Human Resources Legislative Update

Reminder: Employers to Have Disconnecting from Work Policies in Place by June 2, 2022

Date: May 18, 2022

As we noted previously, the Ontario government has passed Bill 27, *Working for Workers Act, 2021*. Among other things, Bill 27 amends the *Employment Standards Act, 2000* (*ESA*) to require employers with 25 or more employees to have a written policy with respect to disconnecting from work, as defined. (For more information about Bill 27, please see our *FTR Now* of October 26, 2021, Ontario Proposes Significant Changes to *ESA* and Other Employment-Related Legislation, as well as our *FTR Now* of December 1, 2021, Ontario Passes Bill 27, *Working for Workers Act*, As Amended at Committee.)

Employers with 25 or more employees as of January 1, 2022 have until **June 2, 2022** to have a written policy with respect to disconnecting from work (Policy) in place. Beginning in 2023, employers who meet the 25 or more employee threshold on January 1 of each year must have a Policy in place before March 1 of that year.

The requirement to have a Policy applies to all employees and employers covered by the *ESA* except the Crown, a Crown agency or authority, board, commission or corporation whose members are all appointed by the Crown and their employees.

The Ontario Ministry of Labour, Training and Skills Development has updated its online guide to the *Employment Standards Act* to include a chapter on written policy on disconnecting from work. For more information about what is contained in the chapter, please see our *FTR Now* of February 22, 2022, Ministry Updates *ESA* Guide on Disconnecting from Work Policies and Non-Compete Agreements.

Hicks Morley's lawyers are uniquely positioned to help craft a Policy with your organization's workforce and operations in mind. Should your organization require assistance, please contact your regular Hicks Morley lawyer.