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## **Proposed Changes to Ontario's Employment and Labour Laws**

The Ontario government has announced its intention to introduce proposed legislation:

*"The Fair Workplaces, Better Jobs Act, 2017"*

These legislative changes seek to create more opportunity and security for workers across Ontario



### **Minimum Wage Increases**

Ontario is increasing its minimum wage rates, if passed the government is proposing:

- **\$14 per hour January 1, 2018**
- **\$15 per hour January 1, 2019**

### **Proposed Changes to Employment Standards (examples):**

- **Equal pay for Equal Work Provisions for Casual, Part-Time, Temporary and Seasonal Employees**
- **Paid Vacation – Employees would be entitled to three weeks vacation after five years with the same employer**

- **Public Holiday Pay –Employees would be entitled to their average regular daily wage**
- **Paid Emergency Leave – Employees will be entitled to at least two paid days per year**
- **Leave for the Death of Child or Crime-Related Disappearance –A new separate leave for a period of up to 104 weeks**
- **Family Medical Leave – Increase from up to 8 weeks in a 26-week period to up to 27 weeks in a 52-week period**
- **Physician Notes for Absences – Prohibit employers from requesting a sick note from an employee taking Personal Emergency Leave**



Source: <https://news.ontario.ca/mol/en/2017/05/proposed-changes-to-ontarios-employment-and-labour-laws.html>

## Children and Youth Pharmacare Program Update

In its 2017 budget released on April 27, 2017, the Government of Ontario announced a new drug program called “OHIP+: Children and Youth Pharmacare” for everyone, under age 25 regardless of family income.

**The program will begin January 1, 2018, and will cover the cost of medications funded through the Ontario Drug Benefit (ODB) program - with no deductible or co-payment.**



### **Who is covered?**

- **All Ontarians under 25 who have OHIP coverage, regardless of income, family and student status will automatically qualify for OHIP+ coverage**
- **No application is needed to enroll in the program**
- **OHIP+ coverage will end on the 25<sup>th</sup> birthday of the claimant**
- **OHIP+ claims will be submitted by the pharmacy and will be adjudicated online using the OHIP card**



### **What is covered?**

- **OHIP+ will give Ontario children and youth access to more than 4,400 drugs reimbursed under the Ontario Drug Benefit (ODB) Program, including medications funded through the Exceptional Access Program:**
  - **ODB general formulary – Full coverage**
  - **ODB Limited Use – Full coverage for claimants who meet pre-defined medical criteria**
  - **ODB Exceptional Access Program (EAP) – Includes the majority of high cost drugs and requires a doctor to initiate the request by completing an EAP form**



## **The challenges of terminating benefits for employees on disability**

Canadian employers are generally familiar with dealing with employees with disabilities through accommodation and helping them return to work successfully.

**But what happens to their health and dental benefits when it's not possible for an employee to return to**

## **Are you getting the right return on your retirement plan investment?**

A retirement plan can be an effective tool in helping employers attract and retain talent. Done properly, it provides obvious benefits to employees, but there are benefits for employers as well.

work?



**How an organization chooses to approach the issue**

**is unique to its culture and benefits philosophy:**

- **Should benefits continue until long-term disability payments terminate?**
- **What about employees who were young when they went on disability and only worked for the organization for a short period?**
- **Can an organization choose to stop providing health and dental benefits for someone in poor health with high drug**



**According to data from Willis Towers Watson, the average employer-provided value in a defined contribution plan in Canada is 6.3 percent**

**According to the same survey, 69% of respondents take advantage of the full company match in their pension plan**

**This is a significant number for most organizations, so how can an employer measure if the retirement plan is providing the right return on the company's investment?**



**Retirement ages have been steadily**

**costs?**

- **How would providing health and dental coverage to all employees with disabilities until they reach long-term disability termination age affect the sustainability of the benefits program?**



**A human resources policy can help govern the continuation of benefits as well as the disability management.**

**A few aspects to consider including in a disability management policy:**

- **The roles and responsibilities of both employee and employer when the employee becomes disabled**

**increasing since 2000**

- **16 percent of respondents in the survey said they expect to retire after age 70, up from 5 percent in 2011**



**A good place for employers to start is by articulating why they have a retirement plan in the first place.**

**What's the main purpose of the plan?**

**The plan should be competitive to attract employees and must be understood and used to retain employees.**

**Employees must also be participating in the plan and saving enough for retirement.**

**Employers are very good at**

- **The expected communication between parties and associates timelines**
- **What is necessary in terms of medical notes, functional abilities forms and medical information**
- **An outline of the employer's duty to accommodate**
- **How long benefits will continue when an employee is disabled and whether there will be an expectation of employee contributions to the cost**

**The provision for continuation of benefits should clearly state the approach for all employees to ensure fair and equitable treatment and help manage expectations.**

**Without a human resources policy, an employer must terminate employment before ending an employee's health and dental benefits.**

**Terminating employment will not affect an employee's long-term disability benefits (which will continue according to the contract).**

**monitoring how the investments are performing but it is also a good idea to monitor employee participation rates, at what age employees are able to retire and how many employees are using the retirement planning tools.**

**By consistently analyzing the plan's data and measuring outcomes of any actions taken, an employer can maintain a successful retirement plan for both the company and the members.**

*Source: Benefits Canada, "Are you getting the right return on your retirement plan investment"; March 22, 2017*



**Employers will need to ensure the termination meets any legal obligations and should always consult legal counsel before proceeding.**

*Source: Benefits Canada, "The challenges of terminating benefit for employees on disability"; April 26, 2017*



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