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A Publication of the Workers Health & Safety Centre

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Timely news bulletins
for all concerned with
safer, healthier work

Federal labour law changes would benefit precarious workers



Enhanced personal leaves, more notice about job scheduling and a mandatory eight-hour break between shifts are among the proposals to amend Canada's federal labour laws.

The changes are part of the federal government's *Budget Implementation Act*, Bill C-86 and include amendments to the *Canada Labour Code* which sets out employment and health and safety laws for workers in federally regulated workplaces.

Specifically, the proposed changes apply to Part III of *Labour Code*. They follow an extensive consultation exploring what a modern set of labour standards might look like

for the 900,000 **workers in federally-regulated private sector industries**. This includes industries such as international and inter-provincial transportation, banking, telecommunications and broadcasting, as well as most federal Crown corporations and governance and administrative activities on First Nations reserves. Part III however, does not apply to the federal public service.

Highlights of Bill C-86

The federal government [published a report](#) summarizing the feedback they received, much of which informs Bill C-86 amendments. Now at second reading debate, Bill C-86, attempts to address key aspects of work often associated with vulnerable and precarious workers. They include:

- **Equal pay for equal work** by providing equal pay for equal work between part-time, casual and temporary and full-time employees;
- **Pay equity** by enacting a *Pay Equity Act* requiring federal employers (with 10 or more employees) to establish pay equity plans within three years (Unionized and large workplaces would have to set up pay equity committees);
- **Fairer hours of work and scheduling** by allowing a 30-minute unpaid break after five consecutive hours of work; a rest period of at least eight hours between shifts and unpaid breaks for medical reasons and for workers who are nursing or expressing breast milk; 96 hours' notice of schedules and the right of workers to refuse shifts where proper notice isn't given;
- **Employee status protection** by putting onus on employers to prove they have not misclassified employees as independent contractors; prohibiting temporary help agencies from charging placement fees; and removing barriers for employees and employers who wish to establish permanent work relationships;
- **Minimum Age increase** to 18 years from 17 years;
- **Leaves of Absence Expansion** to include new family violence leave (five paid days), personal leave (five days of which three are paid) and unpaid leave for court and jury duty;
- **Improved vacation entitlements** based on years of service (two weeks after one year, three weeks after five years, four weeks after 10 years); and
- **Enhanced notice and termination of employment** based on years of service and ranging from a graduated two to eight weeks' notice, and additional protection for workers where contract retendering occurs.

Absent from the proposed changes is the **“right to disconnect”**. This despite the government's consultations which found more than 90 per cent of Canadians surveyed believe employees should have the right not to respond to communication outside work hours. While 79 per cent stated employers should have policies to limit the use of work-related technology outside of working hours.

Many of the proposed *Labour Code* amendments mirror changes passed into law this spring by the previous Ontario government through Bill 148. Most of those reforms are

now repealed with passage of the government-proposed [Bill 47](#) in the Ontario Legislature today.

A considerable body of research has documented **significant health effects** associated with precarious work and the hazardous conditions which give rise to it.

Related resources

[Government Bill \(House of Commons\) C-86 \(42-1\) - Budget Implementation Act, 2018, No. 2](#)

[Canada's unions call federal budget bill a boon for workers | Canadian Labour Congress](#)

Other related news from WHSC

[Stressful work factors driving cardiovascular disease](#)

[Precarious employment impacts health of working women](#)

[Smartphone app targets workplace stress](#)

For our part, Workers Health & Safety Centre continues to assist workplace parties through [training programs](#) and [information services](#). WHSC offers specific training on [Federal Committees and Prevention Programs](#), both of which provide essential learning on the role and responsibilities of workplace and policy committees. Several other WHSC programs focus on raising awareness about hours of work, work stress and many other factors hindering the pursuit of work-life balance and healthier work.

To learn more:

Call: 1-888-869-7950 and ask to speak with a training services representative

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