



e2r Alert!

Ontario *Working For Workers Four Act, 2023* - Update

On March 21, 2024, the Ontario government passed the *Working For Workers Four Act, 2023*. This legislation was originally introduced on November 14, 2023 and comes after several Working for Workers legislative amendments over the last few years.

The key amendments of the *Working For Workers Four Act, 2023* include:

Restaurant and Service Workers

In force as of March 21, 2024: Ontario employers will be required to provide greater protections for workers in the hospitality industry by:

- Banning unpaid trial shifts; and
- Banning employers from deducting or withholding from an employee's wages in the event a customer leaves without paying.

In force as of June 21, 2024:

- If a policy is in place with respect to tips and gratuities where the employer shares in a "tip pool", employer must post a copy of the policy in at least one conspicuous place and retain a copy of the policy for at least three years after it is no longer in effect.

Vacation Pay

In force as of June 21, 2024: Ontario employers are required to have employees sign an agreement to allow for "alternate pay arrangements". This is to ensure employees are aware that their written agreement is required if vacation pay is paid in any way other than a lump sum before their vacation.

Recruitment

These changes will come into force on a day to be named by proclamation of the Lieutenant Governor.

A new section in the *Employment Standards Act, 2000* will require Ontario employers to include the expected compensation or the range of expected compensation for the position in job postings and disclose if artificial intelligence (AI) is used during their hiring process in the job posting.

Additionally, employers are not permitted to include requirements related to Canadian experience in a publicly advertised job posting or associated application form.

Employers will be required to keep copies of all publicly advertised job postings for three years after access to the postings by the general public is removed.

Workplace Safety and Insurance Board

These changes will come into force on a day to be named by proclamation of the Lieutenant Governor.

The concept of “super indexing” is introduced to allow for benefits to increase greater than the rate of inflation. In addition, the amendment includes improved cancer coverage for firefighters and fire investigators.

Takeaways

Ontario employers must immediately take note of the changes already in force and plan for those that take effect on June 21, 2024. Stay tuned for a future e2r™ Alert regarding the effective date of the other key amendments.

As always, if you have any questions, please contact ClientCare to schedule a call to discuss with an Advisor.