

Workplace law review gets mixed reaction from groups

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The Alberta government is considering a series of reforms to workplace laws that could encompass everything from enhancing job-protected leaves to making it easier for workers to unionize.

The sweeping review, which aims to update the province's Employment Standards Code and Labour Relations Code for the first time since 1988, is being applauded by representatives of organized labour who say Alberta lags behind other provinces when it comes to protections for workers. But business groups met Monday's announcement with trepidation, arguing now is not the time to force rigid new requirements on the province's recession-weary employers.

At a news conference Monday, Labour Minister Christina Gray said Alberta has fallen behind the rest of the country on a number of fronts when it comes to workplace legislation. For example, Alberta has the longest qualification period in Canada for job-protected leaves, including maternity and

parental leave. Alberta is also one of the few provinces that has no government-protected provision for sick leave, and it has among the shortest compassionate-care leaves in Canada.

Gil McGowan, president of the Alberta Federation of Labour, said years of Progressive Conservative rule has left the province with "one-sided" workplace rules that favour employers at the expense of employees. He said it's critical the government update laws to bring Alberta into step with other provinces now, since workers are feeling the pinch of a rough economy.

"When recessions hit, employers are more likely to bend the rules and treat their employees unfairly," McGowan said. "We've also seen a rise in precarious work — by that I mean temporary work, contract work and work related to new business models, like Uber."

However, Amber Ruddy — Alberta spokeswoman for the Canadian Federation of Independent Business — said the addition of government-mandated requirements such as longer job-protected leaves will add to small business owners'

costs and put a chill on hiring.

"In many cases, small business owners are providing those things to their employees as needed," Ruddy said. "But what happens when you start mandating these things, in a work environment that may only have five people? When you have multiple factors, like lots of people taking advantage of this extended personal time off, it can complicate things."

The government is also considering a change to unionization rules that would make it easier for workers to organize. Currently in

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Alberta, an employee vote must be held to trigger union certification. Switching to a "card-check" system — which used to be the standard in Canada until 1977 but is now the rule in just a handful of provinces — would mean a union only has to demonstrate that a majority of employees have signed cards to be automatically certified by the Labour Board.

Bob Barnetson, labour relations professor at Athabasca University, said easing certification requirements is on "every labour organization's top three list of things to get." He said B.C.'s experience when it moved from a voting system back to a card-check system in 1993 indicates that Alberta could see an increased number of organizing drives as well as an increased unionization success rate if it goes ahead with the change — something that would not be welcomed by Alberta employers.

"Alberta employers are used to having legislation that benefits them, so I imagine they're going to lose their minds when they see whatever the NDP chooses to roll out," Barnetson said.

Calgary Chamber of Commerce policy analyst Zoe Addington said her organization understands the need to periodically review legislation but is concerned about what it perceives as a short public consultation period. The public will only have until April 18 to provide input on Alberta's workplace laws.

The Chamber fears some of the reforms under consideration could increase the cost of labour and put Alberta businesses at a competitive disadvantage in the global marketplace, Addington said. In addition, many small businesses are already struggling as a result of the ongoing recession and are not in the position to absorb new costs.

"Yes, legislation gets out of date, but this is a tough time given other changes we've seen around the minimum wage, the carbon levy and things like that," Addington said. "We're talking about lots of small businesses — hair salons, coffee shops, auto repair shops — that are going to be impacted at such a tough time."

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