

MINKEN

EMPLOYMENT LAWYERS

Your Work is Our Business

Proposed Changes to the *Employment Standards Act, 2000*

Bill 148: *Fair Workplaces, Better Jobs Act, 2017*

Minimum Wage Increases

	Current	Oct. 1, 2017	Jan. 1, 2018	Jan. 1, 2019
General Minimum Wage	\$11.40/hr	\$11.60/hr	\$14.00/hr	\$15.00/hr
Students under 18, working less than 28 hrs/week when school is in session or working during a school holiday	\$10.70/hr	\$10.90/hr	\$13.15/hr	\$14.10/hr

Equal Pay for Equal Work

- Casual, part-time, temporary, and seasonal employees must be paid the same as full-time employees when performing the same job for the same employer.

Employee Misclassification

- Penalties for employers who misclassify their employees as independent contractors, including prosecution, public disclosure of a conviction, and monetary fines.

Paid Vacation

- Employees will be entitled to 3 weeks of paid vacation after 5 years working for the same employer.

Expansion of Leaves

- Employees will be entitled to 10 Personal Emergency Leave days per year and 2 of those days must be paid.
- Employers will not be able to request a certificate from a qualified health practitioner from an employee who takes Personal Emergency Leave.

- Family Medical Leave will be increased from 8 weeks in a 26 week period to 27 weeks in a 52 week period.

- Two separate leaves are created: Child Death Leave, and Crime-Related Child Disappearance Leave.

Increased Penalties for Non-Compliance

- Increased monetary penalties that Employment Standards Officers can issue to employers for breaching the *Employment Standards Act, 2000*.
- The Ministry of Labour will be able to publically publish (including online) the name of the individual who was issued a notice of contravention, a description and date of the contravention, and the amount.

Increased Enforcement

- Ontario is planning on hiring up to 175 more Employment Standards Officers, allowing it to inspect 1 out of every 10 workplaces.
- There will also be a program launched to educate employees, and small and medium-sized businesses on their rights and obligations under the *Employment Standards Act, 2000*.