leave, the rate of pay the employee is to be paid by the employer during the leave;

(ii) the purposes for which the domestic violence leave, the intimate partner violence leave or the sexual violence leave may be taken;

(iii) the duration of the domestic violence leave, the intimate partner violence leave or the sexual violence leave;

(iv) the verification that an employee is required to provide to an employer, if any, including the types of documentation that are acceptable, what information the documentation must contain and when the documentation must be provided;

(v) the confidentiality, the disclosure or the sharing of the documentation or other material that an employee is required to provide an employer with respect to the domestic violence leave, the intimate partner violence leave or the sexual violence leave and the procedure to be followed in consideration of the documentation or other material; and

(vi) determining any other domestic violence leave, intimate partner violence leave or sexual violence leave entitlements not referred to in subparagraph (i) to (v);

(b.2) defining any word or phrase used but not defined in this Act;

(e) in paragraph (c) of the English version by striking out “establish” and substituting “establishing”;

(f) in paragraph (d) of the English version by striking out “require” and substituting “requiring”;

(g) in paragraph (e) of the English version by striking out “prescribe” and substituting “prescribing”;

(h) in paragraph (e.1) of the English version by striking out “prescribe” and substituting “prescribing”;

(i) in paragraph (f) of the English version by striking out “prescribe” and substituting “prescribing”;

- (j) in paragraph (g) of the English version by striking out “prescribe” and substituting “prescribing”;
- (k) in paragraph (h) of the English version by striking out “provide” and substituting “providing”.

NEWFOUNDLAND

NO UPDATE

NOVA SCOTIA

NO UPDATE House Adjourned

NORTHWEST TERRITORIES

NO UPDATE

MANITOBA

NO UPDATE

ONTARIO

Bill 175, Safer Ontario Act, 2018

Second Reading

Part X (Labour Relations)

- This Part contains provisions related to police service labour relations. It does not apply to the O.P.P.
- Membership in trade unions or organizations affiliated with trade unions is prohibited for members of a police service, subject to certain exceptions.
- The Part sets out a procedure for bargaining, conciliation and arbitration between the members of a police service and the police service board. Disputes regarding an agreement made under this Part also go through conciliation and arbitration.
- This Part continues the Ontario Police Arbitration Commission. The Arbitration Commission appoints arbitrators for a number of arbitrations under the Act if the parties are unable to agree to one and performs other duties related to arbitrations under the Act.

Regulation 851

- The Ministry of Labour (the ministry) is proposing various amendments to Regulation 851 (Industrial Establishments)

under the Occupational Health and Safety Act (OHSA). Regulation 851 applies to a variety of different workplaces in Ontario, including offices and office buildings, factories, arenas, shops, restaurants and logging operations. The regulation sets out sector-specific requirements that protect the health and safety of Ontarians who work in these workplaces.

- The ministry has prepared a consultation paper for public review and comment which highlights the proposed amendments to Regulation 851, which are intended to:
- Update existing requirements regarding guardrails, fall protection, protection against drowning, signallers, eyewash fountains and deluge showers to reflect current workplace practices, processes and technologies;
- Add new requirements for risk assessments and traffic management programs that are similar to recent amendments to Regulation 854 (Mines and Mining Plants);
- Add new requirements for scaffolds and suspended access equipment, similar to existing requirements currently set out in O. Reg. 213/91 (Construction Projects);
- Add new, specific requirements for storage racks and for high visibility safety apparel for signallers to improve worker health and safety and to improve clarity and transparency regarding compliance expectations; and
- Make additional amendments for clarification and to increase alignment between OHSA regulations.

Bill 192

The Bill amends the Occupational Health and Safety Act. The provisions of the Act protecting workers against reprisals are amended to include protections against reprisals against workers who speak out about workplace violence and workplace harassment. The amendments provide that a reprisal is any measure taken against a worker that adversely affects the worker's employment. Examples of reprisals are provided.

Workplace Safety and Insurance Act, 1997 (WSIA) amendments

Effective January 1, 2018, the WSIA will allow for benefits for chronic mental stress arising out of and in the course of employment (provisions do not differentiate between chronic mental stress and traumatic mental stress). Bill 177 provides for

transitional rules to determine entitlement to mental stress claims, the key aspects of which include:

- claims of mental stress occurring on or after April 29, 2014, that have not yet been filed can be filed by workers or their survivor(s) until July 1, 2018. Any claims filed during this six-month window will be adjudicated under the new mental stress WSIA provisions and the new Operational Policies.
- mental stress claims that were already filed in a timely manner and are still pending before the Workplace Safety and Insurance Board (WSIB) on January 1, 2018, will be adjudicated by the WSIB pursuant to the new provisions, regardless of the date on which the worker's mental stress occurred.
- if a worker filed a timely mental stress claim and the worker's timely appeal is filed with or is pending before the Workplace Safety and Insurance Appeals Tribunal (WSIAT) as of January 1, 2018, the WSIAT will refer the claim back to the WSIB to re-adjudicate the claim pursuant to the new provisions, regardless of the date on which the worker's mental stress occurred. Workers cannot re-file mental stress claims that were already denied by the WSIB or the WSIAT.

PRINCE EDWARD ISLAND

Prince Edward Island's minimum wage will remain the highest in Atlantic Canada when it increases by 30 cents to \$11.55 per hour on April 1, 2018.

Bill 15

An Act to Amend the Civil Service Superannuation Act

- Bill 15 amends the Act to broaden its application to include all base contribution and supplementary contribution deductions that an employer is required to make. The section also amends subsection 7.1(3) of the Act to make employee contributions under the specified sections mandatory. The section also repeals subsection 7.1(4) to provide greater flexibility with respect to how interest on missed contributions must be paid, and amends subsection 7.1(5) to provide that interest payable shall be calculated at the actuarial discount rate in effect at January 1 of each year, which aligns it to the cost to the Fund of the missed contributions.

- Bill 15 repeals section 10 of the Act and substitutes a new section 10 that requires a member with at least two years of service who ceases to be employed by a participating employer to elect either to receive a refund of contributions or a deferred pension.
- Bill 15 amends the Act to add new sections 27.3 and 27.4. Section 27.3 authorizes the Minister to require any person who is receiving pension benefits under the Act to provide written confirmation of the person's address and benefit payment information as specified in the section, and authorizes the Minister to cease making payments if the person fails to provide the required information. Section 27.4 authorizes the Commission to establish and maintain records containing information, including personal information, gathered in the administration of the Act, and authorizes the Commission to disclose personal information as specified, notwithstanding Parts I and II of the Freedom of Information and Protection of Privacy Act.

QUEBEC

Bill 1091

- An Act to amend the Transport Act in order to rebalance the sharing of the contribution of motorists to public transit within the Communauté métropolitaine de Québec
- This bill amends the Transport Act to provide that the contribution of motorists to public transit, which is paid by the Minister of Transport to the Communauté métropolitaine de Québec, will be shared by the Société de transport de Québec and the Société de transport de Lévis in proportion to the contributions collected from motorists whose address is in the territory of Ville de Québec, Ville de L'Ancienne-Lorette or Ville de Saint-Augustin-de-Desmaures and motorists whose address is in the territory of Ville de Lévis.

Bill 163

- An Act respecting the implementation of recommendations of the pension committee of certain public sector pension plans and amending various legislative provisions

Bill 171

- An Act to enact the Act respecting the implementation of the Canadian Free Trade Agreement and to bring measures relating to contracting by public bodies into compliance with that agreement, the Trade and Cooperation Agreement between Ontario and Québec and the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States
- This bill enacts the Act respecting the implementation of the Canadian Free Trade Agreement. The bill also amends the Act respecting contracting by public bodies and certain regulations made under that Act to bring them into compliance with certain measures relating to public procurement provided for in the Canadian Free Trade Agreement, the Trade and Cooperation Agreement between Ontario and Québec and the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States. The bill provides, in particular, for (1) including leasing contracts in the contracts subject to the conditions established under the Act respecting contracting by public bodies; (2) applying certain rules to contracts entered into by subsidiaries of public bodies and of government enterprises; (3) taking into account options in determining the estimated value of a government contract to be entered into; and (4) enacting or amending rules concerning the qualification of suppliers, service providers and contractors. Lastly, the bill includes various repealing and consequential provisions as well as transitional measures relating to public calls for tenders and qualification procedures that will begin on or after the coming into force of the bill provisions concerned.

Bill 152

- An Act to amend various labour-related legislative provisions mainly to give effect to certain Charbonneau Commission recommendations
- The main purpose of this bill is to give effect to certain recommendations of the final report of the Commission d'enquête sur l'octroi et la gestion des contrats publics dans l'industrie de la construction by introducing amendments to the Act respecting labour relations, vocational training and workforce management in the construction industry and the Act respecting occupational health and safety.
- Under the bill, public recognized clients are required to report any demonstrations of violence or intimidation in connection

with the construction work they carry out or cause to be carried out to the Commission de la construction du Québec (Commission). The penal provision prohibiting the use of intimidation or threats is broadened to include any intimidating or threatening behaviour likely to disrupt activities on a job site.

- New offences are added to the list of offences disqualifying a convicted person from leading or representing an employers' association or union association.
- In addition, the prescription period applicable in penal matters is extended to three years from the date on which the prosecutor becomes aware of the commission of the offence but may not exceed seven years after the offence was committed.
- The bill also extends, from one to three years, the prescription period applicable to civil proceedings arising from a collective agreement or from the Act respecting labour relations, vocational training and workforce management in the construction industry. The bill standardizes the rules concerning the documents the employers' associations and the union associations must provide to the Commission and the rules relating to the information those associations must keep up to date and file with the Commission, and introduces penal provisions for non-compliance with those rules.
- The Commission's inspection powers are increased.
- Immunity against civil proceedings and protection against reprisals is granted to any person who, in good faith, communicates information to the Commission concerning an act or omission that the person believes constitutes a violation or offence with respect to 3 the Act respecting labour relations, vocational training and workforce management in the construction industry or the regulations. Penal provisions are introduced for cases where persons take reprisals or where they provide information to the Commission that they know to be false or misleading.
- The bill also places a limit on the number of terms, consecutive or not, that certain members of the board of directors of the Commission de la construction du Québec and certain members of the board of directors of the Commission des normes, de l'équité, de la santé et de la sécurité du travail may complete. It prohibits a person holding a management position within an employers' association or a union association from being a member of the board of directors of one of those bodies

if that person is already a member of the other body's board of directors.

- Lastly, the bill contains consequential, transitional and final provisions.

Bill 165

- An Act to amend the Highway Safety Code and other provisions
- This bill proposes numerous amendments relating to road safety.
- The Highway Safety Code is amended to clearly state the duty of care that is binding on all road users. All road users must be careful and considerate when travelling on a public highway, especially toward more vulnerable users.
- Several new traffic and signage rules applicable to road users are enacted.
- Measures to encourage users to share the road, in particular special provisions on shared streets and bicycle boulevards, are introduced. The safe distance that drivers of road vehicles must maintain when passing cyclists on the roadway or shoulder of a public highway is specified, as are the safe behaviours that drivers must adopt in such situations. Similar provisions are also to apply with respect to pedestrians and groups of participants during exceptional events or sports events or competitions.
- The rules that road users must comply with in intersections and traffic circles are set out.
- As regards repeat drinking and driving offenders, the bill provides that, from the very first repeat offence, any licence that may subsequently be issued to the repeat offender is to be subject to the condition of driving a road vehicle equipped with an alcohol ignition interlock device. That condition may however be lifted after a 10-year period provided certain conditions are met.
- The bill contains various rules to regulate sources of distraction while driving, such as the use of portable electronic devices and display screens. It increases the amounts of the fines for contraventions and provides that, in the case of a repeat offence, the offender's licence is immediately suspended.
- A midnight to 5 a.m. driving curfew is imposed on novice passenger vehicle or motorcycle drivers during their learning period. The number of passengers 19 years of age or younger that novice passenger vehicle drivers may carry during that

curfew and in the first year of their probationary licence is restricted, with some 3 exceptions. The requirement that learner drivers of motorcycles be accompanied is withdrawn. Visual protection is made mandatory for motorcyclists in certain circumstances, and motorcyclists are prohibited from driving between rows of vehicles.

- Under specific conditions, peace officers are given the power to immediately suspend the driver's licence of a person who fails a test to check whether he or she is able to orient in space and time.
- The date on which an automobile must be equipped with winter tires is moved forward to 1 December. Driving a vehicle covered with ice, snow or any other matter that may detach from the vehicle is prohibited. Several rules relating to the stopping of vehicles are revisited, and peace officers are given the power to have stopped vehicles moved, in particular when they are stopped because of special weather conditions or inadequate visibility conditions.
- The bill amends the fines for speeding violations in school zones to double their amounts. It also includes certain provisions on the use of photo radar devices and red light camera systems.
- The bill clarifies the Minister's power regarding toll rates for operating a vehicle on a public highway subject to a toll.
- Municipalities are given the power to designate, by a by-law approved by the Minister, level crossings on their territory where drivers of vehicles carrying dangerous substances and drivers of buses or minibuses are exempt from stopping their vehicles at least five metres before the crossing.
- Special rules are stipulated as regards operating heavy vehicles and securing their loads. Certain provisions relating to the equipment of certain vehicles and the verification of their compliance are revised. More specifically, heavy vehicles with a dump body must be equipped with a warning light that activates when the dump body is not completely lowered.
- Provisions are made to afford better protection for flag persons called on to direct traffic because of roadwork.
- The bill provides for the special rules that could be set under a pilot project authorized by the Minister to allow autonomous vehicles to operate on the road network; those provisions would prevail over the provisions of the Highway Safety Code and the Automobile Insurance Act. Such pilot projects are to last five years, but may be extended by up to two years.

Bill 149

- The Automobile Insurance Act is amended to delimit public plan coverage in relation to certain activities and vehicles.
- Lastly, various administrative and penal measures as well as transitional and final provisions are included.
- An Act to enhance the Québec Pension Plan and to amend various retirement-related legislative provisions
- This bill amends the Act respecting the Québec Pension Plan mainly to enhance the Québec Pension Plan by adding an additional plan. Starting in 2019, a first additional contribution, shared by the employer and the worker, will be applicable to income that is less than or equal to the worker's maximum pensionable earnings. The contribution rate for that contribution will progressively increase until it reaches 2% per year. As of 2024, a second additional contribution, with a contribution rate of 8% per year, will be applicable to income exceeding the worker's maximum pensionable earnings. Consequently, the bill amends the calculation of benefits to take into account those new contributions in the additional plan.
- Various measures are introduced to stabilize the Québec Pension Plan, including a mechanism for adjusting additional plan contributions and benefits and the obligation to finance improvements to the Québec Pension Plan through contribution rate increases.
- An additional amendment to the Act respecting Retraite Québec provides for two investment policies for the Québec Pension Plan, one for sums from the base plan and the other for sums from the additional plan.
- The bill also amends the Supplemental Pension Plans Act to allow pension plans to set priorities for the appropriation of surplus assets that are different from those established under that Act. Under the bill, the sums an employer pays to reduce a letter of credit and, if the annuity purchasing policy so provides, the sums it pays as a special annuity purchasing payment are now to be recorded to establish the level of surplus assets used.
- Finally, the bill proposes various amendments to that Act to simplify administration, including by providing that the degree of solvency for the payment of a member's benefits is the one that is applicable on the date of the valuation of the benefits, extending the current period for calling the annual meeting from six months to nine, and moving the deadline for sending

the notice relating to the financial position of the plan to Retraite Québec from 30 April to 30 September.

NUNAVUT

NO UPDATE The 1st Session of the 5th Legislative Assembly reconvenes on March 6, 2018.

SASKATCHEWAN

NO UPDATE Last legislative assembly occurred on Dec 7, 2017

YUKON

NO UPDATE

PARLIAMENT OF CANADA

C-62

Second Reading and Referral to Committee

An Act to amend the Federal Public Sector Labour Relations Act and other Acts

- Bill C-62, An Act to amend the Federal Public Sector Labour Relations Act and other Acts,¹ was tabled in the House of Commons on 17 October 2017 by the President of the Treasury Board of Canada. The bill restores the public service labour relations regime that existed prior to the coming into force of certain budget implementation acts, including Bill C-4, A second Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures (short title: *Economic Action Plan 2013 Act, No. 2*),² and Bill C-59, An Act to implement certain provisions of the budget tabled in Parliament on April 21, 2015 and other measures (short title: *Economic Action Plan 2015 Act, No. 1*).³
- Aspects of the public service labour relations regime that are restored through Bill C-62 include those related to essential services and the resolution of collective bargaining disputes, along with the right of bargaining agents to negotiate terms and conditions of employment related to sick leave and disability

matters. In addition, provisions related to the public service recourse processes that have not yet been brought into force are repealed.

C-65

Second Reading and Referral to Committee

An Act to amend the Canada Labour Code (harassment and violence), the Parliamentary Employment and Staff Relations Act and the Budget Implementation Act, 2017, No. 1

- On 7 November 2017, the Minister of Employment, Workforce Development and Labour introduced Bill C-65, An Act to amend the Canada Labour Code (harassment and violence), the Parliamentary Employment and Staff Relations Act and the Budget Implementation Act, 2017, No. 1, in the House of Commons and it was given first reading.
- Part 1 of this enactment amends the Canada Labour Code to strengthen the existing framework for the prevention of harassment and violence, including sexual harassment and sexual violence, in the work place.
- Part 2 amends Part III of the Parliamentary Employment and Staff Relations Act with respect to the application of Part II of the Canada Labour Code to parliamentary employers and employees, without limiting in any way the powers, privileges and immunities of the Senate and the House of Commons and their members.
- Part 3 amends a transitional provision in the Budget Implementation Act, 2017, No. 1

Bill C-44

- Bill C-44 amends the Code to provide federally regulated workers with an unpaid parental leave of absence of up to 63 weeks to care for a newborn child of the worker or a child who is adopted by the worker. Previously, the maximum period of leave was 37 weeks. The aggregate amount of maternity and parental leave that may be taken by one or two employees with respect to the same birth or adoption must not exceed 78 weeks. This is an increase from 52 weeks.
- Maternity leave remains unchanged as a period of up to 17 weeks unpaid leave. However, women will be permitted to

begin their maternity leave up to 13 weeks prior to their due date.

- The Code now provides for a 17-week unpaid leave of absence to care for or support a critically ill family member who is an adult (over 18 years old). Further amendments to the Code expand those eligible to take a leave of absence to care for a critically ill child beyond a parent to a family member of a critically ill child.
- Other changes include expanding the authority and powers of inspectors including the power to order an employer to conduct an internal audit of its practices, books, payrolls and other records to determine whether the employer is in compliance or not with any employment standards provisions of the Code. Adding a complaint relating to reprisals process in the Code and establish a penalty system to promote compliance with Parts II (occupational health and safety) and III (employment standards) of the Code.