

# The Saskatchewan Employment Amendment Act, 2021

## Introduction

The legislation that governs employers and employees needs to meet the changing workplace if we are to ensure we are creating an environment that is fair and balanced and sets a path forward for growth. Three amendments are being made to *The Saskatchewan Employment Act* to help achieve this goal and to build a better Saskatchewan that is stronger, safer and healthier and where all citizens can benefit.

### Part III Occupational Health and Safety--harassment:

- Language has been added to clarify that any unwelcome action of a sexual nature constitutes harassment.
- The harassment provisions will now apply to independent contractors, secondary and post-secondary students and volunteers. Other occupational health and safety provisions of the Act do not apply to these groups.

### Part VI Labour Relations--supervisory employee:

- The definition of supervisory employee is being repealed.
- The amendment to the Act removes the requirement for the Labour Relations Board to exclude supervisory employees from the same bargaining unit as those they supervise, unless the employer and union have entered into an irrevocable election.
- The board will be given authority to determine the appropriate bargaining unit, which may include a unit comprised only of supervisors.
- The amendment cancels any irrevocable elections that have been entered into. This allows for future amendments to certification orders if the need arises.
- Transition provisions have been included which authorize the board to hear applications from employers or unions to amend existing certification orders which exclude supervisors from the bargaining units.

### Part IX General--liability protection:

- We are introducing a provision that will provide protection for public and private sector employers that comply with the new COVID-19 vaccination regulations.
- These regulations give the employee the choice of showing evidence of being fully vaccinated or evidence of a negative COVID-19 test at least every seven days.