

## FTR Now

# Ministry of Labour Publishes New ESA Poster

**Date:** January 8, 2019

The [Ministry of Labour has published](#) a revised version of the [ESA poster \(Version 8.0\)](#) to reflect the recent changes to the *Employment Standards Act, 2000* made by Bill 47, *Making Ontario Open for Business Act, 2018*. Employers are required to post the poster in a conspicuous place in the workplace, among other things.

The poster summarizes certain ESA standards and indicates that readers may contact the MOL or refer to its website to learn more about their rights. Currently, employers are required to:

- post the most recent copy of the ESA poster (Version 8.0) in a conspicuous place where it is likely to come to the attention of employees
- provide a copy of the most recent poster to each employee
- provide a copy of the poster to each new hire within 30 days of their hiring date
- post a copy of the poster in English, but if the majority language spoken in the workplace is other than English and the MOL has published a poster in that language, a copy of that poster is to be displayed alongside the English version.

Failure to post the most current version of the poster, or to comply with the posting obligations listed above, is a violation of the ESA. The obligation to provide the new poster to all employees can be met by providing a physical copy, a copy electronically by email or by other electronic means where the employee is directed to a link to the poster and is capable of accessing it and printing it. (The Crown and certain public bodies are exempt from this requirement.)

Employers should note that Bill 66, *Restoring Ontario's Competitiveness Act, 2018*, introduced by the Ontario government on December 6, 2018, would remove the obligation for employers to post the poster in the workplace. Employers would still be obligated to provide a copy of the poster to their employees. Bill 66 would also transfer responsibility for the poster from the Minister of Labour to the Director of Employment Standards.

Bill 66 is currently at First Reading and will not be considered again until the Legislature resumes sitting on February 19, 2019. We will continue to monitor its progress. Until the Bill is passed, the obligation for employers to post continues.

A summary of the changes introduced by Bill 66 is discussed in our *FTR Now* of December 7, 2018 [More Changes to Workplace Laws Are on the Horizon for Ontario Employers](#).

For a complimentary ESA Compliance Checklist prepared by Hicks Morley, or if you have any questions about Bill 47 or Bill 66, please contact [your regular Hicks Morley lawyer](#).