

MAY 2024 MONTH IN REVIEW

Manitoba

LAWS & ANNOUNCEMENTS

Labour Relations

May 6: Manitoba's newly tabled budget bill ([Bill 37](#)) includes changes to the *Labour Relations Act* that would allow for automatic union certification if a union shows that at least 50% of the employees support joining the union and ban the use of scabs during strikes or lockouts, except in limited circumstances.

Privacy

May 8: [Bill 24](#) proposing to broaden the *Intimate Image Protection Act* to include fake intimate images, including images or recordings created or altered by software, like the recent AI-generated pornographic postings purporting to show Taylor Swift engaged in sexual activity, has been reported out of Committee.

Action Point: Find out how to protect your organization from [revenge porn and cyberbullying liability](#) risks

New Laws

May 8: [Bill 8](#), *The Safe Access to Abortion Services Act*, which would create protective access zones around abortion clinics and other facilities in which it would be illegal to carry out activities attempting to dissuade people from or expressing disapproval against people for seeking abortion services, has cleared Second Reading and gone to Committee.

Training

May 19: As part of Budget 2024, Manitoba announced improvements to [emergency](#)

[medical services](#), including hiring more paramedics, adding ambulances, and expanding emergency patient transport. The government allocated \$124,000 to train 16 advanced care paramedics for rural and northern areas and invested over \$16 million to expand job opportunities, including a third ambulance in Brandon. Community paramedicine units were also implemented, and 21 clinical service leaders were hired.

Workers Comp

May 2: The Manitoba WCB returned \$118 million in surplus funds to employers, marking the fifth distribution in six years. Eligible employers received a credit equal to 50% of their 2023 premium, provided they met payroll reporting requirements. Employers who hadn't reported yet could still do so to receive the funds.

CASES

Employment Contract: Top Court Upholds Dentist's Non-Compete

A dentist sold his practice to a dental clinic in 2014 under a contract that included restrictive covenants barring the dentist from practicing within a 5-km radius or disclosing the names of patients for 8 years. When negotiations to extend the agreement broke down, the clinic took the dentist to court, which ruled that the covenants were “reasonable on their face” and issued a preliminary injunction to prevent the dentist from violating them. The case landed in the province's top court, the Manitoba Court of Appeal, which upheld the lower court's ruling and rejected the dentist's appeal [[Dentalcorp Health Services Ltd v Dr Kenneth Hamin Dental Corporation](#), 2024 MBCA 44 (CanLII), May 16, 2024].

Action Point: Find out why you should use [non-solicitation instead of non-compete clauses](#) to protect your company