

TIME LINE FOR BILL 148 AMENDMENTS

Bill 148 introduced many changes to the Employment Standards Act and not all changes come into effect at the same time.

The following timeline is a helpful guide to dates on which the various changes come into effect.

Please note the scheduling and some of the record keeping changes do NOT become effective until January 1, 2019.

EFFECTIVE DATE	BILL 148 AMENDMENT
Nov. 27, 2017	Independent Contractors: Employers have onus of proving any independent contractor is not in fact an employee
Dec. 3, 2017	Extended Parental Leave: 61 to 63 weeks (instead of 35 to 37 weeks) for a total of 18 months pregnancy/parental leave
Dec 3, 2017	Critical Illness Leave: 37 weeks for a critically ill child and now also 17 weeks for a critically ill adult
Jan. 1, 2018	Minimum Wage: The general rate is increased to \$14.00 per hour and \$13.15 for students.
Jan. 1, 2018	Public Holiday Pay: Calculation for public holiday pay has been amended to “total amount of regular wages earned in the pay period immediately before the public holiday, divided by number of days worked in that pay period.
Jan. 1, 2018	Personal Emergency Leave: All employers must give employees (part time or full time, permanent or temporary) 10 days of personal emergency leave per calendar year – 2 of which must be paid days
Jan. 1, 2018	Domestic or Sexual Violence Leave - 10 days and 15 weeks of leave per calendar year if employee or his/her child is victim of domestic or sexual violence or threat of domestic or sexual violence. The first five days are paid. The leave must be taken for specific purposes of seeking counselling, lodging or legal assistance.
Jan. 1, 2018	Family Medical Leave: Unpaid leave extended from 8 weeks in 26-week period to 28 weeks in 52-week period
Jan. 1, 2018	Child Death Leave: 104-week unpaid leave for death of child
Jan. 1, 2018	Crime Related Child Disappearance Leave: 104-week unpaid leave for disappearance of a child that is a result of a crime
Jan. 1, 2018	Vacation: Increased from 2 weeks to 3 weeks’ vacation time and 4% to 6% vacation leave after 5 years of employment

<p>Jan. 1, 2018</p>	<p>Record Keeping: Employers have these additional record keeping responsibilities:</p> <ul style="list-style-type: none"> a. The dates and times that the employee worked b. If the employee has two or more regular rates of pay for the employer and the employee performs overtime (more than 44 hours) in a week, the dates and times the employee worked overtime at each rate of pay c. The amount of vacation pay the employee earned during the vacation entitlement year or stub period and how that amount was calculated. <p>Records shall be kept for 5 years (not 3).</p>
<p>April 1, 2018</p>	<p>Equal pay for Equal Work: Employees must be provided with same pay for substantially the same work regardless of part time/full time, permanent/temporary. Exemptions exist for reasons of seniority, merit and other factors</p>
<p>Jan. 1, 2019</p>	<p>Minimum wage: The general rate is increased to \$15.00 per hour and \$14.10 for students</p>
<p>Jan. 1, 2019</p>	<p>Changes to Scheduling Requests: Right to request change in number of hours of work, work schedule or work location after 3 months of employment</p>
<p>Jan. 1, 2019</p>	<p>Payment for Cancelled Shifts: Payment of 3 hour regular wages if shift cancelled within 48 hours of start of shift. This does NOT apply if shift cancelled because of circumstances beyond an employer's control such as fire, power failure and storms.</p>
<p>Jan. 1, 2019</p>	<p>On call Pay: Minimum of 3 hours regular wages for employees on call even if employee is not called in or works less than 3 hours</p>
<p>Jan. 1, 2019</p>	<p>Refusing extra shifts: Employee may refuse extra work if scheduled with less than 96 hours' notice (certain emergency situations are exempted)</p>
<p>Jan. 1, 2019</p>	<p>Record Keeping: Employers have these additional record keeping responsibilities:</p> <ul style="list-style-type: none"> a. The dates and times that the employee was scheduled to work or to be on call for work, and any changes made to the on-call schedule b. Any cancellations of a scheduled day of work or schedules on call period of the employee and the date and time of the cancellation