

## AUGUST 2024 MONTH IN REVIEW

# Alberta

### LAWS & ANNOUNCEMENTS

#### Labour Relation

Aug 24: With harvest season set to begin, the Canada Industrial Relations Board ordered striking railway workers to return to work while their disputes with management proceed to binding arbitration. Workers at Canada National Railway and Canadian Pacific Kansas City walked off the job 2 days earlier disrupting the transport of over \$1 billion in goods.

#### New Laws

Aug 21: Alberta is expanding the Northern and Regional Economic Development program funding range from \$20,000 to \$200,000 per project to \$10,000 to \$300,000 per project to enable both big and small projects to get the funding they need to drive economic growth in their communities. The funding increase takes effect in September.

#### Immigration

Aug 15: Alberta announced that it will allow qualified Ukrainian evacuees to take accelerated training to obtain their Alberta Class 1 driver's license. The government is also adding Ukraine evacuees to the criteria for Driving Back to Work (DBTW) grant eligibility. The province is currently facing a shortage of about 4,000 commercial truck drivers.

**Action Point:** Find out what corporations need to know to [navigate the immigration law maze](#)

## CASES

### **Discrimination: Employee Can't Prove Entitlement to Religion Exemption from Mandatory Vaccine**

A contract employee hired to teach a Latin course asked out of a mandatory COVID-19 vaccination policy contending that the vaccine came from the cells of aborted fetuses and that getting it would violate his religious beliefs as a Catholic. The university denied the exemption and terminated the employee's contract when he maintained his refusal. The employee then sued for religious discrimination. The Alberta Human Rights Commission dismissed the case finding that the employee didn't have a valid claim for religious discrimination because he didn't prove that his "singular belief" about the COVID vaccine being made of aborted fetus was a tenet of or a fundamental part of exercising his faith [[Smart v University of Lethbridge](#), 2024 AHRC 103 (CanLII), August 13, 2024].

**Action Point:** Find out how to avoid discrimination when [enforcing a mandatory vaccination policy](#)

### **Termination: Seasonal Worker Fired for Safety Complaint**

A seasonal worker felt that his excavator should be equipped with a "thumb," or mechanical arm to hold debris in the bucket. His supervisor disagreed. A heated argument ensued with the worker telling the supervisor "You can take this job" and walking away, returning only briefly to return some tools. That night, he texted the supervisor and offered to return to finish the season. "Nope we are good," the supervisor replied. The worker filed a complaint claiming he was fired in retaliation for expressing a safety concern. The employer insisted he quit. The OHS investigator sided with the worker and awarded him \$2,800 plus general holiday pay and vacation. The employer appealed but the Alberta board found that the investigator's ruling was reasonable. The worker voiced a safety concern and was fired and didn't resign since he expressed his willingness to come back to work. And the employer didn't rebut the presumption that the decision to terminate was retaliation [[Park Paving Ltd. v Mullins](#), 2024 ABOHSAB 13, August 1, 2024].

**Action Point:** Find out how to discipline employees [without committing reprisals or retaliation](#)