

## MARCH 2023 MONTH IN REVIEW

# Federal

### LAWS & ANNOUNCEMENTS

#### New Laws

Feb 27: The government extended to March 31 the deadline [to comment](#) on proposed changes to the *Competition Act* that would, among other things, make it a crime for employers to fix wages and enter into agreements not to poach each other's employees.

**Action Point:** [Avoid inducement risks](#) when recruiting employees from other companies

#### Labour Relations

Feb 17: With negotiations at an impasse, the federal government commission recommended wage increases of 1.5% for 2021, 4.5% for 2022, and 3.0% for 2023, as well enhanced allowances, shift premiums and family-related leave for all 4 Public Service Alliance of Canada (PSAC) bargaining units in the Core Public Administration.

#### New Laws

Feb 21: With skilled truck drivers in short supply, the government will invest \$46.3 million to provide training and wage subsidies to recruit, train and onboard up to 1,400 new truck drivers and 1,200 workers in other in-demand trucking sector occupations via the Sectoral Workforce Solutions Program. The project will also develop a national standard for driver training.

#### Accessibility

Feb 16: Accessibility Standards Canada and the CSA Group published 3 new accessibility standards that they collaborated to create:

- CSA/ASC B651, [Accessible design for the built environment](#)
- CSA/ASC B651.2, [Accessible design for self-service interactive devices including automated banking machines](#)
- CSA/ASC B652, [Accessible dwellings](#).

**Action Point:** Find out more about [accessibility laws across Canada](#)

## Mental Stress

Feb 6: The national suicide mortality rate in 2019 was 12.1 per 100,000, 4,528 deaths, according to a new [government report](#). Suffocation was the leading cause of suicide deaths. Suicide rates were higher among males in all age groups. However, hospitalization for intentional self-harm was higher among females at 83 per 100,000, versus 49 per 100,000 males.

**Action Point:** Create a [legally sound policy](#) for accommodating employees with mental disabilities

## Workplace Harassment

Jan 30: Canada officially ratified International Labour Organization [Convention 190](#), the first-ever global treaty pledging to end violence and harassment in the workplace. The treaty includes recommended practices for both governments and employers.

**Action Point:** Use the resources on the [Harassment Compliance Centre](#) to prevent harassment and bullying at your workplace

## New Law

Feb 2: [Bill C-22](#) to create a new Canada Disability Benefit to support low-income working-age persons with disabilities has passed the House and is on its way to the Senate.

## Payroll

Jan 27: Legislation ([Bill C-241](#)) to amend the *Income Tax Act* to allow tradespersons and indentured apprentices to deduct from their taxable income amounts spent for

travelling where they were employed in a construction activity at a job site located at least 120 km away from their residence was reported out of Committee in the House of Commons.

## CASES

### **Discrimination: “Normal Pensionable Age” Retirement Rules Don’t Violate Charter**

The *Canadian Human Rights Regulations* allow disability plans to exclude persons ages 65 or older who are of “normal pensionable age” without committing age discrimination. For years, the union representing Air Canada pilots has been in litigation seeking to get the federal courts to declare those provisions unconstitutional. The latest attempt has ended the way the others have, with the Federal Court upholding dismissal of the union’s case. The “normal pensionable age” exemptions don’t violate Charter protections against age discrimination, the Court affirmed [[Air Canada Pilots Association v. Air Canada](#), 2023 FC 138 (CanLII), January 30, 2023].

**Action Point:** Find out more about [mandatory retirement and age discrimination rules](#)