

## JULY 2024 MONTH IN REVIEW

# Manitoba

## **LAWS & ANNOUNCEMENTS**

### **Minimum Wage**

Aug 1: Reminder: Manitoba's general minimum wage is scheduled to increase 50 cents to \$15.80 per hour on Oct. 1. Special minimum wage rates set out in the ESC [Regulations](#) will continue to apply to construction workers.

### **Payroll**

Jul 1: Changes to the *Child Care Regulation* took effect in Manitoba implementing a 2.75% increase to the wage grid supplement that sets a recommended starting point and target wages for various positions within the early learning and child-care sector, along with a 5% increase to the base operating grants. The latter increase is retroactive to April 1.

### **Accessibility**

Jul 15: From now through November 1, Manitoba will carry out statutorily required [5-year review](#) of the *Accessible Employment Standard Regulation*. Enacted in 2019, the [Regulation](#) is designed to eliminate barriers disabled persons face in the workplace, specifically with regard to hiring, recruitment, retention and employment relationships.

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

## **CASES**

### **Termination: Corporate Acquisition Amounts to Constructive Dismissal of Target's Employee**

Having acquired GE Transportation from General Electric Canada, Wabtec was eager to retain the target company's talented electrical engineer. But, alas, the engineer rejected Wabtec's offer to keep his job with the same pay and benefits, choosing to become unemployed. He then sued General Electric Canada for wrongful dismissal and payment of a retention bonus. The company claimed he resigned and moved to dismiss the lawsuit without a trial. The Manitoba court said no, finding that Wabtec's acquisition of GE Transportation amounted to constructive dismissal of the engineer and awarded him 24 months' termination. And since dismissal was wrongful, the engineer was entitled to the retention bonus. However, the court also ruled that in declining Wabtec's job offer, the engineer failed to mitigate his damages. Result: It slashed \$62,000 from the damage award leaving him a total of \$896,640 [[\*Brown v. General Electric Canada et al.\*](#), 2024 MBKB 95 (CanLII), June 26, 2024].

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