

New workplace rules

Information for employees

Objective

The Restoring Balance in Alberta's Workplaces Act supports economic recovery, restores balance in the workplace and gets Albertans back to work.

Changes

What is changing	What it means	Effective date
Simpler rules for calculating general holiday pay.	<p>These changes will help Albertans get back to work and protects jobs of hard-working employees.</p> <p>Employees will still get general holiday pay, but the amount for their average daily wage may change.</p> <p>Average daily wage will be the employees total wages averaged over number of days they worked in the:</p> <ul style="list-style-type: none">• Four weeks immediately before the general holiday, or• Four weeks ending on the last day of the pay period that occurred just before the general holiday.	November 1, 2020
Simpler rules for group termination notice.	There is one set of rules for all terminations of 50 or more people in a four-week period rather than different requirements depending on the number of staff being terminated.	August 15, 2020

	Employers still have to give the Minister of Labour four weeks notice, or as much time as reasonable, when they terminate more than 50 employees at a single location. This notice gives Labour and Immigration time to organize support for affected employees.	
Rules for payroll.	<p>If an employer overpaid an employee, the employee no longer has to give the employer written authorization for them to deduct an overpayment due to a payroll error or for vacation pay paid in advance.</p> <p>Employers are still required to notify employees that overpayments will be deducted from their paychecks.</p>	November 1, 2020
Rules for when to pay final pay upon termination.	<p>Employees will get all of their final pay not later than:</p> <ul style="list-style-type: none"> ○ 10 consecutive days after the end of the pay period in which termination occurred, or ○ 31 consecutive days after the last day of employment 	November 1, 2020
Rules for temporary layoffs. (for non-COVID-19 layoffs)	<p>Alberta's government is doing everything we can to ensure Albertans stay attached to jobs.</p> <p>Employees can be laid off for a longer period of time (90 days in total within a 120 day period) without losing their job. If employees are recalled to work, this will be made clear to them with a notification in person, by mail, email or fax.</p> <p>(If a layoff was due to COVID, there are separate rules that allow employees to be laid off for 180 consecutive days).</p>	August 15, 2020

	Employees must receive notice of a temporary layoff, but specific timing requirements for notice have been removed.	November 1, 2020
More flexible rules for hours of work averaging arrangements.	It will be easier to set up arrangements, create schedules and calculate overtime. These changes create more flexibility for employees and job creators.	November 1, 2020
Expanding the types of jobs that 13 and 14-year-olds can do without needing a permit.	<p>These changes encourage employers to hire more young Albertans, so they can get important work experience to help secure their futures.</p> <p>Employers are still responsible for the health and safety of young workers and are required to ensure they are properly trained and capable of doing the work. Parents must still provide consent for 13 and 14-year-olds to work.</p>	November 1, 2020
Rules for rest periods.	Rest periods can be taken at a time agreed to by an employee and employer. If the parties cannot agree an employer must provide a 30-minute break for every five hours of shift time for any shift over five hours long.	November 1, 2020
Clearer rules for vacation time while on leave.	<p>This rule helps clarify that employees accumulate vacation time when they are on a job-protected leave.</p> <p>This makes the rules clear for employees and employers and reduces any confusion or potential conflicts.</p>	November 1, 2020

Additional new rules if you are part of a union

What is changing	What this means	Effective date
An employer and union can agree to alter employment standards	This provides more flexibility for unions and employers when	November 1, 2020

rules such as hours of work, notice of work times, days of rest, and overtime hours under hours of work averaging arrangements.	negotiating workplace rules that are governed by Employment Standards.	
New rules for remedial certification.	<p>Legislation specifies when remedial certification can be used, such as when no other remedy is sufficient to counteract the impacts of the employer's misconduct and the true wishes of employees can't be determined. For example, if an employer tried to prevent employees from joining a union, and if it is not clear whether employees wanted to join a union, no other solution or remedy is available.</p> <p>These changes reduce red tape and restore balance to the relationship between employees and job creators.</p>	July 29, 2020
Unions cannot discipline employees if they take significantly different work from a different employer.	Employees have more freedom to find new or better work without penalty from their union.	July 29, 2020
If employees in the construction industry choose a new union, their old collective agreement will still apply until it expires.	<p>In most cases, existing collective agreements will remain in place after employees choose a new union, providing stability to that workplace.</p> <p>The new union will, in most cases, have to adapt to the terms of the existing agreement, unless they file an application with the Labour Relations Board to amend certain terms of the agreement because they cannot meet them.</p>	July 29, 2020
Unions and employers can renew a collective agreement before it expires.	Unions and employers can negotiate a new agreement at a	Not yet in effect

	<p>time that works best for both of them.</p> <p>The Labour Relations Board will oversee this process to make sure an agreement is only being renewed early if employees consent to this and are informed about the outcomes of that consent.</p>	
New rules for strikes, lockouts and picketing.	<p>These changes will balance employees' rights to fair collective bargaining, striking and picketing with the need to support job creators and the economy and make sure Albertans continue to receive the critical services they rely on.</p> <p>The Board will have additional criteria to determine whether picketing is lawful.</p> <p>An employee's union will need permission to picket somewhere other than their workplace.</p> <p>Employees' union dues will be suspended if they are on an illegal strike, but employers will be responsible for paying employees' union dues if there is an illegal lockout.</p>	<p>July 29, 2020</p> <p>Not yet in effect</p> <p>July 29, 2020</p>
Unions must provide financial statements	<p>Legislation now requires that unions provide their members with annual financial statements so that employees can find out how their union is spending its funds.</p> <p>These changes strengthen employee rights by making sure they can access information on how their union spends their money.</p>	Not yet in effect

	These changes increase transparency and democracy in the workplace by making sure employees know how their unions are spending their money.	
Employees will be able to opt-in to pay the portion of union dues that go towards funding political parties and causes.	<p>Employees have increased choice about whether to fund political parties and causes.</p> <p>These changes ensure transparency and protect workers who don't want their dues going to causes they don't support.</p> <p>Employees will still pay union dues that fund core union business like collective bargaining or member representation, but they will no longer have to pay union dues for the portion that goes towards funding political activities and causes unless they opt-in to do so.</p>	Not yet in effect
Nurse practitioners are included in the <i>Labour Relations Code</i> .	Nurse practitioners are able to join a union and bargain collectively.	October 30, 2020
More flexible rules for industrial construction and maintenance unions to organize their members.	<p>These changes could create more jobs in the construction industry.</p> <p>More flexible rules for industrial, construction and maintenance unions will help get Albertans back to work.</p>	Not yet in effect

More information

For questions relating to employment rules for employees who are not part of a union, contact the Employment Standards Contact Centre: 1-877-427-3731 or <https://www.alberta.ca/contact-employment-standards.aspx>

For questions relating to rules that involve Alberta's labour relations legislation for unionized workplaces, contact the Employee Labour Relations Support program: <https://www.alberta.ca/employee-labour-relations-support-program.aspx>