

Ontario Employers Take Note Of New ESA Requirements May 2015



Get your printers humming or your email send button clicking! Ontario now requires all employers to directly provide each current employee and all employees in the future with a copy of the new poster spelling out Ontario Employment Standards Act rights. The “*Stronger Workplaces for a Stronger Economy Act*”, 2014 (Bill 18) continues to roll out new expectations for Ontario employers.

As of May 20th Ontario employers are required to provide all current employees with a copy of the poster, *Ministry of Labour’s Employment Standards Poster*, by June 19th, 2015. Employees hired after today must receive the poster within 30 days of employment.

It will be important for each organization to be able to demonstrate that they are in compliance with this requirement. We recommend putting in place a policy within your organization that lays out the requirements to do this and includes a way to track the completion of this task. In addition it is also a good idea to post this poster in a visible location within your organization and send out a notice or bulletin regarding these Employment Standards and ensure you provide alternate format versions for employees who require accommodation.

Summary of poster contents highlights include:

- **Hours of Work and Eating Periods:** Your employees will be informed that there are weekly limits on the number of daily and weekly hours of work including the fact that employees must be provided with a 30 minutes meal break after 5 consecutive hours of work.
- **Overtime Pay:** Payable after 44 hours in most jobs at a rate of at least 1.5 times regular rate of pay
- **Minimum wage:** A reminder that \$10.25 is the minimum wage for most workers in Ontario. The Student minimum wage is \$8.90 per hour, Liquor servers

\$8.90 and homeworkers (employees who work from home) \$11.28. Tipped and commissioned workers must make the minimum wage and if they do not their employer must make up the difference

- **Payday:** Employees must be paid on a regular payday and receive a statement of wages
- **Vacation Time and Pay:** Most employees will earn 2 weeks vacation after every 12 months of work and/or be paid 4% of their total wages as vacation pay.
- **Public Holidays:** Most employees are entitled to take 9 public holidays in Ontario as a paid day off.
- **Leaves of Absence:** The job-protected leaves of absence include pregnancy, parental, family caregiver and personal emergency leave.
- **Termination and Notice Pay:** In most cases advanced written notice for termination and/or termination pay must be provided

Informing your employees of their rights is an important element of being a good employer. Putting in place a process to track that you have made every effort to inform your employees of their rights is a useful way of showing compliance and protecting yourself if challenged in the future.

Be certain that all of your managers and supervisors are informed of the need to provide this poster and support all employees in understanding their employment rights.