

Get Your Platform Ready: Digital Platform Workers' Rights Act, 2022 Brings New Gig Work Standards As Of July 1, 2025



Bottom Line

Ontario's *Digital Platform Workers' Rights Act, 2022* ("DPWRA") will come into force on July 1, 2025, significantly changing the regulatory framework for digital platform work in Ontario. The DPWRA establishes foundational protections for individuals who perform "digital platform work," a defined category of work under this Act. "Digital platform work" includes many gig economy roles such as ride-sharing, delivery, courier, and "other prescribed services by workers who are offered work assignments by an operator through the use of a digital platform". Notably, the General Regulation, O.Reg 344/24 under the Act specifically excludes taxicab or limousine services from its ambit.

The Act will create new standards around transparency, payment, dispute resolution, and protection from reprisal, and will mark Ontario joining a global trend towards enacting legislation aimed at safeguarding gig worker rights, albeit without classifying these individuals as employees. For businesses using digital platforms to connect with workers, understanding the DPWRA's key provisions and preparing for compliance is crucial.

Background

The DPWRA was introduced as part of Ontario's broader labour law reforms through Bill 88, the *Working for Workers Act, 2022*. Following the passing of Bill 88 on April 11, 2022, the Ontario government delayed enacting the DPWRA, recently setting July 1, 2025 as its effective date.

As technology-driven work arrangements become increasingly common, the DPWRA aims to provide digital platform workers with a standardized set of rights, addressing various vulnerabilities and power imbalances often present in gig economy employment relationships. While similar to some entitlements set out in the *Employment Standards Act, 2000* ("ESA"), the DPWRA does not classify these workers as "employees," setting Ontario's approach apart from other jurisdictions like British Columbia.

Changes in Effect as of July 1, 2025

The DPWRA introduces comprehensive requirements for digital platform operators (i.e. those that “facilitate, through the use of a digital platform, the performance of digital platform work by workers”). Key provisions include:

- 1. Information Disclosure:** Operators must provide workers with essential details about their roles, including pay calculation methods, factors influencing work assignments, and any performance evaluation systems. Within 24 hours of a completed work assignment, workers are entitled to receive information about pay, tips, any bonuses for specific times or tasks, travel distance calculations (if applicable), and more.
- 2. Minimum Wage Requirements:** Operators must pay workers at least Ontario’s general minimum wage for each work assignment. This wage applies to time spent on work-related travel but excludes time waiting for the next assignment. While gratuities, bonuses, and expenses are excluded from this minimum, operators are prohibited from making unauthorized deductions or withholdings from workers’ pay.
- 3. Recurring Pay Periods:** Digital platform workers must receive regular pay with a set payday for each pay period, and all earnings, including tips and other gratuities, must be settled by that date. This mandate aligns gig worker pay structure with that of conventional employment, bringing predictability to earnings.
- 4. Suspension or Removal from Platform:** If operators restrict or suspend a worker’s access to the platform for 24 hours or more, they must give written notice and a reason for the action. In cases of public safety concerns, legal incapacity to perform work, or verified misconduct, the two-week notice period is not required. The standard for such suspension, termed “wilful misconduct,” requires significant intent or wrongdoing, similar to the threshold for just cause employment terminations under Ontario’s ESA.
- 5. Right to Dispute Resolution in Ontario:** Any disputes between digital platform operators and workers must be handled within Ontario. Notably, any arbitration clauses included in agreements between workers and operators must specify that arbitration will occur in Ontario.
- 6. Record-Keeping Requirements:** Operators must keep detailed records of all work assignments, pay, tips, and platform access for at least three years after a worker’s access has ended. These records are subject to inspection by compliance officers, providing a foundation for enforcing the DPWRA’s standards.

Enforcement

The DPWRA grants compliance officers powers to investigate, inspect, and enforce its provisions, mirroring the ESA enforcement model. Workers who believe their rights under the DPWRA have been violated can file complaints with Ontario’s Ministry of Labour, Immigration, Training and Skills Development. The DPWRA also prohibits operators from intimidating or retaliating against workers who exercise their rights under the new legislation.

In the event of non-compliance, compliance officers can impose substantial penalties. For corporations, fines range from \$15,000 for a first offence to \$50,000 for repeated offences within three years. For individuals, contraventions incur penalties ranging from \$250 for a first offence to \$1,000 for subsequent offences. In serious cases, operators may face quasi-criminal charges, including imprisonment for individuals or substantial fines, ranging up to \$500,000 for corporations with multiple offences. Further, if a corporation contravenes the Act, an officer, director, agent, or person acting or claiming to act in such capacity and authorizes

or permits the contravention may also be found guilty of any offences.

Takeaways

The DPWRA marks a significant shift in Ontario's approach to gig economy work, setting clear rights and obligations to bridge some gaps between traditional employment and independent platform work. For digital platform operators in Ontario, compliance preparation should include:

- 1. Reviewing and Revising Internal Policies:** Digital platform operators should ensure that policies, particularly those related to pay, record-keeping, and access removal, comply with the DPWRA. This may also require training staff and management on compliance requirements and reviewing arbitration agreements to meet DPWRA standards.
- 2. Implementing Transparency and Communication Tools:** Operators should establish systems that automatically calculate and disclose payment information and other required details at each step of a work assignment. This will streamline compliance with the DPWRA's "right to know" provisions.
- 3. Planning for Inspection and Record-Keeping Requirements:** With the DPWRA's robust record-keeping requirements, businesses should implement systems for securely storing information on work assignments, pay, and tips. Preparing for potential inspections can also help streamline responses to any compliance audits.
- 4. Ensuring No Retaliation Practices:** To foster a positive relationship with platform workers and to avoid DPWRA penalties, it is crucial for operators to adopt policies that prevent reprisal against workers exercising their rights.

By taking proactive steps now, digital platform operators can avoid significant penalties and ensure compliance as soon as the DPWRA takes effect on July 1, 2025.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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