



August 30, 2021

IMPORTANT NOTICE
National Day for Truth and Reconciliation

On August 3, 2021, the Government of Canada's Bill C-5, *An Act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code (National Day for Truth and Reconciliation)* (the "NDTR Act") came into force. The NDTR Act establishes a new federal holiday called the "National Day for Truth and Reconciliation" which is to be observed on September 30th of each year.

The NDTR Act only applies to federally regulated employers that are subject to Part III of the Canada Labour Code **unless**:

1. The applicable Province amends its provincial legislation to make the National Day for Truth and Reconciliation a 'recognized' holiday; or
2. **A contractor is bound by a collective agreement that requires it to recognize newly proclaimed federal holidays.**

The BCA/IBB Collective Agreement(s) language includes provisions that allow for the addition of a new holiday per the following "Recognized Holiday" article excerpt, "...*And any other Holiday(s) that may be proclaimed by Federal or Provincial Governments during the life of this Agreement.*"

Based upon advice from legal counsel on the BCA/IBB Collective Agreement language, given that the National Day for Truth and Reconciliation is a "*holiday proclaimed by the Federal Government*", there is an obligation under the BCA and IBB Collective Agreement(s) to recognize the National Day for Truth and Reconciliation as a recognized holiday beginning this year, September 30, 2021.

This obligation is applicable to both the BCA/IBB ICI and Maintenance Agreements.

Should you have any questions please do not hesitate to contact the BCA office.