

| SUBJECT | LEGAL CHANGE | ACTION REQUIRED |
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| Ontario | | |
| Independent Contractor and Employee Status | <p>Employers now have the burden to prove that an individual is an independent contractor and not an employee if a claim is brought challenging status. If a person is misclassified, the Ministry of Labour can prosecute the employer.</p> <p>This became law on December 3, 2017.</p> | <p>(1) Be aware of the change.</p> <p>(2) Take specialist advice if you have contractors who operate on terms suggestive of employment. Similarly, take care when offering new independent contractor agreements.</p> |
| Extensions to family leave entitlements | <p>Parental leave is extended from 35 weeks to 61 weeks for employees who have taken pregnancy leave, and from 37 weeks to 63 weeks for employees who have not.</p> <p>The former critically ill child care leave, which provided 37 unpaid weeks to care for a critically ill child, now provides for an additional unpaid leave of 17 weeks to care for a critically ill adult family member.</p> <p>This became law on December 3, 2017.</p> | <p>(1) Review and update policies and procedures, and check contracts and other employment documentation to ensure they reflect the changes.</p> <p>(2) Ensure local HR are familiar with the new entitlements.</p> |
| Minimum Wage, Holiday and Permitted Time Off | <p>The following changes are all effective on January 1, 2018:</p> <p>(1) The hourly minimum wage (which applies to most employees) will increase from \$11.60 to \$14 on January 1, 2018, and to \$15 on January 1, 2019. The amounts will adjust for inflation annually thereafter.</p> <p>(2) Currently, employees are entitled to 2 weeks' paid vacation. This will increase to 3 weeks when employees complete at least 5 years' service.</p> <p>(3) New domestic / sexual violence leave provides 15 weeks and 10 days' leave, if they or their child experience domestic or sexual violence, or the threat of same. Only the first 5 days are paid.</p> <p>(4) Personal emergency leave rights, which formerly applied at workplaces with 50 or more employees, now apply to all employees. Further, the first two days of this leave are now paid.</p> <p>(5) Family medical leave is extended from 8 to 28 weeks.</p> | <p>(1) Review and update policies and procedures, and check contracts and other employment documentation to ensure they reflect the changes.</p> <p>(2) Ensure local HR are familiar with the new entitlements.</p> |
| Equal Pay for Equal Work | <p>On April 1, 2018, employers will be prohibited from paying an employee less than another because of a difference of employment status (e.g. casual, part-time, temporary, seasonal, and temporary help agency status), provided they perform substantially the same work with comparable skills, responsibility, and work conditions.</p> <p>Exceptions will exist where the difference in pay is based on factors other than employment status.</p> | <p>(1) Diarise April 1, 2018.</p> <p>(2) Assess the status of your staff, and review payment levels if the only reason for the difference is due to the fact that they are not full-time employees.</p> <p>(3) Seek specialist advice if unsure, as it will be critical to get this right to avoid claims.</p> |

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| <p>Alberta</p> <p>Numerous extensions to family and compassionate leave</p> | <p>The following changes are all effective on January 1, 2018:</p> <ul style="list-style-type: none"> (1) Maternity leave is extended from 15 to 16 weeks (2) Parental leave is extended from 37 to 62 weeks (3) Compassionate care leave is extended from 8 to 27 weeks (4) The new Personal and Family Responsibility Leave provides for 5 days (5) The new Long-Term Illness and Injury Leave provides for 16 weeks (6) The new Domestic Violence Leave provides for 10 days (7) The new Critical Illness of an Adult Family Member Leave provides for 16 weeks (8) The new Critical Illness of a Child Leave provides for 36 weeks (9) The new Death or Disappearance of a Child Leave provides for 52 weeks | <ul style="list-style-type: none"> (1) Review and update policies and procedures, and check contracts and other employment documentation to ensure they reflect the changes. (2) Ensure local HR are familiar with the new entitlements. |