

Bill 148 is official. What business needs to know

By: Sandra Dueck, Policy Analyst, Greater Peterborough Chamber of Commerce

Bill 148 the Fair Workplaces, Better Jobs Act has received royal assent. The bill represents the most sweeping changes to the Employment Standards Act (ESA) and the Labour Relations Act (LRA) in decades.

Recently, the Peterborough Chamber of Commerce held an information workshop at the 2017 Business Summit, where attendees continued to have a lot of questions about the impact and how to comply with the new rules. The legislation also includes 175 new ESA and LRA enforcement officers.

The minimum wage increase to \$14 will come into effect on January 1, 2018 along with a number of other ESA changes. However, there are two pieces that are in effect now and two more that come into effect on December 3, 2017.

In effect now:

- **Protection Against Employee Misclassification:** The Employment Standards Act, 2000, now expressly prohibits employers from misclassifying employees as "independent contractors". This is intended to address cases where employers improperly treat their employees as if they are self-employed and not entitled to the protections of the ESA. In the event of a dispute, the employer would be responsible for proving that the individual is not an employee.

Fair Workplaces Better Jobs Legislative Timelines

January 1, 2018	January 1, 2019
\$14 per hour minimum wage	\$15 per hour minimum wage
Vacation Pay	Location change requests
Personal Emergency Leave	Minimum three hours pay
Equal Pay for Equal Work (April 1, 2018)	Refusal of shifts with less than 4 days notice



All Labour Relations Act provisions (ie. union certification and bargaining), will occur 6 months after royal assent.



- **Changes to the Occupational Health and Safety Act:** The Act now prevents employers from requiring a worker to wear footwear with an elevated heel, for example, high heels, at work, unless such footwear is required for the worker's safety.

We have several in the Chamber membership.

You can find them under:

- Consultants: Business, Management and Retail
- Executive Search

Or, there is a handbook that was developed by the Ontario Chamber of Commerce. That document can be found on the Peterborough Chamber of Commerce website at: peterboroughchamber.ca/advocacy-bill-148.html

Over the past six months, the Ontario business community has continually expressed concern about the pace of these changes and particularly small business's ability to react.

Three studies from the Canadian Centre for Economic Analysis, TD Economics and the Financial Accountability Office of Ontario suggest significant job loss as a result of the legislation. All three also suggest the need for regionalization of the changes, as the minimum wage increase will have a different impact in downtown Toronto than in Peterborough. This point was mentioned during the panel session at the recent Business Summit.

The Peterborough Chamber of Commerce has been in conversation with its membership since the announcement of Bill 148 at the end of May.

In fact, the first roundtable with MPP Jeff Leal, Minister Responsible for Small Business was held in Peterborough in mid-June. The two dozen businesses in that room were not opposed to the governments desired outcome, but extremely concerned with the pace of implementation.

Those concerns remain today and were reflected in two written submissions to government, including this quote which captures the essence of the business case:

"This is a manufactured crisis. We [the business community] need government plans we can count on. We need change management and proper implementation. Roll it out over five years, we can figure it out. Roll it out over 18 months, we sink."

The submissions to government also included recommendations to target the outcomes through income tax measures, and to adjust scheduling measures for certain industries such as tourism, agriculture and weather dependent businesses (there were some amendments in this area).

While measures in the Fall Economic Statement such as the lowering of the Small Business Tax Rate and the incentive to hire younger people are proactive, more needs to be done to ensure that Ontario's economy and the positive growth we've seen is not negatively impacted.

More: peterboroughchamber.ca/advocacy-bill-148.html

In effect as of December 3:

- **Critical Illness Leave:** An employee will be entitled to take up to 17 weeks of leave in a 52 week period to provide care or support to a critically ill adult family member.
- **Parental Leave:** The length of parental leave will increase; this leave was up to 35 weeks long if the employee took pregnancy leave, and 37 weeks otherwise. As of December 3, 2017, it can be up to 61 weeks if the employee takes pregnancy leave, and up to 63 weeks otherwise.

Employers will be required to pay casual, part-time, temporary and seasonal employees the same rate as full-time, permanent employees when doing the same job. This will also apply for temporary help agency employees doing the same job as permanent employees at the company they are assigned to. These provisions will come into effect on **April 1, 2018**.

If you're not sure how the changes will apply to your business you can contact a Human Resources expert.

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One member on the hunt for used materials

Compass Early Learning and Care are collecting used materials for their new RE-USE RE-PURPOSE CREATIVE MATERIALS project.

The project vision includes rethinking the materials and resources that find their way to landfill as junk or to the recycle bin. They are excited by the idea that many of these materials, unwanted manufacturing cut-offs and discards,



offer excellent learning tools for children.

Email Angela Hoar at ahoar@compasselc.com for more information

Chamber members, send your Member Milestones to reception@peterboroughchamber.ca or call 705-748-9771 x0.



www.peterboroughchamber.ca

Event Calendar

PBX Peterborough Business Exchange
TUESDAY, December 5th, 2017

PBX @ Publican House

300 Charlotte Street, Peterborough



4:00pm – 6:00pm

Details: Join us to celebrate the holidays at Publican House. The restaurant recently took home the statue for "Hospitality" at the 2017 Peterborough Business Excellence Awards.

We'll also be reaching into the fishbowl to draw the #lovelocalptbo year-end winner.

PBX is a great opportunity for the business community, employers, consumers, and community agencies to make valuable connections.

Bring your business cards and get ready to get connected to the Peterborough business community.

Cost: Free, courtesy of Shorelines Slots at Kawartha Downs

Note: Space is limited; pre-registration required

CHAMBER AM
TUESDAY, December 12th, 2017

The Carousel

116 Lansdowne Street East

Coffee's on at 7:00am

Speakers from 7:30-8:30am

Speaker: Heather Watson, acorn30

Cost: Pay for your breakfast

Details: Heather will be speaking about the challenges and opportunities that exist for business when using social media as a marketing tool.

Be ready with your 30-second elevator pitch to tell others what's going on in your business.

Cost: Pay for your breakfast

LUNCHBOX LEARNING
WEDNESDAY, December 13th, 2017
(Chamber & WBN Members only)

Creating your Digital Marketing Roadmap

Chamber Boardroom
175 George Street North

12:00pm - 1:00pm

Speaker: Toby McLeod, Strategy.ca

Details: Learn the strategy businesses are using to generate more leads and sales.

Cost: Free (Bring your lunch)

Sponsor: Bell

Note: Pre-registration required

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contact: Brian Bulger at 741-1400

PUBLICAN HOUSE RESTAURANT
4-6PM
TUES, DEC 5, 2017
#lovelocalptbo grand prize draw for \$1000 shopping spree

Networking

Food & Door Prizes
Pre-registration required peterboroughchamber.ca

PBX Sponsor
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GREATER Peterborough Chamber of Commerce

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New name for local human resources company

MQL Total HR Outsourcing is now **WorkforceWins Total HR Outsourcing**.

And according to their website, that's not all that's changed. They've refined their services too. But what hasn't changed is that they are the

#LOVE LOCALPTBO
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Keep your town in business by keeping your business in town!

A campaign to promote the Peterborough business community. Join us as we #lovelocalptbo

For more on the 2018 campaign contact Karen August: karen@peterboroughchamber.ca

GREATER Peterborough Chamber of Commerce