

# Ontario - Bill 148

## Fair Workplaces, Better Jobs Act

### 2017

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# AGENDA

1. Introductions
2. Overview of Changes
3. New minimum wage -  
implications for employers
4. Sampling of other changes

## The Bill Will Amend:

- ✓ Employment Standards Act 2000
- ✓ Labour Relations Act 1995
- ✓ Minor changes to several other employment related legislation

# Employment Standards Act Changes

- ✓ Minimum wage - Graham
- ✓ Equal pay for equal work - Paula
- ✓ Scheduling restrictions
- ✓ Employee misclassification

# Employment Standards Act Changes

- ✓ Vacation
- ✓ Public holiday pay
- ✓ Personal emergency leave- PL
- ✓ Pregnancy leave
- ✓ Parental leave

# Employment Standards Act Changes

- ✓ Domestic violence and sexual assault leave
- ✓ Critical illness leave
- ✓ Child death leave and crime related child disappearance leave

# Employment Standards Act Changes

- ✓ Family medical leave
- ✓ “Self-help” removal

# Labour Relations Act Changes

- ✓ Card based certification in specified industries
- ✓ Access to employees list
- ✓ Remedial certification
- ✓ First contract mediation/arbitration



# Labour Relations Act Changes

- ✓ Expanded successor rights
- ✓ Bargaining unit consolidation
- ✓ Return to work post strike
- ✓ Enhanced 'just cause' protection
- ✓ Interim relief

# Minimum Wage Increase



- ✓ \$14.00/hour Jan 01, 2018
- ✓ \$15.00/hour Jan 01, 2019
- ✓ Employers to maintain both internal and external equity
- ✓ Implications - other employees, retention, unionization

# Other Factors at Play:



- ✓ Pay Equity Commission
- ✓ Economy
- ✓ Employee Expectations

# Key Questions

1. How to compare to market?
2. How to manage costs?
3. How to determine pay levels?
4. What risks?
5. Pay Equity Act?

# What to Do: 5 Steps

1. Internal equity assessment
2. External equity assessment
3. Establish salary ranges
4. Written pay guidelines/  
Communications
5. Pay Equity review

# Equal Pay for Equal Work

- ✓ Effective April 1, 2018
- ✓ Same rate of pay for substantially the same work independent of employee status/classification
- ✓ Does not apply when pay is based on:
  - ✓ Seniority
  - ✓ Merit
  - ✓ Quantity or quality of production
  - ✓ Other factor, other than sex or employment status

# Personal Emergency Leave (PEL)

- ✓ Effective January 1, 2018
- ✓ Extended to all employers, no longer just those with >50 employees
- ✓ First 2 days of the 10 days must be paid
- ✓ Part days can be considered a full day entitlement
- ✓ Cannot require “Doctors” note\*

# LRA – Access to Employee Lists

- ✓ Lists to be used for organizing the workplace
- ✓ Lists to contain: employee name, phone number and personal email address (if known)



# Summary

- ✓ **Most changes effective Jan 01, 2018**
  - ✓ **Time to understand/act is now, no benefit in waiting, 175 new enforcement officers being hired**
  - ✓ **Risk for businesses who don't adapt asap, fines significantly increased**
  - ✓ **We offer to help you: Compensation market comparisons/planning & HR Policy review & compliance packages available**
  - ✓ **Get ahead of the game: be compliant now and address compensation/policy issues now before they become larger problems**
- ...because HR happens. <sup>17</sup>

# Thank-you!

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