

Human Resources Legislative Update

Reminder: Equal Pay for Equal Work Provisions in Force April 1, 2018

Date: March 21, 2018

On April 1, 2018, amendments to the *Employment Standards Act, 2000* regarding equal pay for equal work will come into force.

Among other things, the provisions prohibit employers from paying different rates of pay to their employees because of a difference in employment status, where the employees perform substantially the same kind of work in the same establishment, the performance of the work requires substantially the same skill, effort and responsibility, and the work is performed under similar working conditions.

The legislation permits a differential pay rate to be justified on certain objective grounds.

Employees will have a right to request a review of their rate of pay, without reprisal, and employers will be required to respond by either increasing the pay rate or providing a written explanation of the differential.

Also as of April 1, 2018, temporary help agencies will be prohibited from paying an assignment employee who is assigned to perform work for a client at a rate of pay less than the rate paid to an employee of the client where they perform substantially the same kind of work in the same establishment, their performance requires substantially the same skill, effort and responsibility, and their work is performed under similar working conditions.

For more information, see our *FTR Now* of December 5, 2017 [The Road Ahead: Are You Prepared for Bill 148?](#)