

Federal Post

Amendments to the *Canada Labour Code* Tabled in Budget Bill

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On April 30, 2021, the federal government tabled Bill C-30, the [Budget Implementation Act, 2021, No. 1](#) (Bill C-30). If passed, Bill C-30 would give effect to certain initiatives proposed in the government's Spring Budget, discussed in our *FTR Now* dated April 23, 2021 "[Key Highlights of Federal Budget 2021](#)."

In this *Federal Post*, we review the proposed amendments to the *Canada Labour Code* (CLC) contained in Bill C-30.

Federal Minimum Wage

If passed, Bill C-30 would amend Part III of the CLC to set a federal minimum hourly rate of \$15.00. Where a province or territory provides for a minimum wage that is greater than the federal minimum wage, the employer will be required to pay the higher wage.

In addition, on April 1st of each year, the minimum hourly rate will be incrementally adjusted based on the Consumer Price Index.

The federal minimum wage adjustments will come into force six months following the day on which Bill C-30 receives Royal Assent.

Extension of Leave Related to the Death or Disappearance of a Child

Bill C-30 would amend the Leave Related to Death or Disappearance of a Child in the following way:

- leave eligibility would be extended to parents of children under the age of 25 (currently it applies where children are under the age of 18)
- the maximum length of leave for parents of children who have disappeared would be extended from 52 weeks to 104 weeks
- one of the exceptions disallowing entitlement to this leave (where it is probable the child was party to the crime) would be amended such that it only applies where the child is 14 years of age or older at the time of the crime and it is probable the child was party to the crime.

The aggregate amount of leave that can be taken by two or more employees in respect of the same death or disappearance of the child must not exceed a total of 104 weeks.

Leave Related to COVID-19 – Caregiving Responsibilities

Bill C-30 would expand the time provided for the Leave Related to COVID-19 as it relates to providing care for a child or family member, to a maximum of 42 weeks.

The aggregate amount of leave taken for caregiving responsibilities by two or more employees who reside in the same household shall not exceed 42 weeks.

Extension of Medical Leave of Absence

Bill C-30 would align the entitlement of Medical Leave in the CLC with the proposed amendments to extend employment insurance (EI) sickness benefits under the *Employment Insurance Act* such that it would now be extended up to a maximum of up to 27 weeks (currently, up to 17 weeks). A medical leave of absence as a result of quarantine would also be extended up to 27 weeks (currently, up to 16 weeks).

Equal Remuneration Protection Expanded

Bill C-30 would expand the equal remuneration protection for employees who are covered by a collective agreement by amending the definition of “previous contractor” to include employers who provide:

- services at an airport to another employer or person acting on that employer’s behalf in the aerodromes, aircraft or air transportation industry (currently, this only applies to “pre-board screening”)
- prescribed services to another employer or to a person acting on behalf of that other employer in a prescribed industry
- prescribed services at a prescribed location to another employer, or to a person acting on behalf of that other employer, in a prescribed industry.

The equal remuneration protection requires an employer who succeeds a “previous contractor” as the provider of services to pay to employees remuneration not less than that which the employees of the previous contractor who provided the same or substantially similar services were entitled to receive under the terms of a collective agreement.

Conclusion

We will continue to monitor Bill C-30 and its progress through the legislative process, and will provide a further update on the CLC changes when the Bill comes into force.