

## APRIL 2024 MONTH IN REVIEW

# Federal

### LAWS & ANNOUNCEMENTS

#### Minimum Wage

Apr 1: The minimum wage for federally regulated companies increased from \$16.65 to \$17.30 per hour. Remember that if work is carried out in a province or territory with a higher minimum wage, employees get the higher wage. Currently, that's the case in only BC, Nunavut and Yukon.

**Action Point:** Find out how the [federal minimum wage rules](#) work

#### Hours of Work

Mar 19: Newly tabled [Bill C-385](#) proposes to amend the *Motor Vehicle Transport Act* to specify that for a driver transporting livestock or insects, or on duty, within a radius of 240 kilometers of the origin or final destination of a trip don't count toward the maximum number of hours of service per day permitted for the driver.

#### New Laws

Mar 28: With demand for skilled tradespeople at an all-time high, the Canadian Apprenticeship Strategy's Women in the Skilled Trades Initiative will provide nearly \$29 million over 4 years to fund 15 projects around the country that will enable roughly 6,400 women to get the apprenticeship training and support they need to enter 39 eligible Red Seal trades.

#### Immigration

Mar 21: The federal government announced that Temporary Foreign Worker

Program [policy changes](#) will end sooner than expected. Effective May 1, 2024, the normal rules will be back in effect: i. New Labour Market Impact Assessments will be valid for 6 rather than 12 months; ii. The total workforce that can come in through the TFW Program low wage stream will drop from 30% to 20% for employers identified in the 2022 Workforce Solutions Road Map, except in healthcare and construction; and iii. Employers will have to explore all options before applying for an LMIA, including recruiting asylum seekers with valid work permits in Canada.

## Immigration

May 1: Employers once more have to annually review the wages of temporary foreign workers, as of January 1, 2024, to ensure they reflect increases to prevailing wage rates for their given occupation and region of work. Through wage increases, these reviews will ensure that employers continue to pay temporary foreign workers at the prevailing wage level throughout their employment.

**Action Point:** Find out about the 10 things employers [need to know about hiring temporary foreign workers](#)

## Employment Benefits

Feb 28: [Bill C-318](#) proposing to amend the *Employment Insurance Act* by creating a new EI attachment benefit of 15 weeks for adoptive and biological parents of children conceived through surrogacy is out of Committee and in debate at Third Reading. However, the Speaker of the House of Commons stated that the bill will need a royal recommendation to go to the House for a final vote.

## Drugs & Alcohol

Mar 21: The federal government released the [final report](#) of the expert panel reviewing the *Cannabis Act* that took effect in 2018. Among other things, the report concludes that the high penalties in the Act haven't been enough to deter violations and that enforcement needs to be stepped up to "avoid undermining the integrity of the regime."

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

## Health & Safety

Feb 27: In response to the alarming rise in gonorrhea and syphilis rates, the federal government published a new \$2.45 million [5-year action plan](#) to promote prevention, testing and treatment of sexually transmitted and blood-borne

infections (STBBI) across the country.

## CASES

### **Termination: Being Harassed at Work Doesn't Excuse Threatening Boss with Violence**

After her manager denied her leave request, a Health Canada employee sent an email to her union rep saying that any day now she was going to “snap” and commit violence against the manager. The communication became key evidence in the agency's case for termination for cause. The employee contended that she had been bullied and harassed at work and that this affected her state of mind. But her argument fell on deaf ears. In upholding termination for cause, the federal board noted that the employee had withdrawn her harassment complaint and that she presented no medical evidence to support her claim of being in a “diminished mental state.” The appeals court ruled that the board's decision was reasonable and refused to overturn it [*Wepruk v. Canada (Attorney General)*, 2024 FCA 55 (CanLII), March 21, 2024].

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

### **Theft: Stealing Passenger's Property Is Just Cause to Terminate Airline Employee**

An Air Canada cabin service cleaning attendant who had been on the job for 8 months found a jacket that a passenger accidentally left in the overhead bin of a plane. Instead of returning the item, as company policy required, he decided to keep it. When Air Canada found out, it fired him for theft. While acknowledging his wrongdoing, the attendant argued that termination was too harsh a penalty. The federal arbitrator disagreed and tossed the grievance. Theft is a serious offence that undermines the employer's trust and the attendant's claim that fatigue clouded his judgment was unconvincing [*International Association of Machinists and Aerospace Workers District 140 (IAMAW) v Air Canada*, 2024 CanLII 23300 (CA LA), March 20, 2024].

**Action Point:** Find out how to implement a [legally sound anti-theft policy](#) at your workplace