Are You In Compliance With Mandatory Workplace Posting Requirements In Ontario?



As of June 1, 2014 the Ministry of Labour has rolled out version 5.0 of the "What You Should Know About the Employment Standards Act" poster, affectionately known as the "ESA Poster." Version 5.0 of the ESA Poster reflects the recent changes to minimum wage under the *Employment Standards Act, 2000* (the "ESA").

Provincially-regulated employers are required to post the most recent version of the ESA Poster on legal-sized paper in at least one conspicuous location in the workplace, such as in the staff lunchroom. If you have not done so already, you should replace version 4.0 of the ESA Poster with the new and improved version 5.0 in your workplace as soon as possible. You can download the poster for free on the Ministry of Labour website.

MANDATORY WORKPLACE SIGNAGE REQUIREMENTS IN ONTARIO

There are a number of other mandatory workplace posting requirements for employers in Ontario. It is important for employers to ensure that they conform with the various legislated signage requirements in order to avoid violations and penalties for non-compliance.

1. Posting Requirements under the *Occupational Health and Safety Act* (the "OHSA")

All provincially-regulated workplaces must display the OHSA poster "Health & Safety at Work: Prevention Starts Here". The poster outlines the rights and responsibilities of workers, supervisors and employers on the job and provides a toll free Ministry of Labour number which anyone can call to report critical injuries, fatalities and work refusals, or to obtain general information about workplace health and safety information.

The OHSA requires employers with more than five workers to prepare and annually review a written occupational health and safety policy as well as workplace violence and workplace harassment policies. A copy of these written policies must be posted in the workplace.

In workplaces where the employer is required to establish a joint health and safety committee, the employer must post the names and work locations of the committee members in a conspicuous location.

Employers are also required to post a copy of the OHSA, in its entirety, in the workplace.

2. Posting Requirements under the *Workplace Safety and Insurance Act* (the "WSIA")

Employers are required to prominently display the "In Case of Injury" poster (Form 82) in the workplace, which gives employees and employers four simple steps to follow in the event of an injury at work. This poster is available for free on the WSIB website.

Please click here to see the Ministry of Labour's Posting and Training Requirements article for more information regarding the above posting requirements.

3. Posting Requirements under the *Pay Equity Act*

All public sector employers and those private sector employers that had 100 or more employees on January 1, 1988 are required to prepare and post Pay Equity Plans in accordance with the *Pay Equity Act*.

The Pay Equity Commission has prepared a Summary of Requirements under the *Pay Equity Act*, including posting requirements, which can be found here.

4. Posting Requirements under the *Smoke-Free Ontario Act*

Under the *Smoke-Free Ontario Act*, employers are required to post signs prohibiting smoking at each entrance and exit of an enclosed workplace, in appropriate locations and in sufficient numbers. This is to ensure that employees and the public are aware that smoking is not permitted in the enclosed workplace. Signs must meet specific requirements pursuant to the*Smoke-Free Ontario Act*.

The posting requirements are set out in subsection 9(3) of the *Smoke-Free Ontario Act*, and section 15 of Ontario Regulation 48/06 under the *Smoke-Free Ontario Act*.

5. Posting Requirements instituted by the Ontario Labour Relations Board

Pursuant to Information Bulletin No. 1, an employer is required to post copies of a union's Application for Certification and Notice to Employees of Application for Certification adjacent to one another in locations where they are likely to come to the attention of any and all employees affected by the application. Once a certification vote has been held, the employer is also required to post copies of the Decision, the Notice of Vote and of Hearing and the Report of Vote, adjacent to the earlier posted Application for Certification and Notice to Employees of Application for Certification.

Last Updated: September 4 2014

Article by Brittany Taylor