

## Improved Compensation

### **More on Equal Pay for Equal Work:**

- Who does it apply to?
  - Employees working in the same industrial establishment;
  - Under the same working conditions;
  - Performing substantially the same kind of work; and
  - Requiring the same skill, effort and responsibility.
- Employers are prohibited from reducing an employee's wage rate in order to comply with this provision.
- This provision will not apply if the difference in pay is based on seniority, merit, production, or any other factor prescribed by regulations.

## Exemptions

- So far, government of Canada issued temporary exemptions to the amendments of the *Code* for certain industrial sectors including telecommunications.
- These exemptions will remain in place until new regulations come into force. The Regulations will either exempt classes of employees from certain hours of work provisions or will modify the provisions for the purpose of application to certain classes of employees.
- This temporary exemption is not a guarantee that employees in the telecommunications sector will be the subject of exemption or modification regulations.

## Improved Compensation

- **Equal Pay for Equal Work:** The objective of these provisions is to ensure equality of compensation regardless of status as a temporary, seasonal, part-time or full-time employee.
- **Holiday Pay:** Employees will be entitled to at least 1/20th of their wages (not including overtime earnings) based on the 4 week period immediately before the week in which the holiday occurs.
- **Vacation Pay:** Employees are entitled to vacation pay at the following increased rates:
  - At least 2 weeks vacation (4% vacation pay) after one year of employment
  - At least 3 weeks vacation (6% vacation pay) after five years of employment
  - At least 4 weeks vacation (8% vacation pay) after ten years of employment.

# Exemptions

## Previously

- The Governor in Council could only make regulations modifying the application ss. 169 (standard hours of work) and 171 (maximum hours of work) of the Code. The Governor in Council also had to order an inquiry and receive the inquiry report prior to modifying the Code.
- The governor could exempt a class of employees from the application of ss. 169 (standard hours of work), 171 (maximum hours of work), 174 (overtime).

## After Bill C-86 Amendments

- The Governor in Council can make orders modifying any provision under Division I of the Code which relates to Hours of Work. There is no longer a requirement for an inquiry.
- The Governor in Council can exempt any class of employees from any provision under Division I of the Code.