

JULY 2023 MONTH IN REVIEW

Federal

LAWS & ANNOUNCEMENTS

New Laws

Jun 22: Royal Assent for landmark [Bill C-22](#) establishing a new Canada Disability Benefit (CDB) for working-age persons with disabilities. There are 6.2 million Canadians who have disabilities, 23% of whom live in **poverty**.

New Laws

Jun 22: Under the newly passed federal budget bill ([C-47](#)), eligible single workers will receive a Canada Workers Benefit of up to \$1,518 while families get up to \$2,616, starting in July.

New Laws

Jun 15: Newly tabled federal legislation ([Bill C-50](#)) would establish a national framework to ensure a steady flow of sustainable jobs green jobs in the future while advancing Canada's net-zero carbon emissions goals.

New Laws

Jun 20: Newly passed ([Bill C-13](#)) recognizing French as one of Canada's official languages, includes the *Use of French in Federally Regulated Private Businesses* Act imposing new French language duties on federally regulated private businesses in Quebec and allowing employees of those companies to file complaints with the Commissioner of Official Languages.

New Laws

Jun 21: The Canadian Air Transport Safety Authority is replacing Trusted Traveller with a new Verified Traveler program designed to make the air travel screening process faster and more efficient. Verified Traveler screening lines will initially open in Montreal, Toronto, Vancouver, Calgary and other select international airports across the country.

Immigration

Jun 15: The federal government expanded for 2 years the Francophone Mobility Program under which Canadian employers may make job offers to eligible candidates with moderate command of French for all National Occupation Classification jobs other than in primary agriculture. Previously, the Program was open only to highly skilled French-speaking temporary foreign workers.

Payroll

Jun 23: Employment Social Development issued [guidance](#) (IPG-120) on the new *Canada Labour Code* regulations governing tax deductions and withholdings of reimbursement of work-related expenses that take effect for expenses incurred on or after July 9, 2023.

Health & Safety

May 18: ESDC published a new [Hazard Alert](#) to help employers protect workers against risks of electrocution, shock and other electrical injuries. The risks are particularly great at telecommunication sites where operations are carried out on or near energized power lines.

Drugs & Alcohol

Jun 2: Canada recognized World No Tobacco Day by announcing plans to adopt new laws requiring health warnings to be printed direct on individual cigarettes. If the law goes through, Canada will become the first nation on the planet to take this approach. The government has committed to cutting national tobacco use to less than 5% by 2035.

Action Point: Find out how to [effectively control substance abuse](#) at your workplace

CASES

Drugs & Alcohol: Non-Negative Urine Test Doesn't Prove Conductor Was Impaired

A conductor who was away from his post when his train car ran through a switch had to submit to for-cause drug testing. The urine test came back non-negative for cocaine. The conductor admitted to using cocaine after his previous shift 4 days earlier but claimed he wasn't impaired on the job or when the incident occurred. The federal arbitrator found that the urine drug test results didn't definitively prove impairment while noting that the swab test came back negative for cocaine. Result: The railway had to reinstate him immediately and without conditions [[Canadian Pacific Kansas City Railway v Teamsters Canada Rail Conference](#), 2023 CanLII 55343 (CA LA), June 19, 2023].

Action Point: Find out [how to create a legally sound drug testing policy](#) at your workplace

Termination: Eliminating Supervisor's Position for Economic Reasons Is Not Unjust Dismissal

A telecom company ordered its subsidiary to cut its workforce for economic reasons. A supervisor whose position was eliminated sued for unjust dismissal under the *Canada Labour Code* (CLC). However, Section 242(3.1)(a) of the CLC makes an exception banning unjust dismissal suits by a person that "has been laid off because of lack of work or because of the discontinuance of a function." The adjudicator ruled that the exception applied. The federal court held that the adjudicator's decision was reasonable and dismissed the supervisor's appeal [[Rouleau-Halpin v. Bell Solutions Techniques Inc.](#), 2023 FCA 139 (CanLII), June 14, 2023].

Action Point: Find out about the [13 constructive dismissal pitfalls](#) you should avoid