

August 2014 Legislative Updates

JURISDICTION	PARLIAMENT	BILL #	TITLE	GOVERNMENT/MEMBERS BILL	STATUS	EXPLANATORY NOTE
Manitoba	40th Legislature, 3rd Session	50	<i>THE PROTECTION FOR TEMPORARY HELP WORKERS ACT</i>	Braun - Minister of Labour and Immigration	Royal Assent - June 12, 2014	<p>Part 1 of the Bill amends The Worker Recruitment and Protection Act to require temporary help agencies to be licensed. A temporary help agency is prohibited from charging its temporary employees fees for services that the agency provides and from taking actions that will restrict its employees from becoming employed by others.</p> <p>The director is also given the ability to authorize an unlicensed individual to recruit a foreign worker on an employer's behalf, if the position to be filled pays at least double the Manitoba industrial average wage.</p> <p>Part 2 of the Bill amends The Employment Standards Code to entitle a temporary help employee to notice of termination or wages in lieu of notice.</p>
		Bill 15	<i>The Employment Standards Code Amendment Act (Minimum Wage Protection for Employees with Disabilities</i>	Howard	Royal Assent - December 5, 2013.	This Bill repeals the provision of <i>The Employment Standards Code</i> that allows certain employers, by permit, to pay less than minimum wage to people with mental or physical disabilities. Existing permits are unaffected by the repeal.

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Bill 26	<i>The Accessibility for Manitobans Act</i>	Howard	Royal Assent, December 5, 2013.	<p>This Bill enables the establishment of accessibility standards to achieve accessibility for Manitobans disabled by barriers. A barrier is defined to be anything that, in interaction with a person's impairment, may hinder the person's full and effective participation in society on an equal basis. A person or organization that is subject to an accessibility standard will be required to take actions to identify and remove barriers and to prevent new barriers from being created. To make the accessibility standards enforceable, inspection and enforcement powers are provided, including the power to impose administrative penalties.</p> <p>This Bill also requires the government, municipalities and prescribed public sector organizations to prepare annual accessibility plans and make them publicly available.</p> <p>Currently under The Highway Traffic Act, a person who wishes to obtain a certificate authorizing the person to operate a bus for charter trips must, among other requirements, show that the existing charter bus services do not meet the needs of the community or that public convenience will be promoted by allowing the operation.</p>
Bill 27	<i>The Highway Traffic Amendment Act (Charter Bus Service)</i>	Ashton	Second Reading - September 12, 2013	<p>Under this Bill the operators of charter bus services are no longer required to show that existing services are insufficient or that more charter bus service will promote public convenience. Operating certificates will be available to operators who satisfy the remainder of the Act's requirements, which relate primarily to vehicle safety and other safety aspects of the operation. Ongoing regulation of buses operated for charter trips will focus on vehicle safety and operational safety. Charter trip fares will not be subject to regulation after the Bill takes effect.</p>
Bill 31	<i>The Workplace Safety and Health Amendment Act</i>	Howard	Second Reading - Social and Economic Development Committee Report - September 9, 2013	<p>This Bill amends The Workplace Safety and Health Act. Key changes include: enabling a stop work order to apply to all Manitoba workplaces of an employer when similar activities at multiple workplaces involve, or are likely to involve, an imminent risk of serious physical or health injury; providing for the appointment of a chief prevention officer and setting out the officer's mandate; strengthening provisions for a worker exercising their right to refuse unsafe work; requiring a worker safety and health representative in every workplace with 5 or more workers, rather than 10 or more; requiring a workplace safety and health committee in seasonal workplaces, if there are at least 20 workers and the work is expected to continue for at least 90 days; clarifying provisions for paid training and other activities of worker safety and health representatives and committee members; and expanding the list of activities or contraventions for which administrative penalties may be imposed, and strengthening the enforcement of those penalties.</p>

Bill 33	The Apprenticeship Employment Opportunities Act (Public Works Contracts)	OSWALD (NDP)	Royal Assent - June 12, 2014	<p>The Apprenticeship Employment Opportunities Act (Public Works Contracts) requires the Government of Manitoba and any public sector body designated in the regulations to develop and implement an apprenticeship policy for public works contracts (Apprenticeship Employment Opportunities Act Policy or the "Policy").</p> <p>Under the Policy, contractors must employ apprentices, subject to limitation or exemption, within the period of time specified in the policy in order to engage in public works contracts. The contracting authority must also ensure that its public works contracts contain a commitment by the contractor to employ apprentices for the duration of the contract.</p>
Bill 41	<i>The Highway Traffic Amendment Act (Enhanced Safety Regulation of Heavy Motor Vehicles)</i>	Ashton	Royal Assent, December 5, 2013. Comes into effect on proclamation.	<p>Currently under The Highway Traffic Act, certain motor vehicles and trailers that carry passengers or cargo for compensation and certain other heavy trucks (having a registered weight of 4,500 kg or more) — known respectively as public service vehicles and commercial trucks — are regulated to encourage operational and mechanical safety.</p> <p>This Bill amends the Act so that substantially all motor vehicles having seating for 10 or more passengers or a registered weight of 4,500 kg are subject to the same rules about operational and mechanical safety.</p> <p>The amendments establish a new category of heavy motor vehicles to be known as "regulated vehicles" and bring a number of previously exempt trucks into the commercial truck category by repealing the exemptions. That repeal will require those trucks to be registered as commercial trucks. Regulations may be made to exempt motor vehicles from the definitions "commercial truck" and "regulated vehicle".</p>
54	<i>THE LABOUR RELATIONS AMENDMENT ACT (TIME LINES FOR LABOUR BOARD DECISIONS AND HEARINGS)</i>	Braun - Minister of Labour and Immigration	Royal Assent - June 12, 2014	<p>This Bill requires the Manitoba Labour Board to make regulations setting out the time periods within which it will make decisions following the hearing of a complaint, application or referral to the Board. In the case of applications for union certification or decertification, the Board must also make regulations setting out the time period within which it will hold a hearing.</p>