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# Fast Facts

BULLETIN 82 | FRIDAY, MAY 17, 2024

## Legislative Updates

### *Working for Workers Five Act, 2024*

In another huge announcement, the Ontario Government has recently introduced further proposed changes to key pieces of workplace legislation in the Province, following on rapidly from the four previous *Working for Workers Acts*, [2021](#), [2022](#), [2023](#) and [2024](#).

Bill 190, *Working for Workers Five Act, 2024* has passed its 1st reading on May 6, 2024. Primarily, the Bill proposes several amendments to the *Employment Standards Act, 2000* (ESA) and the *Occupational Health and Safety Act* (OHSA) which could have big implications for Ontarian Employers and current business practices.

As the Bill stands, the following changes are proposed:

#### **To the ESA:**

##### Increased Fines and Penalties:

- Maximum fine for an individual convicted of violating the ESA would be doubled, from \$50,000 to \$100,000.
- The penalty for repeat offenders - those who have contravened same provision of the ESA 3 or more times - would increase from

\$1,000 to \$5,000.

#### Recruitment Practices:

- Job Posting Requirements: All **larger** employers would be required to include a clear statement in their publicly advertised job postings as to whether the position is for an existing vacancy or for future openings.
- "Duty to Inform" Applicants: **Larger** employers will be obligated to respond to candidates whom they have interviewed with "certain prescribed information". The employer would also be required to retain copies of this information for three years.

At this stage, it is unclear which Employers these proposed changes would apply to, or what information would need to be shared with candidates in recruitment processes, and at what stage of the process - i.e, first interview, final interview etc. However, in a [news release](#) on May 3, the Government stated that they plan to consult on these changes to avoid undue hardship on employers, such as consulting on the size of the business that these measures would apply to, and the most efficient way to respond to jobseekers once a position has been filled, such as through an automated process.

#### Prohibition on Sick Note for ESA Sick Leave:

- Employers would be prohibited from mandating that employees provide a sick note from a qualified health practitioner as evidence for ESA (statutory) sick leave.
- The proposal would not prevent Employers from seeking a medical note for reasons relating to employee accommodation.

#### **To the OHSA:**

In line with some other recent amendments made by the Ontario Government, Bill 190 looks set to make key changes to the *Occupational Health and Safety Act* in an effort to bring it in line with the current digital age.

The change that may have the most impact on Employers is the proposal to have the Act apply to employees performing work remotely in a private residence. It remains to be seen what further direction the Ontario Government will provide on how this will affect an Employer's health and safety responsibilities for employees working at home.

HRPAR will provide further updates on how Bill 190 develops as it passes through each reading stage towards Royal Assent.

For more information on this Act, click [here](#).

As we head into the long weekend, our team at HR Performance & Results would like to wish everyone a bright and happy Victoria Day long weekend! Stay safe and enjoy the sunshine!

# Upcoming Training

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## Dealing with Difficult People

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Theodore Roosevelt once said, “The single most important ingredient of success is knowing how to get along with people.” However, most people would agree that it isn’t as easy as it sounds when it comes to getting along with certain people. In fact, it can be incredibly stressful dealing with difficult people! This workshop has been designed for immediate application of practical strategies that participants can use when dealing with difficult people in the workplace.

### Agenda:

- What is a difficult person and what makes them difficult?
- Types of difficult people in the workplace
- Difference between difficult people and workplace bullies
- The importance of non-verbal communication skills
- What if I’m the difficult person?
- Strategies to deal with difficult people and how to practically apply them

### **DATE & TIME:**

Thursday, June 13, 2024

8:30 a.m. - 12:30 p.m.

### **LOCATION:**

HRPAR Office or Virtually (Zoom)

### **PRICE:**

**\$249.00 (+HST)**

REGISTER NOW

# Blog

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MAY 7, 2024

HEALTH & SAFETY

## Who is Responsible for Workplace Health and Safety?

Everyone in the workplace has a duty to ensure the safety and wellbeing of the workplace. In Ontario, the OHS Act sets out the duties of all workplace parties and helps employers to establish a strong Internal Responsibility System (IRS) in the workplace.

Employers hold the greatest responsibility. They must provide a safe and well-maintained working environment by...

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**Toronto** (416) 987-4163

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**OFFICE HOURS**

Monday - Friday 8:30 AM - 5:00 PM

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