HR Insider Newsletter – September 2026



September brings a combination of new compliance requirements, important workplace deadlines, and recent court and arbitration decisions that HR teams should have on their radar.

The September 2026 edition of **HR Insider** examines several issues that can create significant risk when they're handled inconsistently or without adequate documentation.

This month's coverage includes recent decisions involving **remote-work accommodation, performance reviews, workplace violence, drug and alcohol testing, and employee cellphone use**. We also look at what happens when an employee discloses a disability during a workplace investigation, and how HR can balance the duty to accommodate with the obligation to maintain a safe and harassment-free workplace.

With employees returning to fall routines, we examine practical ways employers can support working caregivers without losing sight of operational requirements. We also look at a frequently overlooked corporate risk: when directors may remain personally liable for payroll and other corporate debts even after resigning.

For employers with employees or executives travelling into Canada, this edition also includes a **25-question cross-border business travel checklist** designed to help HR determine when a routine business trip could create immigration and work permit risk.

Key Takeaways

- **Accommodation doesn't automatically override legitimate performance standards.** Clear, consistently enforced remote-work policies remain important.
- **Disability disclosed during an investigation must be considered**, but it doesn't automatically excuse harassment or serious misconduct.
- **Performance reviews can legitimately address behaviour and soft skills** when expectations are communicated and the process is carried out fairly and in good faith.
- **Workplace violence and misconduct require individualized assessments.** A zero-tolerance policy doesn't necessarily make termination automatic.
- **Personal device policies matter**, particularly in safety-sensitive workplaces where distraction can create additional risk.
- **Caregiver flexibility can be both an employee-support strategy and a risk-**

management tool during the back-to-school transition.
- **Director liability may survive a resignation** when a former director continues performing director-level functions.
- **Cross-border business travel should be reviewed before the employee travels.** Whether a work permit is required generally depends on what the person will be doing in Canada, not simply how long they'll be here.

September also brings several dates HR should keep on its compliance calendar, including Manitoba's new menstrual-product requirements, Nunavut's minimum-wage increase, Labour Day, Ontario WSIB policy changes, and the National Day for Truth and Reconciliation.

Read the September 2026 HR Insider Newsletter for the cases, compliance developments, and practical guidance Canadian HR professionals need for the month ahead.

WHAT YOU NEED TO KNOW THIS MONTH

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IMPORTANT DATES

HR COMPLIANCE CALENDAR

- September 1—Manitoba—Free menstrual products in restrooms rules take effect.
- September 1—Nunavut—Minimum wage increases 42 cents to $20.17 per hour.
- September 7—Nationwide—Labour Day statutory holiday.
- September 13—Nationwide—Deadline to comment on Competition Bureau Cartel Enforcement Guidelines.
- September 21—Ontario—Revised WSIB policies on workers' compensation coverage of independent living expenses take effect.
- September 30—Federal/British Columbia/Manitoba/New Brunswick/Newfoundland & Labrador/Northwest Territories/Nunavut/Prince Edward Island/Yukon—National Day for Truth & Reconciliation.
- September 30—Alberta—Deadline to apply for $100 Alberta Energy Rebate.

THIS MONTH'S CONTENT IN FULL

- **Top 4 HR Cases of Summer 2026**
- **Disability Disclosure During a Workplace Investigation Ask the Expert**
- **Supporting Caregivers as School Returns: Why Back-to-School Flexibility Benefits Everyone**
- **Are Corporate Directors Liable for Company's Payroll Debts After They Resign?**
- **Month In Review**
- **25 Questions to Ask before arranging cross-border business trips into Canada**

ADDITIONAL TOOLS AND READING

- **Find out about the 9 most common performance review pitfalls and how to avoid them.**
- **Find out how to create a legally sound drug and alcohol testing policy at your workplace.**
- **Beware of certain kinds of seemingly legitimate employment practices that may have the effect of inadvertently perpetuating racial discrimination and increasing your liability risks.**
- **Implementing a legally sound telecommuting policy at your workplace.**
- **Implement a legally sound and effective Workplace Violence Prevention Game Plan**

at your site.

- **Avoid liability for employees who go AWOL or [disappear while on leave](#).**