

Alberta

LAWS & ANNOUNCEMENTS

Discrimination

Oct 28: The Assembly tabled [Bill 24](#) adding new personal rights to the *Alberta Bill of Rights*, including the right to not receive medical care or a vaccine without consent, and the right to acquire, keep, and use firearms legally without unnecessary interference from provincial laws. The legislation would also broaden the scope of activities protected by the right to freedom of expression.

Accessibility

Oct 25: Alberta issued an updated version of its [Accessibility Design Guide](#) (previously known as Barrier-Free Design Guide) explaining the accessibility requirements outlined in the provincial building code, including rules that took effect this May, and how to comply with them.

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

Employment Benefits

Oct 1: The Superintendent of Pensions increased the annual filing fee for Alberta pension plans from \$2.25 to \$2.50 per member, effective immediately. The minimum fee is \$250 and the maximum fee is \$75,000. The rates apply to all annual information returns with fiscal year-ends from October 1, 2024 to September 30, 2025 and any new plan registrations between those dates.

Employment Benefits

Oct 24: The Superintendent of Pensions issued new guidance ([Interpretive Guideline #22](#)) explaining the recent changes to regulations governing the development and documentation of Provision for Adverse Determination (PfAD) by Target Benefit Plans in Alberta. The new PfAD is the sum of 2 components: 7.5% + a supplementary percentage.

Health & Safety

Oct 1: If you're looking to hire a vendor to provide OHS first aid training to your employees, be sure to select one that's included on the Alberta WCB newly published [list](#) of approved first aid training agencies. The WCB revises the approved training provider list every 3 months.

CASES

Labour Relations: Employer that Loses Wage Arbitration Gets a Second Chance

Unable to reach agreement on a pay increase, food retailer Sobeys and the union submitted the dispute to final offer interest selection arbitration in which an arbitrator must select either one of the sides' final offers, in this case Sobeys' 2% or the union's 5%. The arbitrator went for the union. But Sobeys had the last laugh when the Alberta court determined that the arbitrator "acted unreasonably" in giving the company's competitive climate argument "no discernible weigh." By law, the competitive climate of an employer's business is one of 3 enumerated factors arbitrators must consider in interest arbitration, the court explained. So, the dispute had to go back down to a new arbitrator for a do-over [[Sobeys Capital Incorporated v United Food and Commercial Workers, Local No 401](#), 2024 ABKB 614 (CanLII), October 18, 2021].

Discrimination: Asking Interviewee If She's Married Not Enough to Prove Family Discrimination

An applicant with impressive credentials claimed a university turned her down for an Assistant Professor position because she was married and had young kids. As evidence, she noted that the university asked about these things during her interview. "How could [questions about an employee's children] ever be asked and not be a factor [in an employer's hiring decision]," her lawyer asked during the hearing. But the Alberta Human Rights Commission wasn't swayed. Bringing up family status or other protected characteristics during a job interview is something an employer shouldn't do, the Commission acknowledged. But while harmful to an employer's case, it isn't fatal where, as here, "there is ample, compelling evidence that the hiring decision was based on the candidates' relative skills, abilities, and interests." The evidence showed that the other candidate got the job because his research and teaching experience "was more clearly related to the areas set out in the job posting [[Robinson v University of Calgary](#), 2024 AHRC 119 (CanLII), October 8, 2024].

Action Point: Find out what [questions NOT to ask during a job interview](#) and how to rephrase them so they don't discriminate.