

The latest Ontario labour initiative announced by Premier Kathleen Wynne on May 30, 2017 brings many changes to Ontario's labour and employment laws as part of a plan to create fairer and better workplaces to help all employees get ahead in a changing economy.

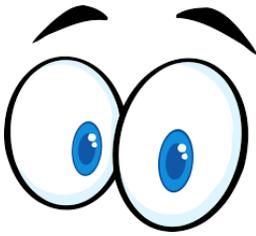
**Don't be afraid!** These changes are proposed only and will need to pass through legislation to be enacted. We will keep you informed of these changes as they become law, and work with you to manage the many challenges that no doubt yours and other businesses will face as a result.

Outlined below are the 5 key elements of the proposed changes:

<b>EMPLOYMENT STANDARDS ACT:</b>	<ol style="list-style-type: none"> <li> <b>1. Increasing minimum wage</b>  <i>Current: Minimum wage is at \$11.40 with an increase to \$11.60 in October 2017.</i>  <b>NEW: Ontario's minimum wage will increase to \$14 per hour on January 1<sup>st</sup>, 2018 and then to \$15 per hour on January 1, 2019. Standard increases will apply annually thereafter at the rate of inflation. This increase <u>does not</u> apply to students.</b> </li> <li> <b>2. Expansion of Personal Emergency Leave</b>  <i>Current: Employees in large organizations of 50 or more employees are entitled to ten (10) unpaid emergency leave days per year. Employers are permitted to ask for a doctor's note to support the absence of an employee who uses a personal emergency leave day.</i>  <b>NEW: All workers will be given ten (10) personal emergency leave days a year. A <u>minimum of two (2) of these days must be paid.</u> It is proposed that employers will no longer be permitted to request a doctor's note from an employee taking a personal emergency leave day – it will be interesting to see if the legislation passes this!</b> </li> <li> <b>3. Increase in Vacation Time</b>  <i>Current: All employees are entitled to a minimum of 2 weeks' (10 days) vacation time after 1 year of service with an employer. Vacation pay is currently calculated at 4% of gross wages.</i>  <b>NEW: After 5 years of service with the same employer, the minimum vacation time for workers will increase to 3 weeks' (15 days) vacation. This will mean vacation pay will need to be calculated at 6% of gross wages.</b> </li> <li> <b>4. Fairer Employee Scheduling – the 3 hour rule</b>  <i>Current: When an employee who regularly works more than 3 hours per day is required to report to work but works less than 3 hours, they must be paid either 3 hours at minimum wage or their regular wage for the hours they did work, whichever amount is higher.</i>  <b>NEW: Employees will be paid for three (3) full hours of work at their regular wage if their shift is cancelled within 48 hours of its scheduled start time.</b> </li> <li> <b>5. Equal Pay for Equal Work</b>  <i>Current: Part-time, temporary, casual and seasonal employees are paid at lower rates than full-time employees.</i>  <b>NEW: Equal pay will mandate that part-time, temporary, casual and seasonal workers doing the same job as full-time employees be paid equal pay. This also applies to temporary help agency employees doing the same job as permanent employees at the client companies.</b> </li> </ol>
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**OTHER  
PROPOSED  
CHANGES THAT  
WE ARE  
WATCHING:**



- **Simplify scheduled overtime:** To ease overtime needs for employers, simplifying the public holiday pay calculation so that it is easier to understand and process, and removing the requirement for employers to seek approval from the ministry for employees working 48 to 60 hours a week
- **Expand what “employee” means:** As contract work becomes more common, expanding the definition of an employee to include “dependent” contractors – those who primarily rely on a single employer – and giving them expanded protections
- **Make it easier to unionize:** Modernizing rules for creating unions including making it easier to organize, giving employers equal opportunity to make statements to employees, and allowing more occupations should be allowed to unionize, including legal and medical professionals
- **Increase enforcement:** Strengthening enforcement with the addition of 150 new workplace inspectors — doubling the Ministry of Labour’s current complement - to proactively ensure employers are compliant with the legislation
- **Streamline legislation:** Merging Ontario’s three employment-focused acts – *the Employment Standards Act, the Labour Relations Act and the Occupational Health and Safety Act* - into one “**Workplace Rights Act,**” and conducting a review of that act every five to seven years to regularly discuss workplace and economic developments

### So, when will all these changes be effected?

Other than the minimum wage dates set for 2018 and 2019, the Premier did not specify when these other labour laws would be effected. It is proposed that they will be brought into the legislature in the summer and fall of 2017, and be made law by January 1<sup>st</sup>, 2018. However, it could be as long as 12 months before all the changes are legally in place and in force. Stay tuned!

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help?

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*We can help with all your human resources and health and safety needs!*

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