

Synopsis for May 25, 2018 Presentation on Legislation Update for Alberta – What's in it for Arbitrators?

In 2017 the Province of Alberta made substantial changes to its workplace legislation affecting:

- Post-secondary institutions
- Essential Services
- Employment Standards
- Occupational Health & Safety
- Worker's Compensation
- The *Labour Relations Code*
- *Public Interest Disclosure (Whistleblower Protection) Act*

Effective June 17, 2017, the amendments to the *Alberta Labour Relations Code* were proclaimed which amendments contain significant changes to the legislative guidelines for arbitration namely:

- Reference within the preamble to “Fair and equitable resolution of matters arising with respect to terms and conditions of employment”
- Authorizing the Labour Relations Board to marshall the order or proceedings for two or more proceedings “arising out of common circumstances, including a common set of legal issues or factual circumstances”
- Authorizing the Labour Relations Board to appoint an arbitrator or arbitration board to conduct a first contract arbitration
- Authorizing arbitrators to extend “the time for taking any step in a grievance process or arbitration procedure” where there are reasonable grounds to do the extension
- Authorizing arbitrators to interpret “an enactment relating to employment matters not withstanding any conflict between the enactment and the collective agreement”
- Authorizing arbitrators to resolve disputes “within the principles of Canadian labour arbitration”
- Expanding the procedural authority of arbitrators and authorizing arbitrators to mediate resolutions to grievances while arbitrating
- Making the Labour Relations Board instead of the Court of Queen's Bench the adjudicator for the review of arbitration awards

William J. Johnson, Q.C., Chair, of the Labour Relations Board will comment on the above and reference recent decisions arising from the amendments to the *Labour Relations Code*.