

Legislative Changes for Alberta

The Alberta government has proposed *Bill 2: An Act to Make Alberta Open for Business* (“Bill 2”). If passed, Bill 2 will repeal or revise some of the workplace amendments implemented by the former NDP government in 2017 under Bill 17: *Fair and Family Friendly Workplaces Act* (“Bill 17”).

Bill 2 intends to introduce the following amendments to the *Employment Standards Code* that will take effect on September 1, 2019:

- **Holiday Pay:** An employee will have to work at least 30 days in the 12 months preceding a general holiday to be eligible for holiday pay. Most employees are currently entitled to holiday pay immediately upon commencement of employment. Bill 2 will also re-introduce the distinction between regular and irregular workdays for the purpose of calculating holiday pay.
- **Overtime Banks:** Employees and employers will be allowed to enter into agreements to bank overtime at a one to one rate. Employers are currently required to provide 1.5 hours off for every overtime hour banked.
- **Student Minimum Wage:** In addition to Bill 2, the Alberta government has executed an Order in Council that will reduce the minimum wage for students under the age of 18 to \$13.00 an hour for the first 28 hours of work in a week. This will take effect on June 26, 2019 rather than September 1, 2019.

If passed, Bill 2 will also introduce the following changes to the *Labour Relations Code* that will take effect once Bill 2 receives Royal Assent:

- **Certification:** Restore the mandatory secret ballot for all union certification votes. Unions are currently only required to provide signed union cards for the purpose of certification.
- **Union Cards:** Signed union cards will remain valid for a period of 90 days. Signed union cards are currently valid for six months.
- **Marshalling:** Strengthen rules that coordinate employment-related complaints when these complaints involve multiple forums.



If passed, Bill 2 will represent a welcome change for Alberta employers that have been frustrated managing their workforces under the changes introduced by Bill 17. If you have any questions relating to Bill 2, please contact us to speak to an e2r® Advisor.

