

JULY 2024 MONTH IN REVIEW

Federal

LAWS & ANNOUNCEMENTS

Labour Relations

Jun 20: Parliament passed legislation ([Bill C-58](#)) to ban the use of replacement workers during strikes or lockouts and increase potential penalties to up to \$100,000 per day. Exceptions apply for certain emergencies and any work that employers and unions agree must continue during the job action.

New Laws

Jun 20: Legislation ([Bill C-50](#)) to 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 has received Royal Assent.

New Laws

Jun 20: Second Reading in the House of Common for [Bill S-6](#), which would simplify the system for revising and creating new government regulations in food safety, climate change, fisheries, transportation, immigration, electricity and gas, bankruptcy, corporations and other areas. The Bill passed the Senate 2 years ago.

Payroll

Jul 22: CRA ended public consultations to determine the level of companies' awareness of and compliance with the current Reporting Fees for Service (RFS) requirements for reporting fees paid to other businesses for services provided on the [T4A slip](#).

Action Point: Find out about the [wage payment method rules across Canada](#)

New Laws

Jul 19: The Canadian Government increased the 2024-2025 Canada Child Benefit maximum for families by 4.7% to keep up with inflation to up to \$7,787 per child under age 6 and \$6,570 to child ages 6 to 17.

Mental Health

Jun 27: The Minister of Mental Health and Addictions announced a \$749,932 grant for McMaster University's CanEMERG project to provide tools and resources for psychosocial support in emergencies due to Canada faced increased health challenges from frequent emergencies.

Action Point: Find out how to implement an effective workplace [mental health policy](#) for your employees

Workplace Harassment

Jun 27: The Defence Minister updated the progress on cultural changes in the Department of National Defense and the Canadian Armed Forces. The CAF issued new policy guidance, replacing “sexual misconduct” with terms like “conduct deficiencies of a sexual nature” and “sexual assault.”

Action Point: Use the HRI [template](#) to create your own workplace harassment and violence policy

New Laws

Sep 23: That's the deadline for Canadians, especially persons with disabilities, their caregivers and family members and organizations dedicated to working with persons with disabilities, to [comment](#) on the [draft regulations](#) for the Canada Disability Benefit.

CASES

Drugs & Alcohol: Hi-Rail Truck Incident Doesn't Justify Reasonable Cause Drug Testing

A railway fired a driver for refusing to take a reasonable cause drug test after

running his hi-rail truck through a switch. The union claimed that the railway didn't have grounds for testing since the driver was just following the foreman's orders to proceed and wasn't at fault. It demanded reinstatement, \$50,000 in damages and an apology. The federal arbitrator said yes to the first demand. The incident wasn't serious enough to justify testing since there were no fatalities, serious injuries, significant loss or damage to equipment or environmental implications. And since there were no grounds for testing, there were no grounds for disciplining the driver for refusing the test. However, the arbitrator declined to award the driver damages or order the railway to issue a written apology [[*IBEW, System Council No. 11 v Canadian Pacific Kansas City Railway*](#), 2024 CanLII 60992 (CA LA), July 3, 2024].

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

Accommodations: No Proof that Medication Side Effects Make Airline Mechanic an Unacceptable Safety Risk

An airline mechanic returning to work from a work-related back injury tells his supervisor that the drugs he's using to control the pain interfere with his ability to drive and asks to be allowed to work in the hangar or have a co-worker drive him to the planes that he has to service on the tarmac. Air Canada initially grants the accommodation. But 3 years later, another manager determines that the drug's side effects create a safety risk and reassigns him to a totally different position. The mechanic gets laid off after COVID hits and doesn't recall him due to his functional limitations. The union claims that Air Canada violated its duty to make reasonable accommodations for the mechanic's disability and the federal arbitrator agrees, finding that the airline didn't meet its burden of proving that the drowsiness caused by the medications made the mechanic an unacceptable safety risk and faulting it for not performing a medical assessment before jumping to this conclusion [[*IBEW, System Council No. 11 v Canadian Pacific Kansas City Railway*](#), 2024 CanLII 59940 (CA SA), June 20, 2024].

Action Point: Use the HRI template to create a strict but legally sound [medical marijuana accommodations policy](#)