

Human Resources Legislative Update

Ontario Seeking Input on Temporary Help Agency Consultations

Date: December 10, 2020

The Ontario government is seeking input from interested parties on a broad range of questions relating to temporary agencies and their obligations under the *Employment Standards Code, 2000* (ESA). In this regard, it has posted [Temporary Help Agency Consultations](#).

The consultations focus on the non-compliance of those temporary help agencies that operate “underground”, putting “law-abiding agencies and employers at a disadvantage.” For example, the government states those agencies often employ vulnerable workers who are paid less than minimum wage and do not receive other entitlements under the ESA.

The Ministry of Labour, Training and Skills Development is therefore considering creating a registry for temporary help agencies. The objectives of the registry would be, among other things, to ensure compliance with the ESA and impede the ability of temporary help agencies to operate underground. There would be penalties for failure to register.

The Ministry has posted a [Consultation Paper](#) which asks interested parties to provide feedback on a number of specific questions relating to the efficacy of a registry, appropriate penalties for non-compliance of agencies and their clients, and other alternative models, such as licensing requirements.

Feedback is requested by Friday, January 29, 2021.

Should you wish to make submissions in this consultation process and require assistance, please contact your Hicks Morley lawyer.