



# **Ontario: Requirements for Mandatory Policies, Training and Postings**

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# Posting: Employment Standards Act, 2000

Link to the poster:

<http://www.labour.gov.on.ca/english/es/pdf/poster.pdf>

The poster is prepared by the Minister of Labour to help ensure employers understand their minimum obligations and employees know their rights.

Employers must:

- post this poster and keep it posted in its workplaces where it is likely to come to attention of employees in that workplace,
- provide all employees with a copy of the poster within 30 days of the date the individual commences employment, and
- distribute to current employees ASAP if not previously distributed.

Employers may provide poster as:

- a printed copy,
- an email attachment, or
- a link on an internet database, but only if the employer ensures that employee has the ability to access the database and print the poster.

If English is not the majority language of the workplace, then the poster must also be posted in the majority language (if made available by the Minister).



**Employment Standards in Ontario**  
The Employment Standards Act, 2000 (ESA) sets minimum standards for most workplaces in Ontario. Special rules and exemptions apply to certain employees.

**What you need to know**

**Employers are prohibited from penalizing employees in any way for exercising ESA rights.**

**Hours of Work and Eating Periods:** There are daily and weekly limits on hours of work. Employees may work more if certain conditions are met. Employees must not work more than 5 consecutive hours without a 30-minute meal break. Learn more at [Ontario.ca/hoursofwork](http://Ontario.ca/hoursofwork).

**Overtime Pay:** Overtime is payable after 44 hours of work in a week for most jobs. The overtime rate must be at least 1½ times the regular rate of pay.

**Minimum Wage:** Most employees are entitled to be paid at least the minimum wage. For current rates visit [Ontario.ca/minimumwage](http://Ontario.ca/minimumwage).

**Payday:** Employees must be paid on a regular payday and receive a wage statement.

**Vacation Time and Pay:** Most employees earn at least 2 weeks of vacation time after every 12 months. They must be paid at least 4% of the total wages they earned as vacation pay.

**Public Holidays:** Ontario has 9 public holidays each year. Most employees are entitled to take these days off work and be paid public holiday pay.

**Leaves of Absence:** There are a number of job-protected unpaid leaves of absence including pregnancy, parental, family caregiver, and personal emergency leave.

**Termination Notice and Pay:** In most cases, employers must give advance written notice when terminating employment and/or termination pay instead of notice. Learn more at [Ontario.ca/terminationofemployment](http://Ontario.ca/terminationofemployment).

**Other ESA Rights and Special Rules:** There are other rights as well as special rules not listed on this poster including rights to severance pay and special rules for assignment employees of temporary help agencies.

**Contact the Ministry of Labour for more information**  
Call us at 416-326-7160, 1-800-531-5551, TTY 1-866-567-8893, or visit our website at [Ontario.ca/employmentstandards](http://Ontario.ca/employmentstandards). Information is available in multiple languages.

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Ontario

NOTE: According to the Ontario Ministry of Labour, posters sold by private companies **do not comply** with posting requirements.

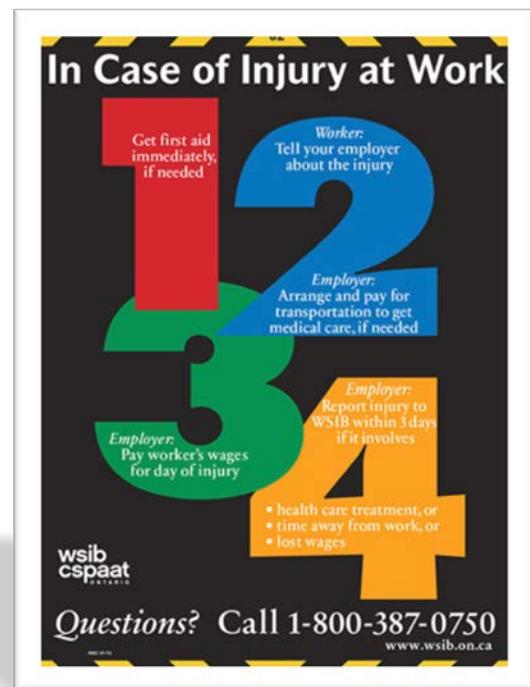
## Posting: Workplace Safety and Insurance Act, 1997

Employers who are covered by the *Workplace Safety and Insurance Act, 1997* must post up and keep posted the “In Case of Injury” Poster (Form 82) in conspicuous places in the workplace.

Poster can be accessed on the Workplace Safety and Insurance Board (WSIB) website at:

<http://www.wsib.on.ca>

Employers must post information concerning the *Workplace Safety and Insurance Act, 1997* and the Regulation as required by the WSIB.



NOTE: According to the Ontario Ministry of Labour, posters sold by private companies **do not comply** with posting requirements.

# Posting: Occupational Health and Safety Act, 1990 (“OHSA”)

Employers must post this poster in the workplace:

[http://www.labour.gov.on.ca/english/hs/pdf/poster\\_prevention.pdf](http://www.labour.gov.on.ca/english/hs/pdf/poster_prevention.pdf)

The poster outlines the rights and responsibilities of workers, supervisors and employers on the job and provides a Ministry of Labour telephone number (1-877-202-0008) to report critical injuries, fatalities, work refusals and to obtain information about workplace health and safety.



NOTE: According to the Ontario Ministry of Labour, posters sold by private companies **do not comply** with posting requirements.

# Posting and Policy: OHSA

## Posting the Act

Employers must post a copy of *OHSA* in a conspicuous location in their workplaces (link to the *OHSA*):

<https://www.ontario.ca/laws/statute/90o01>)

A copy of *OHSA* may be purchased from Service Ontario here:

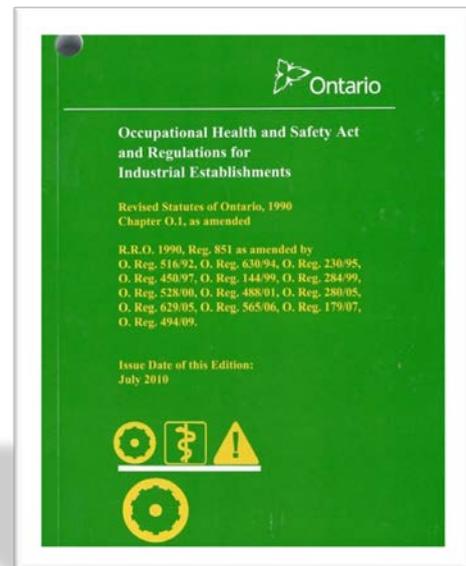
<https://www.publications.serviceontario.ca/pubont/servlet/ecom/MainServlet?selectedLocale=en>

*OHSA* requires employers to post a Notice of Compliance with an Order.

## Health and Safety Policy

The *OHSA* also requires employers to prepare and review, at least once a year, a written occupational health and safety policy, and to develop and maintain a program to implement that policy.

The policy must be posted at a conspicuous location in the workplace.



# Establishing and Posting: Joint Occupational Health and Safety Committee

Employers must post and keep posted the names and work locations of members of the joint health and safety committee or representative in a conspicuous place in the workplace where they are most likely to come to the attention of workers.

A committee is required in each workplace that employs 20 or more workers. Committee membership is equally divided between employee and employer representatives. In workplaces with 20 to 49 workers the committee must have two (2) members for workplaces with 50 or more workers, the committee must have four (4) members.

In workplaces where the number of workers exceeds 5 but is fewer than 20, the workers must select, from among themselves, one person to be a “health and safety representative” who is committed to improving health and safety conditions in the workplace

Any health and safety representative must be selected by workers at the workplace who do not exercise managerial functions.

## 0-5 Workers

- No committee or representative required

## 6-19

- Health and safety representative required

## 20-49

- Joint health and safety committee with 2 members required

## 50+

- Joint health and safety committee with 4 members required

# Policy, Training and Posting: Health and Safety Awareness and Workplace Violence

## Health and Safety Awareness Training (OHSA)

Employers must ensure that employees complete a basic occupational health and safety awareness training program.

Employers must maintain a record of training completed by workers and supervisors.

Ontario Ministry of Labour provides a number of resources and tools to help workplaces comply with the training requirements.

See the Ministry's Fact Sheet for links to these resources:

[http://www.labour.gov.on.ca/english/hs/sawo/pubs/fs\\_trainingreg.php](http://www.labour.gov.on.ca/english/hs/sawo/pubs/fs_trainingreg.php)

## Workplace Violence Training and Policy (OHSA)

As of 2010, Employers must implement and post a workplace violence policy in a conspicuous location in the workplace and provide workplace violence training.

Employers must conduct risk assessment to determine risk of violence in the workplace and re-assess as often as necessary.

Supervisors and employees must be trained, and training must include information about recognizing workplace violence, safety procedures and prevention.

Training should be repeated whenever there is a significant change to the workplace violence policy or if new circumstances arise.

# Policy, Training and Posting: Workplace Harassment and Sexual Harassment

Effective September 8, 2016, employers have new obligations (Bill 132 - OHS) with respect to the prevention, training, investigation and resolution of workplace harassment issues, particularly workplace sexual harassment. "Workplace sexual harassment" is now specifically defined in the *OHS*.

Bill 132 requires that employers, in consultation with the health and safety committee:

- implement a specific written policy in the workplace;
- develop a workplace harassment program; and
- provide adequate training and instruction on the policy and program.

The policy must:

- be prepared by the employer, posted in a conspicuous place in the workplace, and reviewed by the employer as often as necessary but at least annually;
- define harassment and sexual harassment as they appear in *OHS*;
- include statements about the employer's commitment to addressing workplace harassment, that the policy applies to all workers and addresses all sources of harassment, and that reasonable management is not harassment; and
- state that the employer will investigate incidents/complaints of harassment and will not penalize or reprimand against an employee who reports harassment or participates in an investigation.

The program must:

- be developed and maintained in consultation with the occupational health and safety committee or representative;
- include measures and procedures for workers to report incidents /complaints of workplace harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser;
- set out how incidents /complaints of harassment will be investigated and dealt with;
- set out how information obtained about an incident /complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law; and
- set out that a worker who has allegedly experienced harassment and the alleged harasser, if he or she is a worker of the employer, will be informed in writing of the results of the investigation and any corrective action that has been or will be taken as a result of the investigation.

# Policy, Training and Posting: Accessibility Requirements for All Organizations

A number of employment requirements are set forth under the Integrated Accessibility Standards (“IAS”) under the *Accessibility for Ontarians with Disabilities Act* (“AODA”). The following are in force and required for all businesses in Ontario regardless of their size.

## **Accessible Customer Service**

- Create a Customer Service Policy. The policy is intended to outline what actions the employer taking to comply with the AODA and what Ontario customers can expect from the employer regarding accessibility.
- Create an Accessibility Plan so that employees, volunteers and customers know what to expect.
- Except in the case of a small employers with less than 20 employees, a notice that the policy and plan are available to the public must be posted on the employer’s website or in such a place as reasonable .
- Self-service kiosks, if any, must also be accessible.

## **Emergency Response Information**

- The employer needs to make available to the public, upon request, emergency and safety information in accessible formats .The employer must also provide accessible emergency information to staff.

## **File Accessibility Compliance Reports**

- An Accessibility Compliance Report must be filed every 3 years (except for employers with less than 20 employees) and must confirm that the employer has met the requirements under the AODA as they apply to them at the time. The employer must fill out and file the form to comply, available here: <http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=0057&NO=009-0057E>

## **Multi-Year Plan and Accessibility Policy**

- The employer must create a multi-year accessibility plan and accessibility policies. The accessibility policies demonstrate the employer’s commitment to become more accessible and the multi-year accessibility plan outlines what you will do to remove and prevent accessibility barriers . The plan must be posted on the employer’s website, if any, and provided in an accessible format upon request.

## **Training**

- Training on the AODA and *Human Rights Code* must be provided to all employees, including volunteers and anyone who provides services on the employer’s behalf, such as facilities management personnel.

## **Feedback**

- When requested, the employer must be able to receive and respond to feedback from customers, employees and members of the public who have a disability. This can be in writing, by telephone, email or online correspondence. It may also require accessible formats such as large print for an employee who is visually impaired, or exchanging notes or online correspondence for a customer who is hearing impaired.

## **Public Information Accessible**

- Upon request, the employer must make public information accessible in collaboration with the individual requesting accessible public information.

## **Accessible Employment Practices**

- The employer must notify staff about policies for employees with disabilities and make workplace information accessible on request. The employer must also to create an accommodation plan for employees with disabilities.
- Support return to work for disabled employees and practice accessible performance management.

# Additional Requirements: Design of Accessible Public Spaces and Websites

## Design of Public Spaces

Accessible design of public spaces requirements are effective January 1<sup>st</sup> 2018 for employers and are already required for large employers with 50 or more employees.

Accessible public spaces include specific features that make it easier for everyone to use public spaces. “Public spaces” refers to the physical surroundings around the employer’s premises, and any areas within the building which may be accessed by the public.

Under the Design of Public Spaces Standard the organization that must comply with the *AODA* requirements is the one that has authority or approval to *build on or make planned significant alterations to the public space*, but not necessarily an organization that may have approved the construction or otherwise have an interest in the property. Therefore, lease-holder may be the entity required to comply with the *AODA*.

## Accessible Websites

This requirement is in effect and applies to large employers with 50 or more employees.

Beginning on January 1, 2014, if the employer launches a new public website or the employer’s existing site undergoes a significant refresh, the site and any of its web content published after January 1, 2012 must conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0, Level A.

Beginning January 1, 2021, all public websites and all web content on those sites published after January 1, 2012 must conform with WCAG 2.0 Level AA, other than providing captions on live videos or audio descriptions for pre-recorded videos.

This does not apply to content posted before 2012 and the employer does not have to make its internal website accessible. If asked, the employer will need to work with individuals to make the content accessible to them in some way, like large print or Braille.

If the employer does not have control of the website, then website compliance with the *AODA* is not required.

# AODA Compliance Calendar

This chart provides an overview of timeline requirements for AODA compliance for private sector employers. Please refer to pages 9 and 10 for more information on how to comply with each requirement.

| Requirement   | 1-19 Employees  | 20-49 Employees                                | 50 Employees or more                           |
|---|-----------------|--|--|
| Accessible Customer Service, Emergency Response Information | January 1, 2012 | January 1, 2012                                | January 1, 2012                                |
| File Compliance Report                                      | Not Required    | December 31, 2014 and every 3 years thereafter | December 31, 2014 and every 3 years thereafter |
| Accessibility policies and self-service kiosks              | January 1, 2015 | January 1, 2015                                | January 1, 2014                                |
| Accessible Website New or Refreshed                         | Not Required    | Not Required                                   | January 1, 2014                                |
| Staff Training and Feedback                                 | January 1, 2016 | January 1, 2016                                | January 1, 2015                                |
| Accessible Public Information and Employment Practices      | January 1, 2017 | January 1, 2017                                | January 1, 2016                                |
| Accessible Public Spaces                                    | January 1, 2018 | January 1, 2018                                | January 1, 2016                                |
| All website content accessible                              | Not Required    | Not Required                                   | January 1, 2021                                |

# Plan and Posting: Pay Equity

Ontario's *Pay Equity Act* requires every provincially regulated Ontario employers with 10 or more employees to achieve pay equity in their workplaces.

The Pay Equity Commission outlines procedures for determining employer definitions, employee definitions, job classes including the gender and job rate of job classes in order to show that pay equity has been achieved.

A guide to interpreting the *Pay Equity Act* setting out how to implement pay equity requirements and other information is available from the Pay Equity Commission at the following link:

[http://www.payequity.gov.on.ca/en/tools/Pages/guide\\_to\\_act.aspx](http://www.payequity.gov.on.ca/en/tools/Pages/guide_to_act.aspx)

**Employers must post pay equity plans.**



# Training and Posting: WHMIS

Employers who use or store hazardous products at their worksites have several duties under the *OHSA*:

1. Ensure that hazardous products are labeled and identified
2. Obtain material and safety data sheets for hazardous products
3. Educate workers



Employers must:

- label each container of hazardous product with the supplier label included;
  - the label must not be deliberately removed, destroyed or changed;
  - if the supplier did not provide a label, employer must not use the product until the appropriate label is obtained;
- inform workers about the hazardous products they may be exposed to on the job;
- allow employees to review labels and material safety data sheets.
- ensure employees receive instruction and training as needed (e.g. when a new hazardous product is used or stored or a new employee is hired);
  - training program must explain the purpose and contents of supplier labels, workplace labels, safety data sheets and procedures for safe use, storage and handling of hazardous products as well as emergency procedures.
- Under the WHMIS Regulation, “hazardous product” means any product, mixture, material or substance that is classified in accordance with the *Hazardous Products Regulations (Canada)* in a category or subcategory of a hazard class listed in Schedule 2 to the *Hazardous Products Act*



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