

Key Workplace Takeaways From 2024 And What To Know For 2025



As holiday fanatics, our team has had a countdown to the key holiday dates going on for some time now. Yet, even with a countdown many of us have been struck by just how few days remain before the New Year. If you are similarly surprised and like us thinking about what's to come for 2025, read on for some of the key workplace and employment law takeaways from 2024 and what to know for 2025:

Key Takeaway: New Legislative Changes

In 2024, Ontario passed both the fourth and fifth iterations of the *Working for Workers Act*. This new legislation brought a variety of changes, including:

- **Overhauling job posts:** the new legislative changes are sure to impact the way employers post about a vacancy in the workplace. Some of these changes target common concerns of job hunters. For example, employers are now required to disclose the expected compensation for the role and identify whether the posting is for an existing vacancy. In addition, employers will now be required to disclose whether they are using AI in the hiring process, for example, by using AI to review resumes and identify those that the employer should consider for an interview. The new legislation also prohibits employers from referencing a requirement for Canadian job experience in the job post. Amongst other additional changes, employers are going to be expected to retain copies of the job post.
- **Sick leave:** These new changes apply to employees utilizing the three sick days provided for under the ESA. When accessing those three ESA-protected sick days, employers are no longer able to demand a medical note/certificate from a medical provider.

Another key change came in the form of a change to Ontario's *Occupational Health and Safety Act* which included a change that protects workers from virtual workplace harassment and sexual harassment.

What to know for 2025:

Given the significant changes introduced by new legislation, including the overhaul to the hiring process, it's important that workplaces get very familiar with these new changes (which include but are not limited to the changes outlined above). The changes come into force at various times, so if you are wondering exactly what your

current obligations are or what your obligations may look like in 2025, it's best to ask. We recommend that you look into these changes as soon as possible to ensure you comply with and are prepared for future changes. It's also important to ensure policies, such as your sick leave policy and harassment policy, are up to date and in compliance with the new ESA and OSHA changes.

Key Takeaway: Wrongful Dismissal Case Law Continues to Evolve

As we say here at SpringLaw, the law moves quickly. There has been no shift in this trend throughout 2024 and we continue to seek case law (which sometimes feels as though it is released weekly) that finds new issues with the enforceability of termination provisions.

In case you haven't terminated anyone recently, there have been major shifts in employment law since 2020 with respect to termination provisions and the enforceability of these provisions can have an incredible impact on the entitlements employees may have following termination.

You can safely expect forthcoming caselaw throughout 2025 that continues to challenge the enforceability of termination provisions.

What to know for 2025:

In line with perhaps the most popular song of the year (sorry, Taylor) our plea is to please, please, please have your employment contract reviewed and if necessary revised to ensure it is legally enforceable, especially before deciding to terminate. Why you ask? Read on.

Key Takeaway: Employees Continue to Seek Out Advice on their Entitlements

A key takeaway away from our practice as employment lawyers is that employees continue to seek out legal advice regarding the enforceability of their contract both at the time they are hired and at the time of termination. Be prepared for employees who understand their entitlements and especially in a time of economic uncertainty are prepared to seek them.

What to Know:

The best defence is a good offence. [Reach out](#) for a contract review, to learn more about the new legislative changes to ensure your workplace policies and practices are legally compliant, or strategize about common issues like terminations.

And in the meantime, have a very happy holiday season.

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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