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## Protecting Ontario's Most Vulnerable Workers

November 6, 2014

The Ontario legislature today passed The Stronger Workplaces for a Stronger Economy Act, 2014. The act will help protect vulnerable workers, including those who earn minimum wage, do temporary work, and work as temporary foreign workers.

The legislation includes the following provisions:

### **Making the Minimum Wage Fair and Predictable**

- Future increases to Ontario's minimum wage are tied to the Consumer Price Index for Ontario. Under the legislation, increases to the minimum wage will be announced by April 1 of each year and come into effect on Oct. 1.

### **Temporary Help Agency Workers**

- The act amends the Employment Standards Act by introducing 'joint and several liability' between temporary help agencies and their client employers for regular wages, overtime pay, public holiday pay and premium pay for working on a holiday. This would help make clients who use temporary help agency employees more accountable and assist employees in attempting to recover wages owed.
- The legislation includes amendments to the Workplace Safety and Insurance Act, 1997 (WSIA) that create regulation making authority to allow the government to better protect temp agency workers under the WSIB experience rating programs.

### **Increased Protections under the Employment Standards Act, 2000 (ESA)**

- The act removes the \$10,000 cap under the ESA on the recovery of wages through a Ministry of Labour order to pay.
- The time limit for recovery of wages under the ESA is increased from the current six month and 12-month limitation periods to two years.
- The legislation also requires employers to provide information about rights under the ESA to employees, and in languages other than English where an employee requests a translation and a Ministry of Labour translation is available.
- The act also gives Ministry of Labour Employment Standards Officers the authority to require employers to conduct a self-audit to determine compliance with the ESA.

## **Protecting Temporary Foreign Employees**

- The new act extends the application of the Employment Protection for Foreign Nationals Act to all foreign workers in Ontario under an immigration or temporary foreign employee program. This would mean protection against being charged recruitment fees and having personal documents, such as passports, withheld by employers or recruiters.

## **Protecting Working Co-Op Students**

- The legislation extends coverage under the Occupational Health and Safety Act to unpaid co-op students and other unpaid learners which will give them protection under the OHSA such as the right to know about workplace hazards and the right to refuse unsafe work.

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