

Ontario Tables Major New Employment Reform Law: HR Compliance Alert



Every year at this time, the Ontario Assembly introduces and ultimately passes a bill that makes sweeping and generally pro-employee changes to its employment laws. This year is no exception. Here's a briefing on the 8 things in the newly tabled *Working for Workers Seven Act* ([Bill 30](#)) that Ontario HR directors need to know about.

1. Extension of Temporary Layoffs

In anticipation of the layoffs and restructuring that companies undertake in response to U.S. tariffs, Bill 30 would allow employers to extend temporary layoffs under the *Employment Standards Act* (ESA) to 35 or more weeks in a 52-consecutive week period, provided that the employer and employee agree to and the Employment Standards Director approves the arrangement. The hope is that extended layoffs will allow companies and employees to maintain their long-term employment relationship during hard times.

Action Point: Find out [how to comply with temporary layoff requirements](#) in all parts of Canada.

2. New 3-Day Unpaid Group Termination Leave

As in all provinces, Ontario's ESA requires employers to provide and post special notice when terminating a group of 50 or more employees. Bill 30 proposes a first of its kind twist to [group termination rules](#) by requiring employers to give each affected employee up to 3 days of unpaid leave to carry out job search and other related activities. Companies will also have to furnish affected employees information about provincial government programs for skills training and job search support.

Action Point: Find out [how to comply with group termination requirements](#) in and outside Ontario.

3. Fraudulent Job Postings Protections

If and when Bill 30 passes, operators of job posting platforms will have to create

and implement a written policy on fraudulent publicly advertised job postings, as well as a mechanism or procedure for platform users to report such postings to the person operating the platform.

Action Point: There are [10 hiring and recruiting practices](#) that you should stop using right now. Find out what they are and why they're problematic.

4. Expanded Enforcement Authority of Immigration Inspectors

Working for Workers 7 also includes important immigration law changes that directly impact employment of foreign workers. First, it authorizes government immigration inspectors to require a person to attend an in-person interview separate and apart from other persons, subject to requirements to be set out in the regulations. The objective of separate interviews is to enable interviewees who might be intimidated by the presence of another interviewee to speak candidly.

Action Point: Separate interviews is protocol for investigating not only immigration but just about any HR matter, including suspected [workplace harassment investigations](#).

5. Greater Flexibility for Ontario Immigration Nominee Program Adjustments

Bill 30 would expand the Ontario Immigrant Nominee Program's authority to establish or remove immigrant nomination streams in response to changes to economic conditions and current job market needs. Employers will also be allowed to submit their applications directly and electronically to the new ONIP employer portal that's scheduled to launch this summer.

6. New First Aid Rules for Construction Sites

Among the changes to OHS laws is a new requirement that construction projects with 20 or more workers that are expected to last 3 months or longer have automated external defibrillators (AEDs) to help workers who suffer cardiac arrest at the site. Ontario would thus become the first province to make AEDs mandatory at non-government worksites. The Bill would also create a new WSIB program to reimburse constructors for the costs of purchasing an AED.

Action Point: HR Insider's sister service, OHS Insider, provides an [AEDs Compliance Game Plan](#) for implementing a worksite AEDs program.

7. New Administrative Monetary Penalties for OHS Violations

Bill 30 gives MOL inspectors the authority to issue Administrative Monetary Penalties (AMPs) against companies and individuals that commit OHS violations. The MOL will create regulations establishing AMPs rules and amounts after the legislation passes.

New Workers' Comp Offences & Penalties

Bill 30 adds new enforcement and penal provisions to the *Workplace Safety and Insurance Act* (WSIA), including:

- A rule banning employers from making a false or misleading statement or representation to the WSIB in connection with a person's claim for benefits under the insurance plan and making violators subject to AMPs.
- A provision making failure to pay workers' comp premiums an offence subject to AMPs.
- A list of "aggravating factors" that would lead to increased AMPs amounts.
- A new maximum \$750,000 per conviction fine against persons convicted of 2 or more counts of the same WSIA offence in the same legal proceeding.