



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

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# Posting: Employment Standards Act, 2000

Link to current poster (version 9.0)  
(current as of September 2020):

<https://files.ontario.ca/employment-standards-in-ontario.pdf>

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

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).

Employers must:

- provide each employee with a copy of the most current version of the poster within 30 days of the employee's date of hire, and
- distribute to current employees ASAP if not previously distributed or if poster revised.

As of April 3, 2019, employers are no longer required to post the poster in the workplace.

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.



The *Employment Standards Act, 2000* (ESA) protects employees and sets minimum standards for most workplaces in Ontario. **Employers are prohibited from penalizing employees in any way for exercising their rights under the ESA.**

## What you need to know

### Public holidays

Ontario has a number of public holidays each year. Most employees are entitled to take these days off work and be paid public holiday pay. Visit [Ontario.ca/publicholidays](https://ontario.ca/publicholidays).

### Hours of work and overtime

There are daily and weekly limits on hours of work. There are also rules around meal breaks, rest periods and overtime. Visit [Ontario.ca/hoursofwork](https://ontario.ca/hoursofwork) and [Ontario.ca/overtime](https://ontario.ca/overtime).

### Termination notice and pay

In most cases when terminating employment, employers must give employees advance written notice of termination or termination pay instead of notice. Visit [Ontario.ca/terminationofemployment](https://ontario.ca/terminationofemployment).

### Vacation time and pay

There are rules around the amount of vacation time and pay employees earn. Most employees can take vacation time after every 12 months of work. Visit [Ontario.ca/vacation](https://ontario.ca/vacation).

### Leaves of absence

There are a number of job-protected leaves of absence in Ontario. Examples include sick leave, pregnancy leave, parental leave and family caregiver leave. Visit [Ontario.ca/ESAguide](https://ontario.ca/ESAguide).

### Minimum wage

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

### Other employment rights, exemptions and special rules

There are other rights, exemptions and special rules not listed on this poster, including rights to severance pay and special rules for assignment employees of temporary help agencies.

Subscribe to our newsletter and stay up to date on the latest news that can affect you and your workplace. Visit [Ontario.ca/labournews](https://ontario.ca/labournews).

Learn more about your rights at:

[Ontario.ca/employmentstandards](https://ontario.ca/employmentstandards)  
1-800-531-5551 or TTY 1-866-567-8893

[@ONTatwork](https://twitter.com/ONTatwork) [@OntarioAtWork](https://facebook.com/OntarioAtWork) [@Ontarioatwork](https://instagram.com/Ontarioatwork)



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

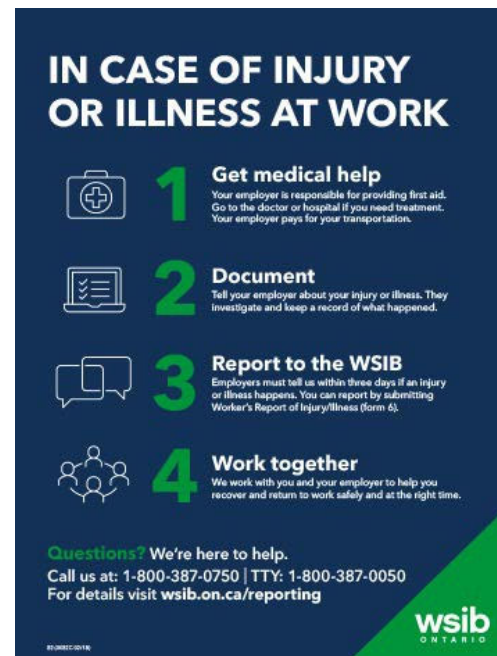
## Posting: Workplace Safety and Insurance Act, 1997

Employers that are covered by the *Workplace Safety and Insurance Act, 1997* must post 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:

[In Case of Injury at Work \(Poster 82\)](#)

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:

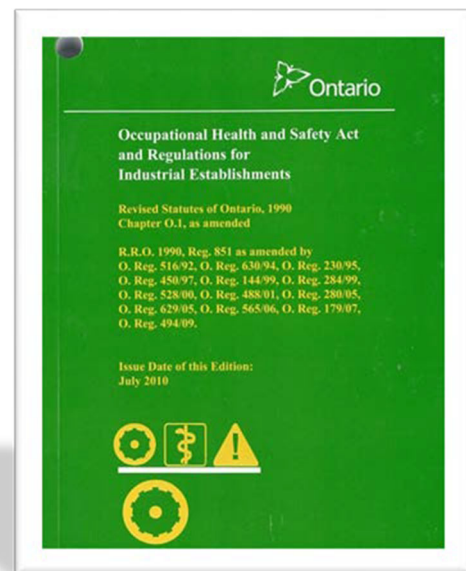
<https://www.publications.gov.on.ca/300151>

*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. In 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)

NOTE: Policy does not need to be written or posted in workplaces with 5 or fewer workers (but this can be ordered by an inspector).

## **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.

NOTE: Policy does not need to be written or posted in workplaces with 5 or fewer workers (but this can be ordered by an inspector).



# 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 seek reprisal 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.

NOTE: Policy does not need to be written or posted in workplaces with 5 or fewer workers (but this can be ordered by an inspector).



## Policy: Respect in the Workplace

A “Respect in the Workplace” or anti-discrimination policy is not specifically required by the Ontario *Human Rights Code*. Nevertheless, decisions by the Human Rights Tribunal of Ontario will consider whether such a policy exists in the workplace when determining potential damages for discrimination. A failure to have a “Respect in the Workplace” policy addressing discrimination on prohibited grounds under the Code can lead to higher awards.

The Tribunal also has wide remedial discretion. Orders requiring adoption of an anti-discrimination policy and training on the policy are frequently awarded by the Tribunal.

In light of all of these considerations, adoption of such a policy and training on the policy is a recommended practice.

# 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 can take 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 employer 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 of filing. 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>

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

## ***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 the employer 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 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, 2018 for all employers. They were 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 that 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, the 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, such as via 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 10 to 12 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 employer with 10 or more employees to achieve pay equity in its workplace.

The Pay Equity Commission outlines procedures for determining employer definitions, employee definitions, and 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 subject to Part II of the *Pay Equity Act* must prepare and post pay equity plans.**



# Training and Posting: Workplace Hazardous Materials Information System (WHMIS)

Employers that 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 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; and
- 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 must explain purpose and contents of supplier labels, workplace labels; safety data sheets; procedures for safe use, storage and handling of hazardous products; 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*



# Posting: Smoke-Free Ontario Act, 2017

Under the *Smoke-Free Ontario Act, 2017* (SFOA), an employer or owner (proprietor) of an “enclosed workplace” or an “enclosed public place”, as defined in the [SFOA](#), or other smoke-free and vape-free places as described in the [SFOA](#) or [Ontario Regulation 268/18](#), are required to post mandatory signs in a conspicuous manner and unobstructed from view.

Employers are required to post **each of the first and second sign** below (“Tobacco Sign for Employers” and “Electronic Cigarette Sign for Employers”), **or the third combined sign** below (“Tobacco and Electronic Cigarette Sign for Employers”).

The signs must be posted at each entrance, exit and washroom, to notify employees and the public that they cannot smoke tobacco or cannabis (medical or recreational) or vape anything there.

Signs for Employers:

[Tobacco Sign](#)



[Electronic Cigarette Sign](#)



[Combined Tobacco and Electronic Cigarette Sign](#)



## Posting: Smoke-Free Ontario Act, 2017

An employer or owner (proprietor) of a hotel, motel or inn, must also post each of the individual signs or the combined sign in every “non-smoking” or “non-vaping” guest room.

Employers or proprietors of residential care facilities or residential hospices that choose to operate a controlled area where people can smoke or vape, are required to post the sign below (“Controlled Areas in Certain Residential Facilities”) outside the entrance to the controlled area, as well as a second sign indicating the maximum permitted occupancy of the controlled area.

Employer Sign:

### [Controlled Areas in Certain Residential Facilities](#)



# COVID-19 and Workplace Health and Safety

In response to the COVID-19 pandemic, Ontario implemented requirements for employers regarding COVID-19 health and safety and released related resources. The resources are available at these links:

<https://www.ontario.ca/page/covid-19-coronavirus-and-workplace-health-and-safety>

<https://www.ontarioca/page/resources-prevent-covid-19-workplace#section-2>

January 2021 Newsletter of Ontario's Ministry of Labour, Training and Skills and Development ("Ministry"): <https://mailchi.mp/83497afdcf40/whats-new-january-2021>

In addition to requiring employers to follow general guidelines regarding COVID-19 health and safety, understand their responsibilities under the [COVID-19 response framework](#), and follow any provincial requirements under the [Reopening Ontario \(A Flexible Response to COVID-19\) Act](#) and any local public health orders, Ontario:

- (i) Requires certain businesses to have a safety plan and encourages all others to have a safety plan;
- (ii) Imposes health screening obligations on employers; and
- (iii) Provides posters that employers are encouraged to download and post in the workplace.

Each of these three topics is discussed in more detail below.

## Safety Plan

Ontario requires all businesses in lockdown zones and businesses in certain sectors that are in yellow, orange or red zones to have a safety plan, and encourages all other businesses to have a safety plan. Businesses required to have a safety plan must make it available to anyone who asks to see it, and post it in a place where it will be seen easily. Employers are also required to discuss their safety plans with everyone at work, including workers, unions, supervisors, health and safety representatives or members of joint health and safety committees (JHSCs), contractors, and suppliers. The province released Safety Plan Guidance, a Safety Plan Template, and sector-specific resources to help employers refine their workplace safety plans. In addition, Ontario released recommendations in the form of Tip Sheets and Guidance Notes. Subsequently, in the Ministry's January 2021 Newsletter, Ontario released new and updated guidance for businesses that are required to have a written safety plan, including all businesses operating during a lockdown or shutdown.

## Health Screening

In response to COVID-19, Ontario imposed health screening obligations on employers. The screening must be implemented for any workers (*i.e.*, staff, including students, contractors or volunteers that conduct business or related activities) upon entry to the workplace at the beginning of their day or shift; or essential visitors (*i.e.*, individuals providing a service in the establishment who are not employees or patrons, e.g., delivery, maintenance, contract workers) upon arrival. Employers should use the updated workplace screening questions (Version 2) (available [here](#)) to determine if workers and essential visitors should be permitted to enter their workplace. While the pre-entry screening questions are made available, no guidelines were provided for how the screening process

should be implemented. Accordingly, employers are free to implement the process in a manner that best suits the employer's unique workplace in accordance with the employer's obligations under the health and safety legislation and in light of input from a joint health and safety committee or a health and safety representative at the workplace.

This screening does not apply to health care settings and some non-health care workplaces where existing screening requirements and tools are already in place. Screening is also not required for emergency services or other first responders entering a workplace for emergency purposes.

Furthermore, in its January newsletter, Ontario released online screening tools for workers/employees (available [here](#)), and customers (available [here](#)). The tools indicate that workers and employees must screen before going to work each day, and customers may be asked to screen before entering a business or a public space; however, it also states that use of these specific screening tools to answer the questions is optional and is not tracked or enforced. The screening tools are not applicable to health care settings (including long-term care homes), and some non-health care workplaces (*e.g.*, retirement homes, other congregate living settings, schools and child care) where existing screening requirements and tools are already in place.

### **Posters**

Ontario released numerous workplace posters in multiple languages that offer advice on preventative actions, including physical distancing and workplace sanitation, to help employers and employees prevent the spread of COVID-19. Employers are encouraged to download the posters and post them in the workplace. Three additional posters were released in the Ministry's January 2021 newsletter.



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