

The 7 Most Important New HR Laws of 2021 (So Far)



Significant HR changes took effect in Alberta, BC, Ontario, Manitoba and the federal jurisdiction.

Although issues related to the COVID-19 pandemic and public health orders continues to drive HR compliance, new legislation and regulation affecting perennial issues like workplace harassment and violence, employment standards, accessibility and workers comp have also taken effect in many parts of the country in 2021. Halfway through the year, here's a rundown of what we believe are the most significant of these new laws.

1. New Federal and Yukon Workplace Harassment and Violence Laws

Sweeping changes to federal workplace harassment and violence laws under [Bill C-65](#) took effect on January 1, 2021; similar rules patterned on the C-65 model will also take effect in Yukon on September 1. In addition to [combining the concepts of harassment and violence](#) into a larger psychological safety concept, both sets of laws establish a progressive new set of procedural rules to ensure that internal complaints are [investigated and resolved](#) swiftly and fairly.

2. New Federal Labour Standards Rights and Protections

The federal government adopted a trio of pro-employee changes to its labour standards laws (Canada Labour Code, Part III):

- A new federal general holiday called National Day for Truth and Reconciliation to be observed each year on September 30, starting in 2021;
- A new \$15 minimum wage for federally regulated employees; and
- Extensive new protections for unpaid interns.

3. Paid COVID-19 Vaccination and Sick Leaves

After COVID vaccines became available, 4 provinces (SK, AB, BC, MB) adopted [paid leave](#) giving employees 6 hours to get vaccinated during work hours without losing pay; BC, Ontario and Sask. took it to the next level by providing paid days off for time missed due to public health emergencies, with the government to provide reimbursement. Manitoba, Nova Scotia, Prince Edward Island and Yukon also offered subsidies covering the costs of employers who voluntarily gave employees paid COVID

leave days.

4. Bill 47 Workers Comp Changes in Alberta

One of the most controversial new HR laws to take effect in 2021 was Alberta's Ensuring Safety and Cutting Red Tape Act (aka, Bill 47) making a series of pro-employer changes to workers comp and OHS laws, including:

- Elimination of the employer's duty to reemploy injured workers with over 12 months' service;
- Imposition of new limits on workers' OHS refusal rights;
- Limitation of the presumption that psychological injuries are work-related to first responders, correctional officers and emergency dispatchers; and
- Restoration of the insurable earnings cap to either 90% of a worker's net earnings at time of injury or a maximum set by WCB (\$98,700 for 2021).

5. New Accessibility Legislation in BC

In June, BC became the latest province to adopt sweeping legislation dedicated to making all aspects of public life, including employment and the workplace, accessible to persons with disabilities. Bill 6 gives the government authority to adopt broad accessibility standards and regulations patterned after the federal and Ontario models, including requirements that employers create and implement workplace accessibility plans.

6. Ontario Overhauls Skilled Trades Training Rules

On June 3, Ontario passed Bill 288, the Building Opportunities in the Skilled Trades Act, 2021) to establish a new regulatory system for apprenticeship training, providing for:

- Replacement of the Ontario College of Trades with new Skilled Trades Ontario agency responsible for all tradespeople certification;
- A newly streamlined and simplified certification process and set of standards; and
- Use of government inspectors to enforce certification requirements.

7. Manitoba Doubles Workplace Health and Safety Penalties

On May 20, the Manitoba Assembly passed Bill 11, which doubles the maximum fines for Workplace Safety and Health Act violations:

- First offence: \$500,000 + \$50,000 per day for each day offence continues; and
- Second and subsequent offences: \$1,000,000 + \$100,000 per day for each day offence continues.

Disagree With Our Choices?

Drop me a line at glennd@bongarde.com and let me know what you think was the biggest new HR law(s) of 2020