

# New Year, New Laws: Crucial Dates For Employers In 2025 And Early 2026



## **Bottom Line**

In 2024, three of the “Working for Workers” laws were passed and enacted, though not all changes have yet come into force. Each of these bills amended the *Employment Standards Act* (ESA), the *Occupational Health and Safety Act* (OHSA), and the *Workplace Safety and Insurance Act, 1997* (“WSIA”), as well as other work-related statutes.

These Acts were:

- the *Working for Workers Four Act, 2023* (Bill 149, which received Royal Assent on March 21, 2024 – reviewed [here](#)),
- the *Working for Workers Five Act, 2024* (Bill 190, which received Royal Assent on October 28, 2024 – reviewed [here](#)), and
- the *Working for Workers Six Act, 2024* (Bill 229, which received Royal Assent on December 19, 2024 – reviewed [here](#)).

With the many changes to workplace legislation that came into effect in 2024, employers may want to review their practices and policies to ensure that they comply with what has already come into effect, while planning for 2025.

## **Plan for Compliance with These Changes in 2025**

All three of the recently passed “Working for Workers” Acts included future changes with unspecified dates. Key among these were a suite of changes to job postings – including salary transparency obligations – and information provision and retention.

Those dates have now been set, and employers can plan for the significant changes that will come into effect over the upcoming year.

### **June 19, 2025 – One of Two New Long-Term Job-Protected Leaves (ESA)**

Bill 229, the *Working for Workers Six Act, 2024*, amends the ESA to include two new long-term job-protected leaves. One of these – the new 27-week Long-Term Illness Leave – will come into effect June 19, 2025. This leave allows an employee who has already been employed for 13 consecutive weeks to have up to 27 unpaid weeks of leave if they will not be working due to a serious medical condition. In order to access this leave, the employee must advise the employer in writing and provide a note from

a doctor, RN, psychologist or other practitioner if specified in regulation. That note must include the period of time that the employee will be off work, and the employee is only entitled to take leave for that period of time. Note that the leave can be extended under certain conditions. Employers will want to review policies on leaves accordingly.

## **July 1, 2025 – Required Information for New Employees (ESA)**

As of July 1, 2025, employers will have to give new employees certain information before or as soon as possible after the employee commences their employment (provided the employer has 25 or more employees on the relevant employee's first day of work). This information must include the legal name of the employer and its operating or business name, plus complete contact information and at least one contact name, as well as basic information about where the employee will first work, their expected hours of work, their starting compensation, and their pay period and pay day.

## **July 1, 2025 – Constructors and Employers to Keep Clean Washrooms (OHSA)**

As of July 1, 2025, constructors and employers must keep washrooms for workers in clean and sanitary condition, and keep records of washroom cleaning. Those records must be maintained and made available. As of January 1, 2026, the dates and times of the last two cleanings for each facility must be posted physically near the washroom or be available electronically (as long as workers get instructions on accessing the records).

Right now, constructors and employers have to keep records of cleaning, sanitizing and servicing of washroom facilities (toilets, urinals, and clean-up areas). As of January 1, 2026, the record will also have to include service dates from the shorter of the last six months or the project's duration.

## **July 1, 2025 – Gig Workers' Rights**

The *Digital Platform Workers' Rights Act, 2022* was enacted in April 2022 under the *Working For Workers Act, 2022* to establish a legal framework for “digital platform work” in Ontario, but was not declared in force at the time. On September 5, 2024, the government announced that the Act and its associated Regulation will come into force on July 1, 2025 (which we wrote about [here](#)).

If you operate a digital platform through which you give work to gig workers, you will want to become familiar with this Act and ensure that your policies, protocols, and terms in your contracts with workers are aligned with these new obligations.

## **January 1, 2026 – Changes to Job Postings, Including Salary Transparency (ESA)**

The new obligations regarding job postings will come into effect on January 1, 2026, and apply to employers with 25 or more employees on the date of the posting.

As of this date, publicly advertised job postings and related application forms must include:

- Salary transparency about expected compensation or the range of compensation (within \$50,000), where the expected compensation or upper limit of the expected range of compensation is less than \$200,000 annually. Note that “compensation” is defined as “wages” under the ESA;
- Disclosure of the use of artificial intelligence to screen, assess or select applicants for the position (if applicable); and

- Whether the posting is for an existing vacancy.

As of this date, job postings and related application forms must not include any requirement for Canadian experience.

Not all job postings are captured, however. A job posting is not “publicly advertised” for the purposes of these requirements if it is:

- A general recruitment campaign or general help wanted sign, not advertising a specific position,
- An internal posting only for existing employees, or
- A posting for a position for which work is to be either performed outside Ontario, or performed both within and outside of Ontario “and the work performed outside Ontario is not a continuation of work performed in Ontario.

Employers will want to review their standard job postings and application forms to ensure that they comply with these obligations before January 1, 2026.

## **January 1, 2026 – Information Provision and Retention (ESA)**

As of January 1, 2026, employers will also have to inform candidates whom they interview for a publicly advertised position as to whether they made a hiring decision, within 45 days of the applicant’s last interview.

Also as of January 1, 2026, employers will have to retain every publicly available job posting and related application form, plus records of what information they provided to candidates, for three years after the posting is removed or the information is provided.

## **Takeaways**

Employers had to adjust to many changes in the legal landscape governing workplaces in 2024, and will have to comply with further changes in 2025 and into 2026. Getting employment agreements, policies, and practices reviewed by your regular lawyer at the firm is an excellent investment – particularly given the ongoing changes in case law regarding permissible language in termination clauses. Ensuring legal compliance is a great way to start 2025 in your organization!

*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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