

Key In-Force Dates for Recent Amendments to the Ontario Employment Standards Act, 2000

Charles Muriithi

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Earlier this year, we [reported](#) on a number of employment-related developments across Ontario, British Columbia and Alberta. Among the changes were certain amendments to the Ontario *Employment Standards Act, 2000* (the "ESA"). This article reviews three key amendments to the ESA which will soon come into effect.

On December 19, 2024, the [Working for Workers Six Act, 2024](#) (Bill 229) received Royal Assent. Among other changes, the *Working for Workers Six Act* will introduce two new unpaid job-protected leaves to the ESA: (1) long-term illness leave, which will come into force effective June 19, 2025; and (2) placement of a child leave, which does not yet have an effective date.

In addition, the provisions under [Ontario Regulation 285/01: When Work Deemed to be Performed, Exemptions and Special Rules](#) that require certain information be provided to new (or prospective) employees will come into force, effective July 1, 2025.

1. Long-Term Illness Leave (in force effective June 19, 2025)

This new leave provides eligible employees with an unpaid, "long-term illness" leave of up to 27 non-consecutive weeks in a 52-week period. This leave is available to employees who have at least 13 weeks of service with the same employer, if the following two conditions are met:

- The employee will not be performing their job duties as a result of a serious medical condition; and
- The employee's serious medical condition is supported by a "qualified health practitioner's" certificate that: (i) states the employee has a serious medical condition; and (ii) sets out the period during which the employee will not be able to work because of a serious medical condition (employers may request a copy of this certificate).

Long-term illness leave cannot exceed 27 weeks in a 52-week period, even if the employee has multiple serious medical conditions. In addition, this leave cannot exceed the number of weeks prescribed in the qualified health practitioner's certificate, unless it is supported by a new certificate that is issued by a qualified health practitioner.

Employees are not required to provide a specific amount of notice prior to taking a long-term illness leave, however, notice must be provided in writing and either before the leave or as soon as possible after the start of the leave.

2. Placement of a Child Leave (effective date yet to be published)

The *Working for Workers Six Act* also introduced a new “placement of a child” leave, which provides eligible employees with up to 16 weeks of unpaid, job-protected leave of absence as a result of the placement of a child in the employee’s custody, care and control for the first time for the purposes of adoption or where the person who gave birth to the child is a surrogate.

To be eligible for the placement of a child leave, employees are required to have worked at least 13 weeks with the same employer. Employees wishing to take this leave will be required to use the entire allotment in a single, consecutive period which must start on the earlier of: (i) 6 weeks before the date of the child’s placement; and (ii) the date of the placement.

Once an employee’s leave begins, and the employee subsequently learns that the placement will no longer occur, the employee may take an additional 14 days of leave under this category before the entitlement is exhausted.

This new leave is in addition to any entitlement to parental leave under the ESA, which provides new parents with up to 63 weeks of leave and is already available to adoptive parents and parents through surrogacy.

3. Requirement to Provide Certain Information Regarding Employment (effective July 1, 2025)

On November 28, 2024, the Ontario Government published [Ontario Regulation 477/24](#), which amends [Ontario Regulation 285/01: When Work Deemed to be Performed, Exemptions and Special Rules](#) to provide for certain information that employers must provide to new employees or prospective employees either before the employee’s first day of work or, if not practicable, as soon as is reasonably possible after the employee’s start date.

The following sets out the information that must be provided to such employees:

- The legal name of the employer, as well as any operating or business name of the employer if different from the legal name.

- Contact information for the employer, including address, telephone number and one or more contact names.
- A general description of where it is anticipated that the employee will initially perform work.
- The employee's starting hourly or other wage rate or commission, as applicable.
- The pay period and pay day established by the employer in accordance with subsection 11(1) of the ESA.
- A general description of the employee's initial anticipated hours of work.

Importantly, the above requirements do not apply to assignment employees (i.e., employees whose services are engaged through a temporary help agency), or to employers with fewer than 25 employees.

In light of the above changes to the ESA, employers are encouraged to take the following steps:

1. Review existing policies on employee medical leaves, employee benefits plans and disability management processes to ensure compliance with both the new statutory requirement for long-term illness leave under the ESA and the existing accommodation requirements under the Ontario *Human Rights Code*.
 2. Review existing pregnancy and parental leave policies to ensure compliance with the new placement of a child leave and consider any impact where top-up benefits are provided.
 3. Review recruitment and on-boarding practices to ensure compliance with the new requirements to provide the above information to new and prospective employees.
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This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.