



# Labour Program Stakeholder Engagement

February 19

2020

Proposed regulatory exemptions and  
modifications for new hours of work  
provisions in the *Canada Labour  
Code*



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## Introduction and Purpose

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As part of its engagement on regulations in support of the modernization of labour standards, the Labour Program will be holding a series of sectoral consultations on the hours of work provisions in the *Canada Labour Code* (the Code) that came into force on September 1, 2019. These consultations will build on earlier meetings held in 2019 as well as a discussion paper called “Regulations in support of strengthening and modernizing the *Canada Labour Code*” that was published last June. A copy of this paper can be obtained by contacting the Labour Program at:

[EDSC.DMT.ConsultationNTModernes-ConsultationModernLS.WD.ESDC@labour-travail.gc.ca](mailto:EDSC.DMT.ConsultationNTModernes-ConsultationModernLS.WD.ESDC@labour-travail.gc.ca)

### New Hours of Work Provisions

The new hours of work provisions were enacted to better support work/life balance of employees and give them more control over their time. The new provisions require federally regulated employers<sup>1</sup> to provide their employees:

- 96 hours’ notice of their work schedule, failing which an employee can refuse a work shift or work period starting less than 96 hours after notice is given;
- 24 hours’ notice of a shift change;
- the right to refuse overtime for certain family responsibilities;
- a 30-minute break within each five consecutive hours of work; and
- an 8-hour rest period at the end of any shift or work period.

These provisions are subject to some exceptions: they do not apply in the case of an “unforeseeable emergency” or, for the scheduling provisions, in cases where an employee has requested a flexible work arrangement from their employer under the new Division I.1 of the Code. An employer and union can also agree that less than 96 hours’ notice of work schedules be given to employees under the terms of a collective agreement. The new hours of work provisions also do not cover managers and certain professionals.<sup>2</sup> (See Appendix A for further details on the provisions and the exceptions in case of an unforeseeable emergency).

The Code includes regulatory authority to create exemptions or modifications with respect to the new hours of work provisions for any class of federally regulated employee, if certain criteria are met.

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<sup>1</sup> Part III of the Code applies to employees of federal Crown corporations, certain First nations activities and federally regulated private sector industries, such as: international and interprovincial transportation by land and sea, including railways, shipping, trucking and bus operations; port operations; airports and airlines; telecommunications and broadcasting; banks; and industries declared by Parliament to be for the general advantage of Canada or of two or more provinces, such as grain handling. The labour and employment laws of the provinces and territories apply to all other industries that operate within their borders, such as manufacturing, retail, and the vast majority of construction and resource industries.

<sup>2</sup> This includes the following professionals: architects, dentists, engineers, lawyers and medical doctors.

## Purpose of the Paper

The purpose of this paper is to seek public input on the development of regulations to exempt classes of employees from the new hours of work provisions, or to modify the application of the provisions to certain classes of employees. It is intended to serve as a starting point for in-person discussions that will take place with stakeholders in February and March 2020, as well as an opportunity for others to provide written submissions. The Labour Program will use the input gathered as part of its analysis to determine where exemptions and modifications are justified and whether they fall within the existing regulatory authority for these provisions.

## Responding to this paper

This paper may be shared broadly and is available in French and English.

All interested groups and individuals – including employees, employers, unions, professional associations, worker advocacy organizations and Indigenous organizations – are invited to provide their views on the issues raised. Joint submissions between employer and employee organizations are encouraged.

If you provide a written submission as part of this consultation, please consult the Privacy Notice Statement, available in Appendix B.

Please provide any written feedback by **March 13, 2020**

- By e-mail to:  
[EDSC.DMT.ConsultationNTModernes-ConsultationModernLS.WD.ESDC@labour-travail.gc.ca](mailto:EDSC.DMT.ConsultationNTModernes-ConsultationModernLS.WD.ESDC@labour-travail.gc.ca)
- By mail to: Labour Standards – Wage Earner Protection Program  
165 rue Hôtel-de-ville, Phase II du Portage, 10<sup>th</sup> Floor  
Gatineau, Quebec  
K1A 0J2

If you are interested in participating in this ongoing engagement process in other ways, please contact us at the above address. The Labour Program appreciates hearing diverse perspectives and looks forward to collaborating with you.

# ***Engagement and Regulatory Development Process***

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## **What We Heard**

Through the regulatory engagement process started in May 2019 the Labour program heard from many stakeholders about the hours of work provisions in in-person meetings. The Labour Program also received numerous written submissions from both employee and employer representatives in most federally regulated sectors.

### ***Employee Organization Views***

A majority of employee representatives opposed exemptions, stating that the new hours of work provisions are the minimum labour standards that should be available to all employees. Their perspective was that the provisions play an important role in supporting employees' work-life balance and well-being, and in some cases respond to longstanding issues. They viewed the requests for exemptions and modifications as overly broad and pointed out that many federally regulated employees are not unionized. They argued that exemptions should be limited to exceptional circumstances for which there is no alternative. Employee representatives recognized that the new provisions will require operational adjustments but believed that this is unlikely to be seriously detrimental to businesses in most cases. They suggested that any significant need for exemptions or modifications will become evident over time and should be addressed once it is a known problem. Employee representatives also emphasized that there should be further consultations on specific exemptions or modifications before any regulations are made.

### ***Employer Organization Views***

Many employers raised significant concerns about the impact of the Code's new hours of work provisions on their businesses and members of the public they serve, particularly when they must operate continuously and respond to fluctuating customer demands and other conditions over which they have little control (weather, market pressures, employee absences, etc.). Employers raised concerns about their ability to comply with other regulatory obligations at the same time as the new hours of work provisions (for example, the Transport Canada requirements outlined in Appendix C), and to remain competitive overall. Their perspective was that existing flexibility measures in the Code, including the exception for unforeseeable emergencies, are too narrow to address all of these issues. Employers were also concerned about the impact of the new provisions on collective bargaining. As a result, employers in several industries, including trucking, courier services, rail, marine shipping, longshoring, aviation, telecommunications, broadcasting and grain handling requested that many classes of employees be exempted from one or more of the new hours of work requirements.

## **Interim Measures While Regulations are Being Developed**

The Code's new hours of work provisions came into force on September 1, 2019. They were accompanied by an interim interpretation, policy and guideline (IPG) (["Scope of application" \(IPG-101\)](#)) that allows employers to carry on business as usual with respect to the job titles and associated provisions listed in the schedule to the IPG, until more targeted regulations come into

force. The Labour Program also published additional IPGs to support employees and employers in understanding the new provisions of the Code.<sup>3</sup>

### Forward Plan for Development of Regulations

The Labour Program is committed to developing regulations concerning exemptions or modifications as soon as possible.

Once proposed regulations are approved, they will be published in the *Canada Gazette*, Part I, along with an impact analysis, for public comment. This is another opportunity for the Canadian public to react to the proposed regulations. Further to a feedback period, proposed regulations may be further modified to reflect stakeholder input, finalised and approved by the Governor in Council. Coming into force of the regulations is targeted for 2020.

### Criteria for Regulatory Exemptions and Modifications

Any proposed regulation must be within the regulatory authorities set out in section 175 of the Code. It specifies that the new hours of work provisions may be modified for classes of employees if their application would be:

- unduly prejudicial to the interests of the employees in those classes, or
- seriously detrimental to the operation of the industrial establishment in which they are employed.

Any class of employees may be exempted from new hours of work provisions that cannot reasonably be applied to them.

The new hours of work provisions should apply to as many employees as possible. This is consistent with the purpose of labour standards legislation, which is to provide employees with minimum conditions of employment – a floor of rights – regardless of their bargaining power or the generosity of their employer. An exemption or modification must therefore also be clearly and narrowly targeted.

Additional considerations include fairness issues such as ensuring that no exemption or modification increases the vulnerability of employees who are in particular need of labour standards protection, or puts an employer in a position where they cannot comply with other legal requirements.

The Labour Program recognizes that not all employers will be able to meet the new hours of work requirements for all classes of employees. Some flexibility will be necessary to ensure that the requirements are applied broadly, but also reasonably. To achieve this, the Labour Program will continue its efforts to provide a transparent, consultative and fair process in determining where exemptions and modifications to the new hours of work provisions are required.

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<sup>3</sup> IPG-101 and other IPGs regarding the interpretation of provisions recently added to Part III of the Code are available online at: <https://www.canada.ca/en/employment-social-development/programs/laws-regulations/labour/interpretations-policies.html>.

## Regulatory Proposal

The exemptions and modifications proposed below are based on stakeholder feedback and the Labour Program's analysis to date. All are expected to evolve with further input and an increased understanding of the complex scheduling practices and unique operating realities of the sectors under examination, and some may not ultimately be recommended as regulations. Additional exemptions and modifications not currently captured in this document may also be recommended as needs are identified.

### Proposed Exemptions and Modifications

The proposed exemptions and modifications fall into three categories:

- Classes for which an exemption or modification is proposed
- Classes for which more information is needed to determine whether or not an exemption or modification is warranted
- Classes for which NO exemption or modification is proposed

The classes of employees for which exemptions and modifications are being considered are not all precise and will be further defined as analysis proceeds. If a class is not listed in the tables, there was likely insufficient evidence provided in stakeholder submissions for the Labour Program to assess it at this time.

#### 1. Classes for which an exemption or modification is proposed

An exemption is being proposed for classes of employees where the information to date indicates that a provision cannot be reasonably applied. A modification is being proposed for classes where information to date indicates that a provision would otherwise be prejudicial to employees' interests or detrimental to the operation of an industrial establishment.

**Table 1: Classes of employees for which an exemption or modification is proposed**

✓✓ = An exemption is proposed      ✓ = A modification is proposed

Blank spaces indicate that either no exemption or modification is proposed or more information is required. This is noted in the other tables in this section of the paper.

Class	96-hour	24-hour	8-hour rest	30-min break
Road - long-haul drivers	✓✓	✓✓	✓✓	✓
Road - city truck drivers				✓
Road - armoured car drivers				✓
Road - courier drivers				✓

Class	96-hour	24-hour	8-hour rest	30-min break
Banking - commission-paid salespeople	✓✓	✓✓	✓✓	✓✓
Broadcasting - commission-paid salespeople	✓✓	✓✓	✓✓	✓✓
Marine pilotage - dispatchers				✓
Marine pilotage - marine pilots			✓	✓
Marine pilotage - launch masters (pilot boat captains)			✓	✓
Marine pilotage - deckhands			✓	✓
Longshore - dockworker, longshore worker, longshoreman/woman, ship loader operator, stevedore, tanker loader	✓✓	✓✓	✓	✓
Marine transportation - on-vessel masters and mates - continuously crewed harbour vessels		✓✓	✓	✓
Marine transportation - on-vessel engineering officers - continuously crewed harbour vessels		✓✓	✓	✓
Marine transportation - employees engaged in the operation of a vessel - continuously crewed harbour vessels		✓✓	✓	✓
Marine transportation - on-vessel masters and mates who are on-board a vessel for longer than 24 hours at a time	✓✓	✓✓	✓	✓
Marine transportation - on-vessel engineering officers who are on-board a vessel for longer than 24 hours at a time	✓✓	✓✓	✓	✓
Marine transportation - employees engaged in the operation of a vessel who are on-board a vessel for longer than 24 hours at a time	✓✓	✓✓	✓	✓
Air - pilots - helicopters and airplanes				✓✓
Rail - railway-running trades - road service		✓		✓✓
Rail - maintenance of way employees - seasonal production gangs living in temporary accommodation		✓		

## ***2. Classes of employees for which more information is needed to determine whether or not an exemption or modification is warranted***

There are many classes of employees for which more information is required to determine if an exemption or modification may be needed. In some cases, it is clear that provisions cannot apply to certain classes of employee as they stand, but further discussion is needed to determine if a modification is possible, or in what way the provision should be modified. In other cases, more



information is needed to determine if an exemption or modification is warranted at all. Details on existing scheduling practices and the impacts of a provision or a possible modification or exemption on employees and employers are key considerations.

**Table 2: Classes of employees for which more information is required**

~ = More information required

Blank spaces indicate that an exemption or modification is either proposed or not proposed. This is noted in the other tables in this section of the paper.

Class	96-hour	24-hour	8-hour rest	30-min break
Road - city truck drivers	~	~		
Road - courier drivers	~	~		
Road - bus drivers (local transit or coach bus)				~
Broadcasting - journalists		~		~
Broadcasting - film and video camera operators		~		~
Broadcasting - technicians		~		~
Broadcasting - announcers and other broadcasters		~		
Telecomms - computer network technicians		~		~
Telecomms - installation and repair workers		~		~
Telecomms - electrical and electronics engineering technologists and technicians		~		~
Telecomms - support technicians	~	~		~
Grain handling - elevator operators	~	~		
Grain handling - millers	~	~		
Grain handling - warehouse workers	~	~		
Grain handling - laboratory technicians	~	~		
Grain handling - agronomists	~	~		
Grain handling - certified trades	~	~		
Air - flight attendants				~
Air - flight crew schedulers/call center	~	~		~
Air - flight dispatchers	~	~		~

Class	96-hour	24-hour	8-hour rest	30-min break
Air - traffic controllers	~	~		~
Air - aircraft maintenance engineers, aircraft mechanics, aircraft line technicians	~	~		~
Air - technical, maintenance and operational support employees	~	~		~
Air - airport employees responsible for emergency response and preparedness		~		~
Rail - railway-running trades - road service			~	
Rail - running trades employees - yard service		~		
Rail - running trades employees - passenger service		~	~	~
Rail - traffic controllers				~
Rail - signals and communications employees		~	~	
Rail - intermodal employees		~		
Rail - police		~	~	~
Rail - service employees on-board trains		~	~	~
Rail - supplementary service employees		~	~	~

### ***3. Classes of employees for which NO exemption or modification is Proposed***

An exemption or modification is not proposed for the following classes of employees. In some cases stakeholders did not request exemptions from the new provisions. In other cases, employees' schedules are largely determined in advance and already allow for breaks and rest periods, and the existing exceptions in the Code appear to be sufficient to cover most situations. This category also includes some classes of employees for which exemptions were requested, but insufficient evidence was provided by stakeholders to propose an exemption at this time.

**Table 3: Classes of employees for which NO exemption or modification is proposed**

X = No exemption or modification is proposed

Blank spaces indicate that either an exemption or modification is proposed or more information is required. This is noted in the other tables in this section of the paper.

Class	96-hour	24-hour	8-hour rest	30-min break
Road - city truck drivers			X	

Class	96-hour	24-hour	8-hour rest	30-min break
Road - armoured car drivers	X	X	X	
Road - courier drivers			X	
Road - bus drivers (local transit or coach bus)	X	X	X	
Road - shippers, receivers and material handlers	X	X	X	X
Road - transport ramp attendants	X	X	X	X
Broadcasting - journalists	X		X	
Broadcasting - film and video camera operators	X		X	
Broadcasting - technicians	X		X	
Broadcasting - announcers and other broadcasters	X		X	X
Telecomms - customer and information services representatives	X	X	X	X
Telecomms - computer network technicians	X		X	
Telecomms - installation and repair workers	X		X	
Telecomms - electrical and electronics engineering technologists and technicians	X		X	
Telecomms - support technicians			X	
Grain handling - elevator operators			X	X
Grain handling - millers			X	X
Grain handling - warehouse workers			X	X
Grain handling - laboratory technicians			X	X
Grain handling - agronomists			X	X
Grain handling - certified trades			X	X
Marine pilotage - dispatchers	X	X	X	
Marine pilotage - marine pilots	X	X		
Marine pilotage - launch masters (pilot boat captains)	X	X		
Marine pilotage - deckhands	X	X		
Marine transportation - on-vessel masters and mates - continuously crewed harbour vessels	X			

<b>Class</b>	<b>96-hour</b>	<b>24-hour</b>	<b>8-hour rest</b>	<b>30-min break</b>
Marine transportation - on-vessel engineering officers - continuously crewed harbour vessels	X			
Marine transportation - employees engaged in the operation of a vessel - continuously crewed harbour vessels	X			
Air - pilots - helicopters and airplanes	X	X	X	
Air - flight attendants	X	X	X	
Air - flight crew schedulers/call center			X	
Air - flight dispatchers			X	
Air - traffic controllers			X	
Air - aircraft maintenance engineers, aircraft mechanics, aircraft line technicians			X	
Air - technical, maintenance and operational support employees			X	
Air - customer sales agents, customer service agents	X	X	X	X
Air - cabin service attendants, aircraft groomers	X	X	X	X
Air - baggage handlers, ramp agents, turn-around crews, ground service equipment mechanics	X	X	X	X
Air - load controllers	X	X	X	X
Air - airport employees responsible for emergency response and preparedness	X		X	
Rail - railway-running trades - road service	X			
Rail - railway-running trades - yard service	X		X	X
Rail - railway-running trades - passenger service	X			
Rail - traffic controllers	X	X	X	
Rail - maintenance of way employees - not living in temporary accommodation	X	X	X	X
Rail - maintenance of way employees - seasonal production gangs living in temporary accommodation	X		X	X
Rail - signals and communications employees	X			X
Rail - shopcraft employees	X	X	X	X
Rail - intermodal employees	X		X	X

<b>Class</b>	<b>96-hour</b>	<b>24-hour</b>	<b>8-hour rest</b>	<b>30-min break</b>
Rail - police	X			
Rail - service employees on-board trains	X			
Rail - supplementary service employees	X			
Rail - police communications centre employees	X	X	X	X
Rail - crew dispatchers	X	X	X	X
Rail - crew bus drivers	X	X	X	X
Rail - store department and shop clerks	X	X	X	X
Rail - network service centre employees	X	X	X	X
Rail - auto compound employees	X	X	X	X

## Conclusion

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Thank you in advance for your participation in this engagement process and consultation. The Labour Program looks forward to hearing your views.

Again, please provide any written feedback by **March 13, 2020**

- By e-mail to:

[EDSC.DMT.ConsultationNTModernes-ConsultationModernLS.WD.ESDC@labour-travail.gc.ca](mailto:EDSC.DMT.ConsultationNTModernes-ConsultationModernLS.WD.ESDC@labour-travail.gc.ca)

- By mail to: Labour Standards – Wage Earner Protection Program  
165 rue Hôtel-de-ville, Phase II du Portage, 10<sup>th</sup> Floor  
Gatineau, Quebec  
K1A 0J2

## ***APPENDIX A: New Hours of Work Provisions in the Canada Labour Code***

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The following new labour standards came into force on September 1, 2019, although their full application is delayed for certain occupations (road transportation, longshoring, marine transportation, telecommunications, broadcasting, grain elevators and millers, railways, air transportation and airports) as outlined in IPG-101.<sup>4</sup>

### **Thirty-minute Break**

Section 169.1 of the Code stipulates that employers are required to provide their employees with a break of at least 30 minutes within every period of five consecutive hours of work.<sup>5</sup> The break is unpaid unless the employer requires the employee to remain at its disposal during the break period. An employer may postpone or cancel a break if the employee must work to deal with an unforeseeable emergency. (See the definition of “unforeseeable emergency” at the bottom of this Appendix).

### **Eight-hour Rest Period**

Section 169.2 of the Code provides employees the right to a minimum rest period of eight consecutive hours of rest between shifts or work periods. This rest period can be postponed or shortened if the employee must work to deal with an unforeseeable emergency.

### **Advance Notice of Schedule**

Section 173.01 of the Code specifies that employers are to provide employees with their work schedule, in writing, at least 96 hours before the start of the first work period or shift under that schedule. Employees whose employer fails to give them sufficient notice have the right to refuse to work any shift that starts less than 96 hours from the time they received their schedule, unless it is necessary for them to work in order to deal with an unforeseeable emergency. The Code’s protections against employer reprisals apply to an employee who has exercised this right to refuse work.

The requirement to provide advance notice of schedules does not apply to an employee whose schedule has changed because of a request they made under the Code’s new right to request flexible work arrangements (Division I.1 of Part III of the Code). A collective agreement can also set out a different period within which the employer must notify employees of their work schedule.

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<sup>4</sup> Please refer to IPG-101, “Scope of application”, available at <https://www.canada.ca/en/employment-social-development/programs/laws-regulations/labour/interpretations-policies.html>.

<sup>5</sup> Please refer to IPG-100, “30-minute breaks” for more information regarding the application of this provision (available at <https://www.canada.ca/en/employment-social-development/programs/laws-regulations/labour/interpretations-policies.html>).

## **Notice of Shift Change**

Under section 173.1 of the Code, employers must provide 24 hours' written notice of any change or addition to an employee's work period or shift. Such notice is not required if the change or addition is the result of the employee's request under the Code for a flexible work arrangement or if the change or addition is necessary to deal with an unforeseeable emergency.

## **Right to Refuse Overtime**

Section 174.1 of the Code stipulates that employees have the right to refuse to work overtime in order to carry out responsibilities related to the health or care of a family member<sup>6</sup> or to the education of any family member who is less than 18 years of age. Overtime is defined as hours of work in excess of "standard hours of work", as defined in the Code and its regulations – typically eight hours in a day and 40 hours in a week, although special rules apply to certain occupations and hours of work can in some cases be averaged over a period of two or more weeks.

An employee can exercise this right to refuse overtime work only if they have taken reasonable steps to carry out their family responsibility by other means and are nonetheless unable to make other arrangements during the period of overtime. Moreover, an employee may not refuse overtime work if performing that work is necessary to deal with an unforeseeable emergency.

## **Definition**

### ***Unforeseeable Emergency***

A situation that the employer could not have reasonably foreseen and that could reasonably be expected to present an imminent or serious "threat to the life, health or safety of any person", "threat of damage to or loss of property" or "threat of serious interference with the ordinary working of the employer's industrial establishment".

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<sup>6</sup> Note that until new regulations are adopted, the definition of "family member" is provided for under IPG-097, "Family member" (available at <https://www.canada.ca/en/employment-social-development/programs/laws-regulations/labour/interpretations-policies.html>).



## ***APPENDIX B: Privacy Notice Statement – Stakeholder Submission***

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The submission you provide as part of this consultation is collected under the authority of the *Department of Employment and Social Development Act*. It may be used and disclosed by Employment and Social Development Canada (ESDC), including the Labour Program, for policy analysis, research and evaluation purposes. However, these additional uses and/or disclosures of your personal information will never result in an administrative decision being made about you.

Participation in this stakeholder engagement process is voluntary, and acceptance or refusal to participate will in no way affect any relationship with ESDC or the Government of Canada.

Your submission may be published – in whole or in part – on [www.canada.ca](http://www.canada.ca), included in publicly available reports on the consultation, and/or compiled with other responses in an open-data submission on [open.canada.ca](http://open.canada.ca). It may be shared throughout the Government of Canada, other levels of government, and non-governmental third parties.

Your personal information is administered in accordance with the *Privacy Act* and other applicable laws. You have the right to the protection of, access to, and correction of your personal information, which is described in the Personal Information Bank 'Outreach Activities' [PSU 938]. Instructions for obtaining this information are outlined in the government publication entitled Info Source, which is available at the following web site address: [www.infosource.gc.ca](http://www.infosource.gc.ca). Info Source may also be accessed on-line at any Service Canada Centre. You have the right to file a complaint with the Privacy Commissioner of Canada regarding the institution's handling of your personal information at: [https://www.priv.gc.ca/faqs/index\\_e.asp#q005](https://www.priv.gc.ca/faqs/index_e.asp#q005).

If your submission includes unsolicited personal information for the purpose of attribution (e.g., name, position), ESDC may choose to include this information in publicly available reports on the consultation and elsewhere.

I understand that by providing a submission to ESDC as part of this consultation process, I am consenting to its publication and dissemination.

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Name (Please Print)

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Organization (Please Print)

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Signature

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Date (dd/mm/yyyy)

## APPENDIX C: Comparison of New Hours of Work Provisions under the Code and Rules and Regulations Administered by Transport Canada

Whereas Transport Canada rules and regulations are generally aimed at ensuring public safety, hours of work provisions under the Code are primarily intended to ensure employees' well-being and work-life-balance. Employers must comply with both the Code and Transport Canada rules and regulations. Misalignments have been identified with respect to mandatory rest time and alternating duty/rest cycles (see highlighted areas).

<i>Canada Labour Code</i>	<b>AIR</b> <i>Canadian Aviation Regulations</i> (pursuant to the <i>Aeronautics Act</i> )	<b>RAIL</b> <i>Work/Rest Rules for Railway Operating Employees</i> (pursuant to the <i>Railway Safety Act</i> )	<b>ROAD</b> <i>Commercial Vehicle Drivers Hours of Work Regulations</i> (pursuant to the <i>Motor Vehicle Transport Act</i> )	<b>MARINE</b> <i>Marine Personnel Regulations</i> (pursuant to the <i>Canada Shipping Act</i> )
<b>Class of Employees</b>	Pilots	Operating employees (equivalent to railway running trades employees)	Commercial bus and truck operators (including couriers)	Personnel on board a vessel
Scheduling requirements:  -96-hour advance notice of schedule -24-hour written notice of shift change	Transport Canada does not explicitly regulate scheduling requirements.  Transport Canada rules and regulations generally provide that fatigue must not affect safety and must be taken into account when determining the scheduled hours of work and rest.			
8-hour rest period between work periods or shifts	9 to 13-hour rest period	An employee who goes off-duty after being on-duty in excess of 10 hours must be given a rest period of 6 hours away from the home terminal, and 8 hours at the home terminal (inclusive/exclusive of call time depending on the class of service). <b>(Under revision).</b>	Drivers must have at least 8 consecutive hours off-duty between work shifts; off-duty can be divided (if the vehicle has a sleeper berth).	At least 6 consecutive hours of rest in a 24-hour period and at least 16 hours of rest within a 48-hour period in domestic waters. (There are additional international agreements with other rules for international waters).
30-minute break after 5 continuous hours of work	Transport Canada does not regulate breaks.			
Right to refuse overtime due to family responsibilities	Transport Canada does not regulate overtime.			