

Important Changes To Workplace Laws Impacting Ontario Employers



By now, Ontario employers should be familiar with the *Working for Workers Acts*—the series of legislative changes to employment-related statutes introduced in 2021 (see our previous articles [here](#)). On May 28, 2025, the Ontario government introduced its seventh installment to the series, the *Working for Workers Seven Act, 2025* (“**Bill 30**”).

This article reviews the recent amendments that are now in effect, as well as the proposed amendments that will soon take effect.

The amendments create new obligations for employers regarding leaves of absence, job postings, and information that is required to be provided to employees, in addition to new administrative penalties in the areas of Occupational Health and Safety and Workplace Safety and Insurance.

Recent Amendments to the *Employment Standards Act, 2000* (“ESA”)

1. Long-Term Illness Leave (effective June 19, 2025)

- Under section 49.8 of the ESA, employees are now entitled to up to 27 weeks of leave within a 52-week rolling period if they are suffering from a serious medical condition.
- Employees must satisfy two conditions to be entitled to the long-term illness leave:
 - the employee will not be working because of a “serious medical condition”; and
 - a qualified health practitioner issues a certificate that, (i) states that the employee has a serious medical condition, and (ii) sets out the time period the employee will not be working because of such condition.
- Employees eligible to take the long-term illness leave are required to provide written notice to their employer. However, the length of notice an employee must provide to their employer in advance of the leave is not currently specified in the new provisions.

2. Placement of a Child Leave (effective date not yet announced)

- Section 47.1 of the ESA provides up to 16 weeks of unpaid leave for

employees who become parents by way of adoption or surrogacy.

- An employee will be entitled to the leave if they have been employed by their employer for at least 13 weeks.
- Eligible employees must provide at least two weeks' prior written notice to their employer indicating the start and end date of the leave.

3. Required Information to be provided to Employees (effective July 1, 2025)

- Regulation 285/01 prescribes employment information that must be provided to an employee or a prospective employee, in writing, and when the information must be provided.
- Employers with 25 or more employees must provide the following information to an employee before their first day of work, or where it is not practicable to do so, the employer shall provide such information as soon after as is reasonably possible:
 - The legal name of the employer, as well as any operating or business name of the employer if different from the legal name
 - Contact information for the employer, including address, telephone number and one (or more) contact name(s)
 - A general description of where it is anticipated the employee will initially perform work
 - The employee's starting hourly rate or other wage rate or commission, as applicable
 - The pay period and pay day established by the employer
 - A general description of the employee's initial anticipated hours of work
- The above-noted requirements do not apply to assignment employees because temporary help agencies are already obligated to provide such information in accordance with section 74.6(1) of the ESA.

4. Requirements for Publicly Advertised Job Postings (effective January 1, 2026)

- Employers with 25 or more employees face new requirements with respect to publicly advertised job postings.
- Under Regulation 476/24, "publicly advertised job posting" is defined as an external job posting an employer or a person acting on behalf of an employer advertises to the general public in any manner but does not include:
 - a general recruitment campaign that does not advertise a specific position
 - a general "help wanted" sign that does not advertise a specific position
 - a posting for a position that is restricted to existing employees of the employer
 - a posting for a position that work is to be, (i) performed outside Ontario, or (ii) performed outside Ontario and in Ontario and the work performed outside Ontario is not a continuation of work performed in Ontario
- The new requirements for publicly advertised job postings are as follows:
 - *Compensation* – the posting must include the expected compensation for a position or the range of expected compensation. The range of expected compensation cannot exceed \$50,000. Employers do not need to include this information for postings where the expected compensation exceeds \$200,000.
 - *Canadian Experience* – postings and any associated application forms shall not include any requirements related to Canadian experience.
 - *Use of Artificial Intelligence (AI)* – every employer who advertises publicly advertised job postings and who use AI to screen, assess or select applicants for the position shall include in the posting a statement disclosing the use of AI.
 - *Existing Vacancy* – postings shall include a statement disclosing whether the posting is for an existing vacancy or not.
 - *Duty to Inform Applicants Interviewed* – if an employer interviews an

applicant for a publicly advertised job posting, the employer must inform such applicant within 45 days of the applicant's final interview whether a hiring decision has been made.

- *Record Keeping* – employers must retain postings and any associated application forms for a period of three years after the posting is taken down.

Proposed Amendments to ESA, OHSA and Workplace Safety and Insurance

If passed, Bill 30 will introduce significant amendments to several employment-related statutes, including the ESA, the *Occupational Health and Safety Act* (“**OHSA**”), and the *Workplace Safety and Insurance Act, 1997* (“**WSIA**”).

1. Changes to the ESA

- Job Posting Platform Requirements
 - A job posting platform is defined as an online platform that displays publicly advertised job postings but excludes online platforms operated by an employer that only advertises positions with that employer
 - An operator of a job posting platform must:
 - implement mechanisms for users to report fraudulent job postings
 - maintain written policies addressing fraudulent job postings
 - conspicuously display reporting mechanisms (or the procedure) for addressing fraudulent job postings and the written policy regarding fraudulent postings where it is likely to come to the attention of the users of the platform
- Job Seeking Leave
 - New unpaid leave entitlement for employees who receive notice of termination under section 58 of the ESA (where the employer terminates the employment of 50 or more employees)
 - Eligible employees will be entitled to up to three days of unpaid leave to engage in activities related to obtaining employment, including job searches, interviews and training
 - Employers are allowed to request reasonable evidence of entitlement to the job seeking leave and deem partial days as full days of leave
 - Employees are not entitled to the job seeking leave if they receive termination pay in lieu of notice for more than 25% of the required notice period under section 58 of the ESA
- Extended Layoffs
 - Employers and employees may agree to a layoff that is 35 or more weeks within a consecutive 52-week period but may not agree to a layoff that is 52 or more weeks within a consecutive 78-week period
 - Extended layoffs require mutual agreement between the employer and employee and must be approved by the Director of Employment Standards

2. Changes to the OHSA

- Defibrillator Reimbursement
 - Employers who meet the prescribed criteria and who are required under the OHSA to install a defibrillator will be entitled to reimbursement from the Workplace Safety and Insurance Board (“**WSIB**”) for the cost of the defibrillator.
- Administrative Penalties
 - New administrative penalty scheme that allows inspectors to impose monetary penalties for contraventions under the OHSA. Penalty amounts will be determined by regulation.
- Health and Safety Management Systems

- Accredited health and safety management systems will be treated as equivalents where necessary under the OHSA.

3. Changes to the WSIA

- False or Misleading Statements
 - Employers who make false or misleading statements or representations to the WSIB regarding a person's benefit claims may be subject to an administrative penalty in addition to any penalty imposed by a court.
- Failure to Pay Premiums
 - Employers who fail to pay premiums may be guilty of an offence under the WSIA. A court may also order the employer to pay to the WSIB any money that is owing under the WSIA prior to the conviction.
- Increased Penalties
 - A person convicted of two or more counts of the same offence in the same legal proceeding may be liable to a fine of up to \$750,000 for each conviction.
- Aggravating Factors
 - Previous convictions under the WSIA, multiple convictions in the same legal proceeding, and a record of prior non-compliance under the WSIA may all be considered aggravating factors by a court in determining the penalty for a defendant employer guilty of an offence under the WSIA.

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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