Significant Employment Law Changes Proposed In Ontario's Seventh Working For Workers Bill



On May 28, 2025, the Government of Ontario introduced Bill 30, the *Working for Workers Seven Act, 2025*.[1] The legislation was introduced just before the provincial government broke for the summer but is expected to progress through the legislative process quickly once the government sits again in mid-October.

Like its predecessors,[2]this seventh iteration of *Working for Workers* legislation proposes a number of significant amendments to the *Employment Standards Act, 2000,* the *Occupational Health and Safety Act*, and the *Workplace Safety and Insurance Act, 1997*. Below are some key changes employers ought to be aware of.

1. **Proposed Amendments to the *Employment Standards Act, 2000* ("*ESA*")**
    - **Extended Layoffs**: The ESA would be amended to allow for extended lay-offs where an employer, employee, and the Director of Employment Standards agree to it. Lay-offs may be 35 weeks or more in a period of 52 weeks, but cannot exceed 52 weeks in any period of 78 consecutive weeks. The Government of Ontario has said this change was proposed to allow parties to maintain their employment relationship in the face of tariff-related economic slowdown.[3]
    - **Job-Seeking Leave**: A new protected leave would be introduced for employees to engage in activities related to obtaining employment where they have been affected by a mass termination, i.e. a termination involving 50 or more employees in a rolling four-week period. The provision would allow up to three days of unpaid leave during the notice period. However, if an employee is provided with 25% or less of the notice required when terminated in a mass termination, by virtue of receiving pay in lieu of notice, the employee is not entitled to the three days of unpaid leave. Employers will be allowed to ask for evidence for the leave that is reasonable in the circumstances.
    - **Job-Posting Platforms**: New obligations would be introduced for businesses which provide "job-posting platforms". The proposed definition of job-posting platform excludes employers who only advertise job postings for their own business.
        - **New Policy**: Job-posting platforms will need to prepare a written policy respecting fraudulent publicly advertised job postings that includes how the business will address them. The policy must also be

provided on the job posting platform and retained for at least three years after they cease to be in effect.
        - **Reporting Fraudulent Postings**: Job-posting platforms must also ensure that they provide a mechanism or procedure for users to report fraudulent job postings. The mechanism or procedure must be provided on the job-posting platform.

2. **Proposed Amendments to the *Occupational Health and Safety Act* ("*OHSA*")**
    - **Introduction of Administrative Penalties**: A new regime of administrative penalties for violations would be introduced under the *OHSA*. This significant change would provide inspectors appointed to enforce the *OHSA* the discretion to issue monetary penalties for contraventions or failures to comply with the legislation, in addition to issuing an Order or charging the business with an offence. A similar system is already in place in other jurisdictions, including for federally-regulated workplaces. Notable features of the regime include:
        - Where a business receives an administrative penalty and pays the fine, they cannot be charged with an offence with respect to that same contravention;
        - Employers will have the opportunity to seek review of an administrative penalty;
        - Administrative penalties may be published and made public by the Minister of Labour; and
        - The exact amount for the penalties would be prescribed by regulation.
    - **Defibrillators**: The OHSA would provide for the reimbursement of the cost of automated external defibrillators (AEDs), by the Workplace Safety and Insurance Board (WSIB), for certain employers to be prescribed by regulation. The Government of Ontario has indicated that it is their intention to make it mandatory for construction projects with 20 or more workers, and that will exceed three months, to have defibrillators on site.[4]

3. **Proposed Amendments to the *Workplace Safety and Insurance Act, 1997* ("*WSIA*")**
    - **False or Misleading Statements**: For employers, a new prohibition would be added to the *WSIA* against making either false or misleading statements to the WSIB in connection with an employee's claim for benefits.
    - **New Offences and Penalties**: A new offence would be added to the *WSIA* for employers who fail to pay premiums in accordance with a notice provided by the WSIB under the *Act*. There would also be administrative penalties introduced for:
        - failing to pay premiums when they become due;
        - making a false or misleading statement; or
        - failing to keep accurate wage records in Ontario or produce them when required in accordance with the *WSIA*.
    - **Increased Maximum Fine**: A new, increased maximum fine of up to $750,000 per conviction may be introduced where a person under the *Act* is convicted of two or more counts of the same offence, in the same legal proceeding.

What's Next?

The proposed amendments in the *Working for Workers Seven Act, 2025* have not yet been passed into law but if prior iterations of the legislation are any indication, it will progress through the legislative process quickly and with few revisions.

If passed, almost all of the newly proposed changes would come into force on the date the Bill receives Royal Assent. The changes concerning job-posting platforms would come into force on January 1, 2026.

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.

Authors: Andrew Gould, Felisha Jagiah

Fasken