



Canada Labour Code Changes: An Overview

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Canada Labour Code Changes

- Stage 1 – September 1, 2019
 - Employee “friendly” amendment to work schedules, flexible work arrangements and leave provisions
- Stage 2 – 2020
 - Workplace harassment and violence prevention regulations
- Stage 3 - ?????
 - Pay equity

Canada Labour Code Changes

- Stage 1 – September 1, 2019
 - A. Hours of work and scheduling – Include
 - Flexible work arrangements
 - After 6 months, employee may request change to number of hours worked, work schedule or location
 - Employer may refuse on prescribed grounds:
 - (i) Additional cost to employer;
 - (ii) Detrimental impact on quality/quantity of work;
 - (iii) Inability to manage due to staffing constraints;
 - (iv) Insufficient work available if changes made.
 - This is the “biggie”

Canada Labour Code Changes

- Stage 1 – September 1, 2019 cont.



- Unpaid breaks of 30 minutes for every 5 hours of work
- 24 hours notice of shift change
- 96 hours notice of work schedule
- Unpaid nursing breaks
- Some of these changes not being enforced while Government considers exemption of modifications

Canada Labour Code Changes

- Stage 1 – September 1, 2019 cont.

B. Leaves – include

- Personal leave – up to five days, three paid
- Medical leave – unpaid up to 17 weeks (note from “health care practitioner” required)
- Victims of family violence – up to 10 days, five paid
- Minimum service requirement eliminated for medical leave, maternity and parental leave, leave related to critical illness and leave related to death or disappearance of child.

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- Stage 1 – September 1, 2019 cont.

C. Vacations – Holidays

- No minimum service requirement for entitlement to holiday pay
- Vacation entitlements increased
 - After 1 year – 4% (no change)
 - After 5 years – 6% (was 6 years)
 - After 10 years – 10% (new)



Canada Labour Code Changes

- Stage 2 – 2020

Workplace harassment and violence presentation regulations

- Comprehensive changes
- Requires jointly developed workplace harassment and violence prevention policy
- Requires jointly developed workplace assessment
- Requires jointly developed emergency procedures



Canada Labour Code Changes

- Stage 3 – ???

Pay Equity

- Huge potential impact for employers
- Will apply if 10 or more employees
- Work of “equal value”
- Pay equity plan will be required





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These materials should not be relied upon as a substitute for consultation with a lawyer with respect to the reader's specific circumstances. Each legal or regulatory situation is different and requires review of the relevant facts and applicable law.

If you have specific questions related to these materials or their application to you, you are encouraged to consult a member of our Firm to discuss your needs for specific legal advice relating to the particular circumstances of your situation.

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