

## Federal Post

# Federal Government Clarifies Scheduling Requirements for On-Call Employees, Seeks Submissions on Hours of Work Requirements

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The federal Labour Program has been holding consultations on the scheduling and hours of work provisions in the *Canada Labour Code* (Code) that came into force on September 1, 2019. The first round of consultations took place in the fall of 2019.

## Scheduling Requirements

The Code now requires federally-regulated employers to give employees their schedules at least 96 hours before the first shift and to give 24 hours' written notice before changing or adding a shift. This created some difficulties for employers who rely on on-call employees to meet unforeseeable labour needs.

On February 22, 2020, the [federal Department of Employment and Social Development announced](#) that the Minister of Labour will not be developing new regulations to address on-call employees. The Minister has clarified that employers who use on-call arrangements can meet the scheduling requirements by including on-call periods on the schedules provided to employees 96 hours before the first shift and by adding or changing on-call periods with 24 hours' notice.

## Hours of Work Requirements

The Code now provides that employers must: (i) provide employees with the right to refuse overtime to deal with family responsibilities, (ii) give employees a 30-minute break within each five hours of work, and (iii) give eight-hour rest periods between shifts.

Currently, the Code exempts managers and designated professionals as well as unforeseeable emergencies from the application of these provisions.

The [Labour Program is seeking public input](#) on proposed regulatory exemptions and modifications to the hours of work requirements and has issued a [discussion paper](#) which outlines the issues. Interested employers that are impacted by the hours of work requirements can submit written submissions to the Labour Program no later than March 13, 2020.