



# What's New in HR Law

## ***Making Ontario Open for Business Act – Proposed Employment and Labour Legislation Amendments***

October 23, 2018

### **BOTTOM LINE**

On October 23, 2018, the Ontario government introduced the *Making Ontario Open for Business Act*, which is intended to repeal many of the amendments to the *Employment Standards Act, 2000* made by the *Fair Workplaces, Better Jobs Act, 2017*, known as “Bill 148”.

The government has indicated that the *Making Ontario Open for Business Act* is intended to stimulate job growth and investment in the province by lightening some of the statutory obligations that Bill 148 placed on Ontario businesses.

Some of the most significant proposed amendments to the *Employment Standards Act, 2000* include:

- Keeping the current minimum wage at \$14.00 on January 1, 2019
- Repealing some of the recently introduced scheduling provisions which were slated to come into force on January 1, 2019
- A complete overhaul of the personal emergency leave provisions, including removal of the prohibition on employers requiring medical certificates in support of an absence

- Repealing the equal pay for equal work provisions on the basis of employment status, maintaining the requirement for equal pay on the basis of sex

If passed, the *Making Ontario Open for Business Act* will introduce amendments to the *Labour Relations Act, 1995*, including:

- Repealing the recently introduced employee list provisions that required employers to disclose their employees' personal contact information to a union, even if only 20% of the employees showed interested in joining the union
- Reinstating the pre- *Fair Workplaces, Better Jobs Act, 2017* tests and preconditions for the Ontario Labour Relations Board (the "OLRB") to grant remedial certification
- Empowering the OLRB to review the structure of bargaining units where the existing bargaining units are no longer appropriate for collective bargaining

For a comprehensive list of the proposed amendments to both the *Employment Standards Act, 2000* and the *Labour Relations Act, 1995*, the Ontario government has published the following news release: <https://news.ontario.ca/mol/en/2018/10/open-for-business-removing-burdens-while-protecting-workers.html>

The amendments proposed by the *Making Ontario Open for Business Act*, should the legislation pass, will significantly alter employment relationships once again. We will continue to monitor the progress of the *Making Ontario Open for Business Act* and will post updates as it proceeds through the legislative process.

## Need more information?

Contact [Derek Klatt](#) at 416-408-5506, or your regular lawyer at the firm.



management labour and employment law



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