



# **BILL NO. 168**

*Government Bill*

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*2nd Session, 62nd General Assembly  
Nova Scotia  
65 Elizabeth II, 2016*

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## **An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code**

CHAPTER 11  
ACTS OF 2016

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
MAY 20, 2016**

The Honourable Kelly Regan  
*Minister of Labour and Advanced Education*

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*Halifax, Nova Scotia  
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 246  
of the Revised Statutes, 1989,  
the Labour Standards Code**

Be it enacted by the Governor and Assembly as follows:

**1 Section 2 of Chapter 246 of the Revised Statutes, 1989, the *Labour Standards Code*, as amended by Chapter 14 of the Acts of 1991, Chapter 7 of the Acts of 2003 (Second Session), Chapter 10 of the Acts of 2006, Chapter 37 of the Acts of 2010 and Chapter 19 of the Acts of 2011, is further amended by**

**(a) relettering clauses (aa) and (a) as (a) and (aa);**

**(b) striking out “licencing” in the last line of clause (b) and substituting “licensing”; and**

**(c) adding immediately after clause (g) the following clause:**

(ga) “general holiday” means New Year’s Day, Good Friday, Canada Day, Labour Day, Christmas Day, the third Monday in February and a day specified as a general holiday in a regulation, and includes any day substituted for one of those days pursuant to Section 39;

**2 Section 7 of Chapter 246, as amended by Chapter 14 of the Acts of 1991, Chapter 7 of the Acts of 2003 (Second Session), Chapters 10 and 13 of the Acts of 2006, Chapter 18 of the Acts of 2009, Chapter 37 of the Acts of 2010, Chapter 19 of the Acts of 2011 and Chapter 11 of the Acts of 2013, is further amended by**

**(a) striking out “prescribing” in the first line of clause (bd) and substituting “prescribe”;**

**(b) striking out “exempting” in the first line of clause (be) and substituting “exempt”;**

**(c) striking out “prescribing” in the first line of clause (bf) and substituting “prescribe”;**

**(d) striking out “limiting” in the first line of clause (bg) and substituting “limit”;**

**(e) striking out “prescribing” in the first line of clause (bh) and substituting “prescribe”;**

**(f) striking out “prescribing” in the first line of clause (bi) and substituting “prescribe”;**

**(g) striking out “prescribing” in the first line of clause (bj) and substituting “prescribe”;**

**(h) striking out “prescribing” in the first line of clause (bk) and substituting “prescribe”;**

**(i) striking out “licencing” in the second line of clause (cf) and substituting “licensing”;**

**(j) striking out the period at the end of clause (cq) and substituting a semicolon; and**

**(k) striking out “defining in the first line of clause (ga) and substituting “define”.**

**3 Subsection 15(1) of Chapter 246 is repealed and the following subsections substituted:**

(1) Every employer shall keep and maintain, at the employer’s principal place of business for at least thirty-six months after the work was performed, records from which it may be ascertained whether or not the employer is complying with this Act, including

- (a) each employee’s name and address;
- (b) each employee’s date of birth;
- (c) each employee’s social insurance number;
- (d) the date that each employee’s employment began;
- (e) the date that each employee’s employment ended, if applicable;
- (f) the number of hours worked by each employee each day and each week;
- (g) each employee’s wage rate and gross earnings for each pay period;
- (h) the amount of each deduction from the gross earnings of each employee for each pay period and the purpose for which each deduction is made;
- (i) the net amount of money paid to each employee for each pay period;
- (j) any period during which an employee was on vacation;
- (k) any vacation pay due or paid to an employee;
- (l) any general holiday pay due or paid to an employee;
- (m) any period during which an employee was on a leave of absence and the reason for the leave of absence;
- (n) any documents or certificates relating to a leave of absence of an employee;
- (o) the dates of all discharges or layoffs of an employee and the dates of all notices thereof; and
- (p) in the case of a person who is recruiting an individual for employment with the person, or who has done so,
  - (i) the name and address of any person to whom the person recruiting the individual made a payment for engaging in the recruitment,
  - (ii) the date and amount of the payment, and
  - (iii) such other information as may be prescribed,

and shall produce the same or a certified true copy thereof to the Director upon request of the Director.

(1A) An employer may provide a pay statement to an employee electronically if the employer provides to the employee, through the employee's place of employment,

- (a) confidential access to the electronic pay statement; and
- (b) a means of making a paper copy of the electronic pay statement.

**4 (1) Subsection 17(5A) of Chapter 246, as enacted and amended by Chapter 37 of the Acts of 2010, is further amended by striking out "chair or the Vice-chair" in the first and second and in the third and fourth lines and substituting in each case "Chair or the vice-chair".**

**(2) Subsection 17(6) of Chapter 246, as enacted and amended by Chapter 37 of the Acts of 2010, is further amended by striking out "Vice-chair" in the fourth line and substituting "vice-chair".**

**5 Subsection 37(1) of Chapter 246 is repealed.**

**6 Subsection 85(5) of Chapter 246, as amended by Chapter 37 of the Acts of 2010 and Chapter 19 of the Acts of 2011, is further amended by striking out "or any person referred to in Section 81A" the second time it appears in the last line.**

**7 This Act has effect on and after January 1, 2017.**

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