

LEGISLATIVE BRIEFING

A Regional Employers Services Publication

Vol. 33, December 21, 2021

metrovancover

RES | REGIONAL
EMPLOYERS
SERVICES

CANADA LABOUR CODE AND CRIMINAL CODE CHANGES

In November 2021, the Government of Canada introduced [legislation](#) to amend both the *Canada Labour Code* and *Criminal Code* as a result of issues that have been highlighted due to the COVID-19 pandemic. The purpose of Bill C-3, “An Act to amend the Criminal Code and the Canada Labour Code”, was to (1) amend the *Canada Labour Code* to provide ten days of paid sick leave per year to workers in the federally regulated private sector, and (2) amend the *Criminal Code* to enhance protections for health care workers to ensure everyone has safe and unobstructed access to health services. Bill C-3 received [Royal Assent](#) on December 17, 2021.

Canada Labour Code

With the passing of Bill C-3, the *Canada Labour Code* has been amended as follows:

- Ten days of paid sick leave per year will be available to federally regulated private sector employees.
- Bereavement leave will include up to eight weeks of leave for employees who lose a child or experience a stillbirth.

These changes will come into force on a day to be fixed by order of the Governor in Council.

As noted in this December 17, 2021 Government of Canada [news release](#), the Government will be engaging with federally regulated employers, including small and medium-sized enterprises, towards the implementation of paid sick leave in Canada.

In addition, in early 2022 the Government will engage with provinces and territories to develop a national action plan to legislate paid sick leave for all workers across the country, while respecting provincial-territorial jurisdiction and recognizing the unique needs of small business owners. It is worth noting that in British Columbia, effective January 1, 2022, the *Employment Standards Act* (ESA) will allow for permanent paid sick leave of a minimum of five paid sick days each year for all workers covered by the ESA, including part-time workers. The ESA does not cover federally regulated sectors, self-employed workers, and employees in professions and occupations explicitly excluded from the ESA. For more information on paid sick leave in B.C. please see this [November 24, 2021 RES Legislative Briefing](#).



Criminal Code

Bill C-3 amends the Criminal Code as follows:

- Creating an offence against intimidating a person from obtaining health services or intimidating health care workers or persons assisting a health care worker in the performance of their duties.
- Creating an offence against obstructing any person from accessing health facilities.
- New sentencing provisions requiring courts to consider more serious penalties for offenders who target health care workers or who impede others from obtaining health services.

These changes will come into force 30 days after Royal Assent.

QUESTIONS?

If you have any comments or questions about this update, please e-mail RES360@metrovancover.org or call 604-451-6558.

SOURCES

"Government of Canada introduces legislation to support workers with ten days of paid sick leave, protect health care workers and finish the fight against COVID-19." November 26, 2021.

<https://www.canada.ca/en/employment-social-development/news/2021/11/healthcare-workers-and-sick-days-news-release.html>

"Legislation to provide ten days of paid sick leave and enhance protections for health care workers receives Royal Assent." December 17, 2021.

<https://www.canada.ca/en/employment-social-development/news/2021/12/legislation-to-provide-ten-days-of-paid-sick-leave-and-enhance-protections-for-health-care-workers-receives-royal-assent.html>

"Bill C-3 An Act to amend the Criminal Code and the Canada Labour Code – Royal Assent." December 17, 2021.

<https://www.parl.ca/DocumentViewer/en/44-1/bill/C-3/royal-assent#IDoECBBA>