Human Resources Legislative Update

New Legislation to Amend *Employment Standards Act, 2000*

Date: May 17, 2010

On May 17, 2010, the Ontario government introduced Bill 68, the *Open For Business Act, 2010*, omnibus legislation that would amend various acts, including the *Employment Standards Act, 2000*. If passed, these amendments would in part:

- allow the Director of Employment Standards to require claimants to provide specific information and let their employer know about their Employment Standards complaint before the claim is assigned to an officer;
- authorize employment standards officers to attempt settlements of complaints; and
- allow officers to make decisions on claims when parties fail to attend decision-making meetings or provide evidence on time.

According to the government Backgrounder, these amendments are proposed in support of the Ministry of Labour's initiative to "advance fairness in the workplace and modernize its Employment Standards program", which include:

- launching a task force in August 2010 to eliminate the backlog of 14,000 claims in two years;
- the new online severance pay decision tool for employers and employees; and
- the future launch of a termination of employment/temporary layoff tool that determines when a layoff becomes a termination, the termination date and any termination pay owing.