Bill 148 – Fair Workplace and Better Job Act

Legislation Update

| **Year** | **Bill/Reg./Act** | **Title** | **In Force Date** | **Jurisdiction** | **Status** |
| --- | --- | --- | --- | --- | --- |
| 2017 | Bill 148 | ​Fair Workplaces and Better Jobs Act  | Jan 01, 2018 | Provincial | Royal Assent |

**Title**

​Fair Workplaces and Better Jobs Act

**In Force Date**

Jan 01, 2018

**OHS Impact**

This Bill is intended to help safeguard employees and create fairer and better workplaces, with a landmark package of measures

**Changes**

Changes to the Employment Standards Act:

* Raising Ontario's general minimum wage to $14 per hour on January 1, 2018, and then to $15 on January 1, 2019, followed by annual increases at the rate of inflation.
* Expanding personal emergency leave to include an across-the-board minimum of at least two paid days per year for all workers.
* Five of the 10 days' leave granted to survivors of domestic violence will now be paid.
* Bringing Ontario's vacation time into line with the national average by ensuring at least three weeks' vacation after five years with a company.
* On May 7, 2018, the Ontario Government introduced Regulation 375/18, which reinstates the ESA public holiday pay formula that applied prior to the coming into force of Bill 148 The Fair Workplaces, Better Jobs Act. [Regulation 375/18](https://www.ontario.ca/laws/regulation/r18375) will remain in force until December 31, 2019.
* Making employee scheduling fairer, including requiring employees to be paid for three hours of work if their shift is cancelled within 48 hours of its scheduled start time.

Provisions that came into effect on December 3, 2017, include:

* Critical Illness Leave: An employee will be entitled to take up to 17 weeks of leave in a 52 week period to provide care or support to a critically ill adult family member.
* Parental Leave: The length of parental leave will increase; this leave was up to 35 weeks long if the employee took pregnancy leave, and 37 weeks otherwise. It can be up to 61 weeks if the employee takes pregnancy leave, and up to 63 weeks otherwise.
* Employers will be required to pay casual, part-time, temporary and seasonal employees the same rate as full-time, permanent employees when doing the same job. This will also apply for temporary help agency employees doing the same job as permanent employees at the company they are assigned to.
* Changes to the Occupational Health and Safety Act:
* The Act now prevents employers from requiring a worker to wear footwear with an elevated heel, for example, high heels, at work, unless such footwear is required for the worker's safety.The private member's bill 168 to ban mandatory high heels in the workplace - the proposed Putting Your Best Foot Forward Act - is now incorporated into Bill 148; employers of "performers in the entertainment and advertising industry" are exempt, however. Protection Against Employee Misclassification: The Employment Standards Act, 2000, now expressly prohibits employers from misclassifying employees as "independent contractors.".