

Changing Workplaces Review / Fair Workplaces Better Jobs Act

Timelines and Touch Points

Context and Current Status

On May 31, 2017 Cabinet approved the release of the Changing Workplaces Review (CWR) final report and for the Ministry of Labour (MOL) to accept many of its recommendations, and in some cases propose stronger action. On June 1, 2017, the government introduced the Fair Workplaces, Better Jobs Act (FWBJA), which aims to modernize employment and labour legislation by amending the Employment Standards Act (ESA) and the Labour Relations Act (LRA), based in part on the findings of the CWR. The FWBJA received Royal Assent on November 27, 2017.

On December 11, 2017 LRC/Cabinet approved a package of transitional, consequential and substantive regulations related to the FWBJA. The package includes a number of special rules and exemptions from new and enhanced FWBJA provisions for certain sectors.

There are currently 85 special rules and exemptions from the ESA. MOL launched a review of existing exemptions on October 18, 2017. Phase 1 of the review includes eight occupations under the ESA and the exclusion for domestic workers under the LRA. MOL plans to launch a second phase of the exemptions review following completion of Phase 1. Direction on which occupations will be in scope for the review has not yet been confirmed.

MOL plans to seek Cabinet approval for its proposal in response to Phase 1 of the exemptions review as well as LRC approval for additional regulations related to FWBJA implementation in 2018.

Next Steps

TBS, CO and ministries are assessing the impact of FWBJA implementation on the OPS and BPS, as well potential venues for resolution of any implementation issues. OBT is also planning to ask for a detailed assessment of FWBJA and collective bargaining impacts from ministries as part of their next quarterly reporting exercise (TBC). EDU received TB/MBC October 17 / Cabinet October 18 approval for \$12.7 million in funding to address 2017-18 minimum wage impacts in the child care sector. On December 19, 2017 MAG, MCSS, MCYS, MGCS, MOHLTC and MTCS received TBMBC / Cabinet approval for \$19.8M in 2017-18 to provide transitional support for implementation to key sectors.

It will be important for fiscal and policy decisions to be closely aligned to support CWR/FWBJA implementation. There are a number of existing channels and touch points between CO, PO and TBS that can be leveraged (see "Key Touch Points" below). Important touch points for identifying risks and making connections would be PO/CO Priority Setting as well as Central Agency ADM's meetings. Additional channels

Commented [TR(1)]: Haven't received confirmation from TBS yet. Included TBC for now.

Commented [MK(2)]: Update from TBS that came in this afternoon is that OTB plans to ask for a detailed assessment of bill 148 and collective bargaining impacts by ministries as part of their next quarterly reporting exercise. Please confirm with Gen / TBS and add a line or two on that.

Commented [TR(3)]: Can delete, included as we specifically call out in MYAP Watch List

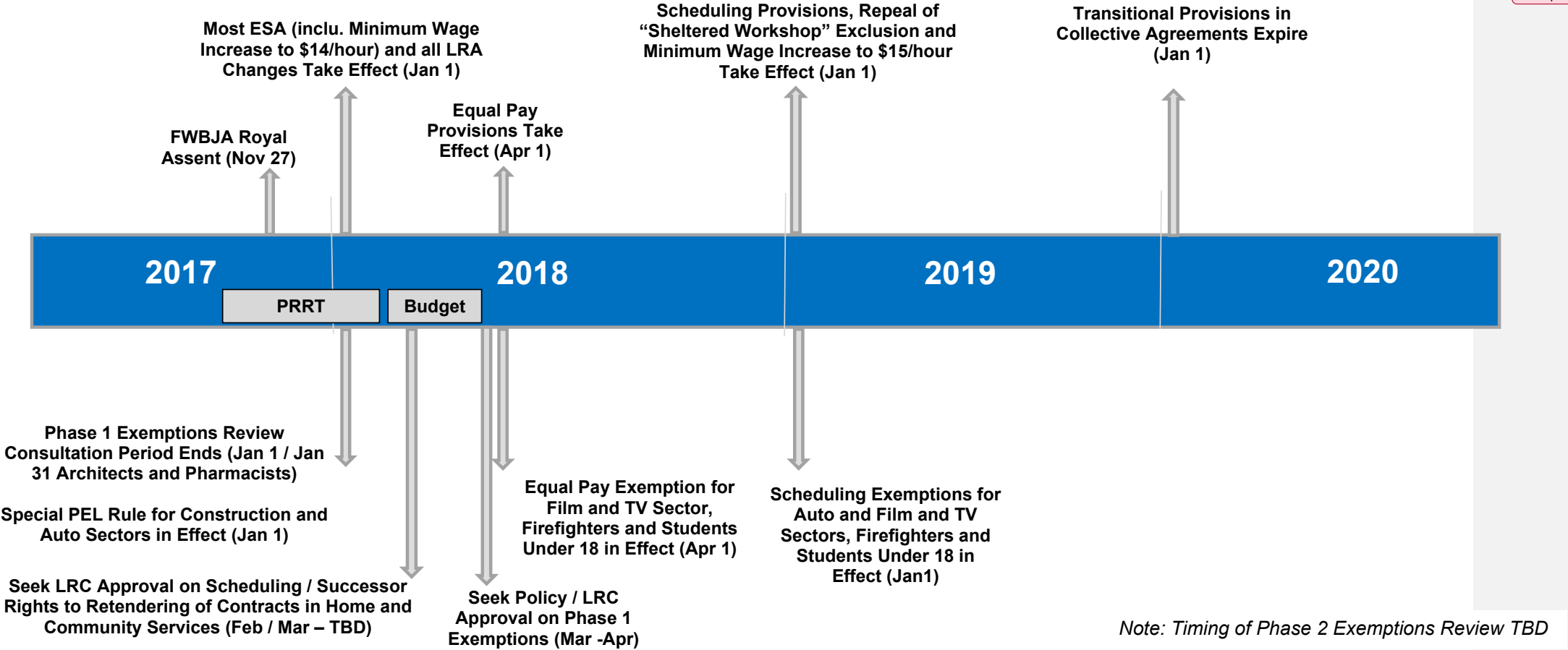
could be used to gather information and details needed to ensure alignment. Information on CWR/FWBJA implementation such as potential impacts and venues for resolution could be tracked by CO using existing materials (i.e., Bill 148 impacts chart), which could be used for reporting purposes. Formal meetings between CO and TBS could be planned as appropriate to provide status updates and/or discuss specific issues. The first meeting of this nature could be scheduled following the next quarterly reporting exercise. Subsequent meetings could take place in advance of major CWR / FWBJA milestones (see “Key Timelines” below).

Commented [MK(4)]: So given all the great information you've pulled together on touch points, I think we can add a line or two to arm Martha with the CO perspective on how to make sure fiscal and policy decisions are closely aligned when it comes to 148. My thought would be that we suggest flagging things we hear through existing channels (PRRT ADMs) and a formal regroup with CO / TBS once the quarterly reports come in. Your advice would be appreciated though!

Key Timelines

Commented [MK(5): Can we add into this estimated PRRT and budget timelines?

Commented [TR(6): Tried to show Fall / winter for PRRT and spring for budget



Key Touch Points

Commented [MK(7)]: This is great – made some changes to the list to focus on those places where the conversation on 148 is appropriate and likely, and think we could highlight those which we would recommend including in our mental process diagram for flagging risks and making connections.

CO Touch Point	Linkages outside CO	Role											
		DM	ADM	EC	Advisor	DM	ADM	EC	Advisor	DM	ADM	EC	Advisor
		Weekly				Monthly				On-going			
DM / SoC Weekly													
P's Cabinet Briefing	PO												
TB/MBC Meetings	TBS												
Fiscal Prep / Major Projects	PO, TBS, MOF												
SoC Cabinet Briefing	PO												
Priorities, Development and Growth Committee	PO												
PO / CO Priority Setting	PO												
DM Cabinet Briefings													
	Ministries, PO, TBS												
	Ministries, PO, TBS												
Central Agency ADMs meeting	TBS, MOF												
Agenda Planning													
	Ministries, TBS												

	Ministries, PO, TBS												
Cabinet / Committee Note Development	Ministries, PO, TBS												
DM Committees • DMSP • PERL-DC • BCIDC • IGDC	Ministries												
ADM Committees • ADMSPC • PERL-ADMs • BCI-ADMs • PAF • CAO Forms • ADMOC	Ministries												
Directors Committees	Ministries												