

August 2014 Legislative Updates

JURISDICTION	PARLIAMENT	BILL #	TITLE	GOVERNMENT/ MEMBERS BILL	STATUS	EXPLANATORY NOTE
<b><u>Canada</u></b>	41st Parliament - 2nd Session	C-205	<i>An Act to Amend the Canada Labour Code (replacement workers)</i>	Charlton	First Reading - June 9, 2011	The purpose of this enactment is to prohibit employers under the Canada Labour Code from hiring replacement workers to perform the duties of employees who are on strike or locked out. The enactment also provides for the imposition of a fine for an offence.
		C-206	<i>An Act to Amend the Canada Pension Plan (Pension and Benefits)</i>	Charlton	First Reading - June 9, 2011	This enactment amends the Canada Pension Plan to prohibit the payment of a survivor's pension, orphan's benefit or death benefit to a survivor, child or orphan of a deceased contributor if the survivor, child or orphan has been convicted of the murder or manslaughter of the deceased contributor
		C-223	<i>An Act to Amend the Employment Insurance Act (gratuities)</i>	Megan Leslie (Halifax)	Introduction and First Reading in the House of Commons - June 15, 2011	This enactment requires the Minister of National Revenue to amend the <i>Insurable Earnings and Collection of Premiums Regulations</i> to provide that gratuities received by an insured person are included in their earnings from insurable employment for the purpose of calculating their employment insurance premiums.
		C-233	<i>An Act to Eliminate Poverty in Canada</i>	Crowder	First Reading - June 20, 2011	Part 1 of this enactment provides for the establishment of a Government of Canada strategy to eliminate poverty and promote social inclusion.  Part 2 of the enactment establishes the Office of the Poverty Elimination Commissioner, which is independent of government direction
		C-234	<i>An Act to Amend the Employment Insurance Act (Maximum - Special Benefits)</i>	Fortin	First Reading - June 20, 2011	This enactment amends the Employment Insurance Act to extend the maximum period for which special benefits for illness, injury or quarantine may be paid from 15 weeks to 50 weeks.
		C-254	<i>An Act to Amend the Income Tax Act and the Employment Insurance Act (severance pay)</i>	Mathyssen	First Reading - June 23, 2011	This enactment amends the Income Tax Act to increase the registered retirement savings plan (RRSP) deduction limit to include a taxpayer's one-time contribution of any severance pay to an RRSP.  It also amends the Employment Insurance Act to require the Canada Employment Insurance Commission to make regulations to exclude severance pay from the determination of earnings when determining deductions from benefits or the commencement date of the payment of benefits.

August 2014 Legislative Updates

C-262	<i>An Act to Amend the Holidays Act and to Make Consequential Amendments to Other Acts (St. John the Baptist Day)</i>	Gravelle (Nickel Belt)	Introduction and First Reading - June 23, 2011	This enactment establishes St. John the Baptist Day as a national holiday.
C-263	<i>An Act to Amend the Canadian Human Rights Act (social condition)</i>	Davies	First Reading - June 23, 2011	This enactment amends the Canadian Human Rights Act to prohibit discrimination on the grounds of social condition. In doing so, it protects from discrimination people who are experiencing social or economic disadvantage on the basis of their source of income, occupation, level of education, poverty, lack of adequate housing, homelessness or any other similar circumstance
C-272	<i>An Act to Amend the Employment Insurance Act and the Canada Labour Code (compassionate care benefits)</i>	Stoffer	First Reading - September 19, 2011	The purpose of this enactment is to extend the benefit period and the maximum number of weeks of benefits payable to persons on compassionate care leave.
C-276	<i>An Act to Amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression)</i>	Fry	First Reading - September 19, 2011	<p>This enactment amends the <i>Canadian Human Rights Act</i> to include gender identity and gender expression as prohibited grounds of discrimination.</p> <p>It also amends the <i>Criminal Code</i> to include gender identity and gender expression as distinguishing characteristics protected under section 318 and as aggravating circumstances to be taken into consideration under section 718.2 at the time of sentencing.</p>
C-279	<i>An Act to Amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression)</i>	Garrison	Second reading in the Senate - June 5, 2014	<p>This enactment amends the <i>Canadian Human Rights Act</i> to include gender identity and gender expression as prohibited grounds of discrimination.</p> <p>It also amends the <i>Criminal Code</i> to include gender identity and gender expression as distinguishing characteristics protected under section 318 and as aggravating circumstances to be taken into consideration under section 718.2 at the time of sentencing.</p>

August 2014 Legislative Updates

C-281	<i>An Act to Amend the Canada Transportation Act (discontinuance of listed sidings)</i>	Goodale	First Reading - September 21, 2011	This enactment amends the <i>Canada Transportation Act</i> to provide a new procedure to be followed by railway companies seeking to discontinue the operation of a listed siding that is used by producers of grain to load and transport grain by railway cars.
C-286	<i>An Act to Amend the Employment Insurance Act (compassionate care benefits for dependent children)</i>	Mathysen	First Reading - September 23, 2011	This enactment amends the <i>Employment Insurance Act</i> to increase the period during which a claimant can receive special benefits for the care or support of a family member from six weeks to 15.  The enactment also provides special benefits for a claimant who is caring for a dependent child with a serious medical condition who must receive health care outside the region in which the child lives.
C-294	<i>An Act to Amend the Canada Labour Code (illness or injury)</i>	Rafferty	First Reading - September 28, 2011	This enactment amends the <i>Canada Labour Code</i> to extend from twelve weeks to fifty-two weeks the period during which an employee may be absent from work due to illness or injury without being dismissed, suspended, laid off, demoted or disciplined by an employer.
C-318	<i>An Act to Amend the Old Age Security Act (CPP Payments)</i>	Chris Charlton (Hamilton Mountain)	Introduction and First Reading - October 3, 2011	This enactment amends the <i>Old Age Security Act</i> to provide that a pensioner's guaranteed income supplement may not be reduced solely as a result of an increase in the pensioner's income caused by an increase in the pensioner's pension under the <i>Canada Pension Plan</i> that is solely the result of the indexation of that pension.
C-324	<i>An Act to Amend the Employment Insurance Act</i>	Simms	First Reading - October 5, 2011	This enactment amends the <i>Employment Insurance Act</i> by reducing the number of hours of insurable employment required to qualify for benefits because of illness, injury or quarantine to 420 and increasing the maximum benefit period for illness, injury or quarantine to 30 weeks.
C-344	<i>An Act to Amend the Motor Vehicle Safety Act</i>	Chow	First Reading - November 14, 2011	This enactment amends the <i>Motor Vehicle Safety Act</i> to prohibit the manufacture or importation of vehicles in higher weight categories that are not equipped with side guards.
C-361	<i>An Act to Amend the Canada Labour Code</i>	Charlton	First Reading - November 28, 2011	This enactment amends the <i>Canada Labour Code</i> to prohibit the employment of persons under the age of 15 years, unless the employment is part of their education or training.
C-376	<i>An Act to Amend the Canada Labour Code and the Employment Insurance Act (family leave)</i>	Mourani	First Reading - December 5, 2011	This enactment amends the <i>Canada Labour Code</i> to allow employees to take unpaid leave from work for the following family-related reasons:

August 2014 Legislative Updates

(a) the inability of their minor child to carry on regular activities because the child suffered a serious physical injury during the commission or as the direct result of a criminal offence;  
 (b) the disappearance of their minor child;  
 (c) the suicide of their spouse, common-law partner or child; or  
 (d) the death of their spouse, common-law partner or child during the commission or as the direct result of a criminal offence.  
 It also amends the Employment Insurance Act to allow these employees and self-employed persons to receive benefits while on leave.

C-377	<i>An Act to Amend the Income Tax Act (requirements for labour organizations)</i>	Hiebert	Chamber Sitting - May 13, 2014	This enactment amends the Income Tax Act to require that labour organizations provide financial information to the Minister for public disclosure.
C-378	<i>An Act to Prohibit Sweatshop Labour Goods</i>	Peter Julian	First Reading - December 7, 2011	This enactment prohibits the importation of goods that were produced, manufactured or assembled, in whole or in part, in working conditions that fail to meet labour standards recognized by the International Labour Organization conventions and protocols to which Canada is a party.
C-389	<i>An Act to Implement the Recommendations of the Pay Equity Task Force</i>	Francoise Boivin - Private Member's Bill	First Reading - February 6, 2012	This enactment requires the Government of Canada to take the measures necessary to implement the recommendations of the Pay Equity Task Force.
C-392	<i>An Act to provide for the establishment of national standards for labour market training, apprenticeship and certification</i>	Pat Martin - Private Member's Bill	First Reading - February 9, 2012	The purpose of this enactment is to establish a process for co-operation between all stakeholders in order to establish standards for apprenticeship, institutional training and certification for prescribed trades and secure the recognition of those standards across Canada. The standards will recognize the labour market and the need for a school-to-work transition. The Minister of Human Resources and Skills Development is given the power to establish a national apprenticeship and training advisory committee (NATAC) for each prescribed trade, with representatives from the provinces and from labour, industry and instructional stakeholders. Every NATAC will advise the Minister with respect to the trade it represents.

August 2014 Legislative Updates

An annual report on the functions of the NATACs will be laid before each House of Parliament and will be referred to a standing committee.

C-395	<i>An Act to Amend the Income Tax Act (Transportation Benefits)</i>	Jamie Nicholls - Private Member's Bill	First Reading - February 14, 2012	This enactment amends the Income Tax Act to provide for a tax exemption for employee transportation benefits.
C-402	<i>An Act to Amend the Criminal Code (Public Transportation Workers)</i>	Peter Julian - Private Member's Bill	First Reading - February 27, 2012	The purpose of this enactment is to give greater protection to public transportation workers by creating a new Criminal Code offence of first degree murder, and by imposing a greater punishment for the offence of aggravated assault in cases where such workers are the victims.
C-411	An Act to amend the Canada Labour Code (occupational disease registry)	Hughes	First Reading - April 3, 2012	This enactment requires employers to report information about all accidents, occupational diseases and other hazardous occurrences known to the employer to the Minister of Labour. It also requires the Minister to maintain a registry containing all that information and to make the information available to employees and potential employees for examination
C-422	<i>An Act to Amend the Employment Insurance Act (elimination of waiting period)</i>	Mathysen	First Reading - May 11, 2012	This enactment amends the <i>Employment Insurance Act</i> to eliminate the two-week waiting period that follows the termination of employment.
C-423	<i>An Act to Amend the Employment Insurance Act (Labour dispute)</i>	Gravelle	First Reading - May 16, 2012	This enactment amends the <i>Employment Insurance Act</i> to change the way in which the qualifying period and the beginning of the benefit period are determined in the case of a stoppage of work attributable to a labour dispute.
C-445	<i>An Act to amend the Canadian Human Rights Act (genetic characteristics)</i>	Davies	First Reading - October 1, 2012	This enactment amends the <i>Canadian Human Rights Act</i> to add genetic characteristics as a prohibited ground of discrimination.
C-451	<i>An Act to amend the Employment Insurance Act (removal of waiting period for special benefits)</i>	Simms	First Reading - October 15, 2012	This enactment amends the <i>Employment Insurance Act</i> to remove the waiting period with respect to special benefits and benefits paid to self-employed persons because of maternity, adoption, illness, injury or quarantine or compassionate care.

August 2014 Legislative Updates

C-467	<i>An Act to amend the Employment Insurance Act (Labour Dispute)</i>	Fortin	First Reading - November 26, 2012	This enactment amends the Employment Insurance Act to change the way in which the qualifying period is established in the case of a work stoppage attributable to a labour dispute.
C-475	<i>An Act to Amend the Personal Information and Electronic Documents Act (Order-Making Power)</i>	Private Member's Bill - Charmaine Borg (Terrebone - NDP)	Reintroduced - First Reading, February 26, 2013	This enactment amends the <i>Personal Information Protection and Electronic Documents Act</i> to, among other things, give the Privacy Commissioner the power to make compliance orders and the Federal Court the power to impose fines in cases of non-compliance.
C-487	<i>An Act to amend the Employment Insurance Act and the Income Tax Act (Support for Grandparents)</i>	Private Member's Bill - Sponsored by Claude Gravelle (NDP, Nickel Belt)	Introduction and First Reading in the House of Commons - March 26, 2013	<p>This enactment amends the <i>Employment Insurance Act</i> to allow a claimant to receive employment insurance benefits for parental leave in the case where a grandchild of the claimant under five years of age resides with the claimant on a full-time basis and the claimant is the primary source of financial support for the grandchild.</p> <p>It also amends the <i>Income Tax Act</i> to provide that, in the case where grandparents are the primary source of financial support for a grandchild, the child care expense deduction may be applied against any and all taxable income of the lower-income spouse and, where the amount of the deduction exceeds the total amount of the taxable income of the lower-income spouse, the remaining portion of the deduction may be applied against any and all taxable income of the higher-income spouse.</p>
C-504	<i>An Act to Amend the Canada Labour Code (volunteer firefighters)</i>	Christine Moore, NDP	Introduction and First Reading in the House of Commons - May 2, 2013	This enactment amends the Canada Labour Code to prohibit reprisals against volunteer firefighters who must be absent from their work place or fail to appear at work in order to act in that capacity
C-513	<i>An Act to Promote and Strengthen the Canadian Retirement Income System</i>	Private Member Judy Sgro	Introduction and First Reading in the House of Commons - May 29, 2013	This enactment creates a Bill of Rights for a retirement income system that promotes the goals of adequacy, transparency, affordability, equity, flexibility, security and accessibility for all Canadians.
C-519	<i>An Act to Amend the Excise Tax Act (Motor Vehicle Fuel)</i>	Private Member John Williamson (Conservative)	Introduction and First Reading - June 3, 2013	This enactment amends section 154 of the <i>Excise Tax Act</i> in order to provide that the goods and services tax or harmonized sales tax (GST/HST) will not be levied on any federal or provincial excise tax that is charged in respect of the supply of fuel for a motor vehicle.

August 2014 Legislative Updates

C-525	<i>An Act to amend the Canada Labour Code, the Parliamentary Employment and Staff Relations Act and the Public Service Labour Relations Act (certification and revocation — bargaining agent)</i>	Private Member Blaine Calkins	First Reading in the Senate - April 10, 2014	This enactment amends the Canada Labour Code, the Parliamentary Employment and Staff Relations Act and the Public Service Labour Relations Act to provide that the certification of a bargaining agent must be achieved by a secret ballot vote-based majority of the bargaining unit (e.g. eligible votes) - rather than of the actual votes cast. The Bill removes the possibility of automatic certification and makes it more difficult to trigger a representation vote (up to 45 percent from 35 percent). Finally, it renders it easier to decertify unions - all no shows for voting are counted against the union.
C-531	<i>An Act to Amend the Criminal Code (Public Transit Operators)</i>	Private Member John Rafferty (NDP)	Introduction and First Reading - June 12, 2013	This enactment amends the Criminal Code to require the court, at sentencing, to consider as an aggravating circumstance the fact that the victim of an assault is a public transit operator. In contrast to C-533, this Bill builds in the consideration that the victim is a transit operator as an aggravating factor in sentencing to a few offence provisions, namely, s. 266 relating to assault, s. 267 relating to assault with a weapon or causing bodily harm, s. 268 of the Code relating to aggravated assault, s. 269 of the Code relating to unlawfully causing bodily harm. This would exclude several offences such as murder, etc. This Bill defines a “public transit operator” as an “individual who operates a vehicle designed for use in the provision of transit services to the public, including a bus, paratransit vehicle, light rail vehicle, subway train or ferry.” Therefore it requires that the victim, the public transit operator to be “engaged in the performance of his or her duty” at the time of the assault to be considered an aggravating factor in sentencing.
C-533	<i>An Act to amend the Criminal Code (protecting public transportation workers)</i>	Private Member Ralph Goodale (Liberal)	Introduction and First Reading - June 12, 2013	This enactment amends the Criminal Code to require courts to take into account for sentencing purposes, as an aggravating circumstance, the fact that the victim was, at the time of the commission of the offence, a person employed in a public transportation service and carrying out his or her duties or a person acting in aid of such a person. This Bill builds in the consideration that the victim is a transit operator into the general sentencing considerations provisions contained in s. 718.2. As a result, this consideration would be considered an aggravating factor in all offences. This Bill's definition of a transit operator is a bit broader than that in Bill C-531. It extends the sentencing consideration to offences where victims are “a person employed in or assigned to a public transportation service who was engaged in the performance of his or her duties, or a person acting in aid of a person employed in or assigned to a public transportation service.”

August 2014 Legislative Updates

C-537	<i>An Act to ensure legislative compliance with the Canadian Bill of Rights and the Constitution Acts, 1867 to 1982, including the Canadian Charter of Rights and Freedoms</i>	Irwin Cotler (Liberal)	Introduction and First Reading in House of Commons - June 17, 2013	This enactment establishes a requirement for the review of all bills introduced in the Senate or the House of Commons to ensure that they are not inconsistent with the purposes and provisions of the <i>Canadian Bill of Rights</i> and the <i>Constitution Acts, 1867 to 1982</i> , including the <i>Canadian Charter of Rights and Freedoms</i> . Inconsistency would be determined by the Law Clerk and Parliamentary Counsel of the relevant House if it is the opinion of the Law Clerk that, were that provision to be challenged in court, it would, on the balance of probabilities, be found to infringe, limit or violate the purposes or provisions of any of those statutes.
C-20	<i>Canada-Honduras Economic Growth and Prosperity Act</i>	Ed Fast, Minister of International Trade	Royal Assent - June 19, 2014	On 28 January 2014, the Minister of International Trade introduced Bill C-20, An Act to implement the Free Trade Agreement between Canada and the Republic of Honduras, the Agreement on Environmental Cooperation between Canada and the Republic of Honduras and the Agreement on Labour Cooperation between Canada and the Republic of Honduras (Canada–Honduras Economic Growth and Prosperity Act), in the House of Commons and it was given first reading.

Bill C-20 implements the Free Trade Agreement and the related agreements on environmental and labour cooperation entered into between Canada and the Republic of Honduras and done at Ottawa on November 5, 2013.

The general provisions of the enactment specify that no recourse may be taken on the basis of the provisions of Part 1 of the enactment or any order made under that Part, or the provisions of the Free Trade Agreement or the related agreements themselves, without the consent of the Attorney General of Canada.

Part 1 of the enactment approves the Free Trade Agreement and the