

Human Resources Legislative Update

Ontario to Introduce Significant Amendments to Employment and Labour Laws

Date: May 30, 2017

On May 30, 2017, the Ontario government announced its intention to introduce *The Fair Workplaces, Better Jobs Act, 2017* (Act), omnibus legislation proposing a series of broad ranging, significant amendments to Ontario's *Employment Standards Act, 2000* and *Labour Relations Act, 1995*.

[According to the government's announcement](#), the Act will contain a package of proposed legislative measures. These include:

- increasing Ontario's general minimum wage to \$14 per hour on January 1, 2018, and then to \$15 on January 1, 2019, followed by annual increases at the rate of inflation
- mandating equal pay for part-time, temporary, casual and seasonal employees doing the same job as full-time employees, and for temporary help agency employees doing the same job as permanent employees at the agencies' client companies
- expanding existing personal emergency leave to include an across-the-board minimum of at least two paid days per year for all workers
- increasing vacation to at least three weeks after five years of employment with a company
- requiring employees to be paid for three hours of work if their shift is cancelled within 48 hours of its scheduled start time.

Further measures include:

- expansion of family leaves
- addressing employee misclassification issues
- hiring of up to 175 more employment standards officers
- launching an education program for both employees and small and medium-sized businesses about their rights and obligations under the *Employment Standards Act, 2000*.

Key proposals for legislative change to Ontario's labour relations framework include, among other things:

- establishing card-based union certification for the temporary help agency industry, the building services sector and home care and community services industry
- significant reforms to the union certification process that would eliminate certain conditions for remedial union certification, make access to first contract arbitration easier and add an intensive mediation component to the process
- allowing for union access to employee lists and certain contact information under certain conditions
- reform of certification vote rules.

Other labour-related proposals would implement changes to successor rights provisions, bargaining unit structure, return-to-work rights and procedures following a strike and just cause protections.

Premier Wynne has indicated that the government intends to introduce the legislation within the next couple of days.

We are in the process of reviewing the government's [Background on the Act](#) and will be publishing a more detailed discussion of this package of proposed legislative measures on our website shortly.

For further reading on the Changing Workplaces Review, please read our recent prior publications:

- [Changing Workplaces Review Final Report – Focus on Employment Standards](#) (May 25, 2017)
- [Changing Workplaces Review Final Report – Focus on the Labour Relations Act, 1995](#) (May 24, 2017)