

JANUARY 2024 MONTH IN REVIEW

Alberta

LAWS & ANNOUNCEMENTS

Employment Benefits

Dec 7: The province has set the stage for withdrawing from the Canada Pension Plan and establishing an Alberta Pension Plan for residents without retirement benefits through their employer. On the final day of the session, the Assembly passed legislation ([Bill 2](#)) authorizing a referendum allowing Albertans to vote on the plan in 2024.

Labour Relations

Dec 7: Alberta passed [Bill 5](#), the *Public Sector Employer Amendment Act*, to harmonize union and non-union pay structure across different public agencies. The legislation has also received Royal Assent and taken effect.

New Laws

Dec 7: Alberta passed legislation, [Bill 6](#), transferring the Chief Medical Officer's (CMO) authority to adopt rules during communicable disease public health emergencies to the Lieutenant Governor in Council. The CMO will still have power to rule on particular cases.

Action Point: Implement a [legally sound face masks policy](#) at your workplace

New Laws

Dec 21: A newly signed agreement with the federal government will provide Alberta \$1.06 billion in funding over the next 3 years to improve healthcare access and

quality across the province. The money will come from a 10-year national program called the Working Together to Improve Health Care for Canadians plan.

Discrimination

Dec 15: In July 2022, Alberta launched an Anti-Racism Action Plan requiring the government to take measures to eradicate racism while promoting inclusion and diversity. The Plan also requires the government to publish annual progress reports. The first such [report](#), covering 2023, has been released.

Action Point: Beware of [employment practices](#) that inadvertently perpetuate racial discrimination

Drugs & Alcohol

Dec 18: Alberta issued revised *Gaming, Liquor and Cannabis* regulations designed to cut red tape for licensed cannabis retailers that take effect on January 31, 2024. Among other things, retailers will now be allowed to: i. open booths at trade shows; ii. keep products in locked display cases when the store closes without having to move everything into a secured storage room at the end of each day; and iii. make sales and transfers with other cannabis retailers to establish resale markup limits.

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

Workers Comp

Jan 1: The Alberta WCB increased 2024 average premiums by 10 cents to \$1.36 per \$100 assessable payroll. The 7.9% increase includes a 15-cent discount. Roughly 66% of industries will see rates at or below the average increase due to positive safety performance.

CASES

Accommodations: Disabled Employee Deserves Chance to Prove Failure to Accommodate Claim

How exactly the library terminated the employment of a liaison on sick leave when her contract expired was a matter of dispute. But the one thing both sides agreed on was that the liaison had a mental disability, namely, depression and anxiety made worse by conditions at work. The Alberta Human Rights Director in charge of screening discrimination complaints ruled that the liaison didn't have a valid case against the library for disability discrimination and tossed the claim. But the

Commission found that the Director acted hastily and that it was unclear whether the library had, in fact, done enough to accommodate the liaison. **Result:** The case would have to go to a hearing during which the liaison would have a chance to present evidence proving her claims [*Cire v Parkland Regional Library*, 2023 AHRC 122 (CanLII), December 19, 2023].

Action Point: Help managers avoid accommodations mistakes that can create discrimination liability