

Type of Decision									
Meeting Date	Tuesday, November 14, 2017				Report Date	Monday, October 30, 2017			
Decision Required		Yes	x	No	Priority	X	High		Low
Direction		Information Only		x	Type of Meeting	X	Open		Closed

Clerk's - Report #14/11/17/801- vi - Bill 148 and ESA

Subject: Notes from Bill 148 *Fair Workplaces, Better Jobs Act, 2017* amendments to the *Employment Standards Act* and the *Labour Relations Act* - Review

Bill 148 brings about significant changes to the Employment Standard's Act which are expected to come into effect April 1, 2018. The changes expand upon employee entitlements and add obligations on employers. The amended bill has now gone to second reading with many employer concerns and recommendations not included in the amendments since public consultation over the summer.

The proposed changes include:

1. Minimum Wage increase – need to consider how it will affect those positions on our grid with wages very near the new minimum wage. Will need adjustment.
2. Extended vacation pay – now 3 weeks and 6% after 5 years. HCM already provides this as a benefit to employees. Should the vacation policy now be adjusted?
3. Paid emergency leave (2 days) and unpaid emergency leave (8 days) now applicable to all employees no matter employer size. HCM already provides 3 paid personal days.
4. Unpaid family medical leave has increased. HCM already attempts to accommodate absences internally due to emergency leaves. If required, it adds to workload of remaining staff. With a skeleton staff to begin with, we will have to determine how to fill in due to temporary vacancies for all positions.
5. Changes to public holiday pay will not have significant effect on our salaries as daily and weekly schedules have little fluctuation.
6. Equal pay for equal work. HCM hires few seasonal, part time or temporary employees so this will have little effect on payroll. So long as the position hired for is not performing the same duties as another employee, there is little effect.
7. Union certification. Not an issue for HCM at this time.

8. Independent Contractors. Not as issue for HCM. The companies/persons we employ as independent contractors are true contractors and not simply employees of the municipality. We have completed due diligence years ago in this respect and have no concerns.
9. Record keeping. The new requirements under record keeping likely is the section which will give most cause for concern for HCM. Again with few employees, once the record keeping system has been developed; it will be easy to maintain.

To Do

1. Continue to monitor changes and implementation dates to determine next steps.
2. Review current policies and update to reflect changes – wage grid, vacation entitlements etc.
3. Review salary grid to ensure wages are higher than minimum wage where appropriate. “Update existing salary structures and ranges to ensure alignment with the new wage minimums” paying careful “attention to compensation levels for jobs where current wages are only slightly above the new minimum. Increase to the wage rate of these jobs can help preserve morale.” MNP, for Ontario Chamber of Commerce at <http://www.peterboroughchamber.ca/uploads/4/2/5/0/42505955/steering-through-change-mnp.pdf>
4. Develop a record keeping system to reflect new requirements.