

Human Resources Legislative Update

Ontario Introduces Pay Transparency Legislation

Date: March 7, 2018

On March 6, 2018, the Ontario government introduced Bill 203, [Pay Transparency Act, 2018](#), which creates certain requirements for employers regarding compensation information and its disclosure to employees and potential employees. If passed, Bill 203 would, among other things:

- prohibit employers from seeking the compensation history regarding a potential employee, although that person may voluntarily make such a disclosure
- require job postings to include information about expected compensation or the range of expected compensation for the position
- require prescribed employers to prepare a pay transparency report that complies with the regulations, is for a prescribed reporting period and contains prescribed information relating to:
 - the employer
 - the composition of the workforce
 - the differences in workplace compensation regarding gender and other characteristics
- require employers to submit the pay transparency report to the Minister and post it online or in a conspicuous location in the workplace
- permit the Minister to publish the pay transparency report
- prohibit anti-reprisal measures taken by the employer regarding inquiries or disclosures made by employees under the legislation and allow an affected employee who believes reprisal has taken place to have the matter dealt with by arbitration or through filing a complaint with the Ontario Labour Relations Board
- appoint compliance officers with the requisite powers and duties, among other things, to conduct compliance audits and investigations in the course of those audits.