Ontario Job Posting Rules Take Effect On January 1, 2026



As previously noted in our legislative update earlier this year, significant changes are coming to job posting rules in Ontario on **January 1, 2026**, as set out in the *Working for Workers Four Act, 2024*, the *Working for Workers Five Act, 2024* and in O. Reg. 476/24: Rules and Exemptions re Job Postings.

In the new year, new job posting rules will require Ontario employers with 25 employees or more to:

- **Provide compensation range information for the position**:
    1. New section 8.2 of the *Employment Standards Act, 2000* ("ESA") (see *Working for Workers Four Act, 2024*) requires that every employer who advertises a publicly advertised job posting shall include in the posting, information about the expected compensation for the position or the range of expected compensation for the position.
    2. Reg. 476/24: Rules and Exemptions re Job Postings provides more detail: the range of expected compensation must not exceed $50,000 annually. The pay disclosure rules do not apply to positions with an expected compensation of more than $200,000 annually, or that have a range of expected compensation that ends at more than $200,000 annually. "Publicly advertised job posting" is defined in the regulation. Additional exceptions to the pay disclosure rules may be set out in future legislation.
- **Disclose the use of AI in hiring**:
    1. New section 8.4 of the ESA (see *Working for Workers Four Act, 2024*) requires that any employer that posts a publicly advertised job opening and uses artificial intelligence to screen, evaluate, or select candidates, must include a statement in the posting that discloses this use of artificial intelligence.
    2. "Artificial intelligence" is defined in Reg. 476/24: Rules and Exemptions re Job Postings. The legislation makes room for exception to this requirement, but currently, the regulations do not set out any exceptions.
- **Disclose whether the posting is for an existing vacancy or not**:
    1. New section 8.5 of the ESA (see *Working for Workers Five Act, 2024*) requires that every employer who advertises a publicly advertised job posting shall include in the posting, a statement disclosing whether the posting is for an existing vacancy or not. The legislation makes room for

additional requirements and exceptions to this requirement, but the regulations do not currently set out any such additional requirements or

Also effective January 1, 2026, employers cannot include the following in job postings:

- **Requirement for Canadian experience**:
    1. New section 8.3 of the ESA (see *Working for Workers Four Act, 2024*) prohibits employers who advertise a publicly advertised job posting, from including in the posting or in any associated application form, any requirements related to Canadian experience. The legislation makes room for exception to this requirement, but the regulations do not currently set out any exceptions.

Retention of job postings:

Also effective January 1, 2026, employers are required to retain or arrange for some other person to retain, copies of every publicly advertised job posting, and any associated application form, for three years after access to the posting by the general public is removed (see section 7(1) of the *Working for Workers Four Act, 2024*, amending section 15 of the ESA).

Reminder: July 1, 2025 changes

These January 1, 2026, job posting changes follow from changes that came into effect on July 1, 2025, requiring employers with 25 or more employees to provide the following "information re employment" before the employee's first day of work, or as soon after that day as is reasonably possible:

1. "The legal name of the employer, as well as any operating or business name of the employer if different from the legal name.
2. Contact information for the employer, including address, telephone number and one or more contact names.
3. A general description of where it is anticipated that the employee will initially perform work.
4. The employee's starting hourly or other wage rate or commission, as applicable.
5. The pay period and pay day established by the employer in accordance with subsection 11 (1) of the Act.
6. A general description of the employee's initial anticipated hours of work." Reg. 477/24: When Work Deemed To be Performed, Exemptions and Special Rules

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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