

Overview of Important Recent Legislation Updates

September 2022

British Columbia

Dunk & Associates continues to monitor legislation updates and implement changes to program content and training modules to ensure you are always kept up to date. To see a recap of the recent changes, [please click here](#).

Overview of Major Changes

Accessible BC Regulation comes into effect September 1, 2022.

- Prescribed organizations must comply with the Accessibility Regulation by September 1, 2023. Currently this regulation only applies to government bodies and organizations listed in the regulation, which are mainly public organizations. See link for list of organization this applies to: https://www.bclaws.gov.bc.ca/civix/document/id/oic/oic_cur/0218_2022

What does this mean for Employers?

If your organization is on the list provided in the link, you will need to ensure you have an accessibility committee and plan established.

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Ontario

Overview of Major Changes

What does this mean for Employers?

The Ministry of Labour, Training and Skills Development now has a new name!

- The Ministry of Labour, Training and Skills Development (MLTSD) is now the Ministry of Labour, Immigration, Training and Skills Development (MLITSD).

Make sure your employees know who the MLITSD are and what to do if they come into your workplace!

Make sure you update the name where appropriate in your programs.

Dunk & Associates is working on updating the language for the new name in our policies, forms, training and other program resources.

Electronic Monitoring Policies

The Ontario's Ministry of Labour, Immigration, Training and Skills Development introduced a chapter on electronic monitoring policies in its Guide to the Employment Standards Act.

The new guidance provides a few examples of what constitutes "electronic monitoring", including where an employer:

- Uses GPS to track the movement of an employee's delivery vehicle,
- Uses an electronic sensor to track how quickly employees scan items at a grocery store check-out, and
- Tracks the websites that employees visit during working hours.

A policy must be created regardless of if the employer digitally tracks employees or not.

If your business has 25 employees or more, regardless of if you use any form of electronic monitoring of employees or not, you must implement a policy on workplace monitoring and communicate this to your employees. Consider if your company tracks employees in any of the following ways: emails, instant messaging systems, apps with GPS tracking, surveillance systems, etc.

If you are a full services Human Resources client with Dunk & Associates, and are monitoring your employees, we are working to have this policy created and added to your website by October 1, 2022.



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New Brunswick

Overview of Major Changes

Bill 112 Received Royal Assent

- This Bill makes each officer and director of a corporation liable for an Employment Standards Act violation committed by the corporation unless they can show that the offence was committed without their knowledge or consent and that they exercised “reasonable diligence” in performing their corporate responsibilities.

What does this mean for Employers?

Senior Management personnel may now be held personally liable for Employment Standards Infractions.

Make sure your company has legally compliance HR policies and practices.

Northwest Territories

Overview of Major Changes

National Truth and Reconciliation Declared a Statutory Holiday September 30

- The Government of the Northwest Territories has amended the Employment Standards Act to add the National Day for Truth and Reconciliation to the list of statutory holidays, to be observed on September 30 annually, beginning in 2022.

What does this mean for Employers?

Ensure you include September 30, 2022 as a statutory holiday when scheduling and paying employees.

You may need to update your policy on Statutory Holidays.

If you are a full service HR client with Dunk & Associates, this policy has already been updated for you.

Nunavut

Overview of Major Changes

National Truth and Reconciliation Declared a Statutory Holiday September 30

- The Nunavut Assembly passed Bill 5 making September 30th National Day for Truth and Reconciliation, aka, Orange Shirt Day, a new statutory holiday. The Bill must be proclaimed effective before Sept. 30 for it to apply to 2022.

What does this mean for Employers?

Ensure you include September 30, 2022 as a statutory holiday when scheduling and paying employees.

You may need to update your policy on Statutory Holidays.

If you are a full service HR client with Dunk & Associates, this policy has already been updated for you.