

## Human Resources Legislative Update

# New ESA Regulations Exempt Crown Employees from Hours of Work/Overtime Provisions of ESA; Reduce Penalties for Notices of Contravention

**Date:** October 25, 2018

On October 24, 2018, the Ontario government filed two regulations made under the *Employment Standards Act, 2000* (ESA).

[O. Reg. 448/18](#) amends [O. Reg. 285/01 \(When Work Deemed to be Performed, Exemptions and Special Rules\)](#) to exempt Crown employees from the hours of work/eating periods and overtime provisions of the ESA. Specifically, the exemption applies to “a person whose employer is the Crown, a Crown agency or an authority, board, commission or corporation all of whose members are appointed by the Crown.”

O. Reg. 448/18 came into force on October 24, 2018.

[O. Reg. 450/18](#) amends [O. Reg. 289/01 \(Penalties and Reciprocal Enforcement\)](#) to reduce the penalties for notices of contravention under the ESA. O. Reg. 450/18 comes into force on January 1, 2019.