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# e2r Alert!

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## Legislative Update – ONTARIO

In December, Ontario's *Working for Workers Six Act, 2024* (Bill 229) received Royal Assent and we've outlined below the key legislative changes of interest to Ontario employers:

### Employment Standards Act, 2000 (ESA)

The amendments introduce two new unpaid leaves under the ESA:

**1. Long-Term Illness Leave - Effective June 19, 2025**

- An employee who has been employed for at least thirteen consecutive weeks will be entitled to an unpaid leave of up to twenty-seven weeks if they are not able to perform their duties because of a serious medical condition.
- Entitlement to the leave is conditional on the employee providing a certificate or note from a qualified health practitioner (e.g., doctor, registered nurse or psychologist), confirming the employee has a serious medical condition and the period in which the employee will not perform their duties because of the serious medical condition.

**2. Placement of Child Leave - Effective TBD**

- An employee with at least 13 weeks of service is entitled to an unpaid leave of up to 16 weeks after the placement or arrival of a child into the employee's custody, care and control through adoption or surrogacy.

### Occupational Health and Safety Act

The following amendments to OHSA are **now in force**:

**a. Increased minimum fine**

- A minimum fine of \$500,000 will be imposed on any corporation found guilty of a second or subsequent offence under the OHSA

that results in the death or serious injury of one or more workers in a two-year period.

- b. Added requirement to ensure PPE is appropriate
  - o An employer is required to ensure that any personal protective clothing and equipment is a proper fit and appropriate in the circumstances; the government also has the authority to impose additional regulatory requirements related to the assessment of personal protective clothing and equipment.
- c. Expanded authority of the Chief Prevention Officer
  - o Establish criteria to assess and approve training programs delivered outside of Ontario for equivalency;
  - o establish policies related to general training requirements under the OHSA;
  - o Seek advice from an advisory committee established by the Ministry of Labour, Immigration, Training and Skills Development;
  - o Collect and use personal information for the purpose of developing, monitoring or reporting on a provincial health and safety strategy or for the purpose of providing advice on the prevention of workplace injury and occupational disease.
- d. Power to order worker trades committee
  - o The Minister of Labour, Immigration, Training and Skills Development (Minister) has the power to require a constructor to establish a worker trades committee at a project and provide for the composition, practice and procedure of that worker trades committee.

### Workplace Safety and Insurance Act, 1997 (WSIA)

The following amendments to WSIA will come into force upon proclamation **(TBD)**.

- Presumptive coverage for primary-site kidney cancer and primary-site colorectal cancer is extended to prescribed firefighters and fire investigators, provided the worker had at least 10 years of service before being diagnosed;

- The Workplace Safety and Insurance Board shall distribute surplus amounts in the insurance fund to a Schedule 2 employer that is a municipality, provided certain prescribed requirements are met;
- Provide immunity to the WSIB, its members, directors, officers, or employees from legal proceedings commenced against it/them, if it/they were exercising their authority in good faith.

If you would like to discuss any of the above with regard to your business in greater detail, we recommend reaching out to speak to an e2r™ Advisor.