

Ontario Employers: New Job Posting Requirements Come into Force January 1, 2026

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Overview

Effective January 1, 2026, Ontario employers with 25 or more employees, will face new obligations for publicly advertised job postings under [Part III.1](#) and [Part VI](#) of the [Employment Standards Act, 2000](#) (ESA). These changes were introduced through the [Working for Workers Four Act, 2024](#) (Bill 149), [Working for Workers Five Act, 2024](#) (Bill 190), and [Ontario Regulation 476/24, Rules and Exemptions Re Job Postings](#).

Below is a summary of which types of job postings are affected and the six key requirements that employers should be aware of.

Scope of Application

The new requirements apply to any "publicly advertised job posting," defined as an external job posting that an employer or a person acting on behalf of an employer advertises to the general public in any manner. However, it *does not* include:

- A general recruitment campaign that does not advertise a specific position
- A general help wanted sign that does not advertise a specific position
- An internal job posting for a position that is restricted to existing employees of the employer, or
- A posting for a position for which work is to be:
 - Performed outside Ontario, or
 - Performed outside Ontario and in Ontario and the work performed outside Ontario is not a continuation of work performed in Ontario

Requirements Relating to Publicly Advertised Job Postings

Under the ESA amendments and related regulations, employers must be aware of the following six requirements for public advertised job postings.

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1. Compensation Disclosure: Employers must include either the expected compensation, or the range of compensation for the position. This posting requirement does not apply to positions where the expected compensation, or the top of the expected compensation range, is more than \$200,000 annually. If a compensation range is posted, the difference between the lowest and highest amounts cannot exceed \$50,000.

Notably, compensation in this context means wages, defined under the ESA to include monetary remuneration for work, statutory entitlements, and room or board allowances under an employment contract, but does not include tips, discretionary bonuses, expenses and travel allowances, or employer benefit contributions.

2. Ban on Canadian Experience Requirements: Employers are prohibited from including any requirements related to Canadian experience in any publicly-advertised job posting or associated application forms.

3. Disclosure of Artificial Intelligence (AI) Usage: If AI is used to screen, assess, or select applicants, employers must include a disclosure statement on the publicly advertised job posting.

"AI" is broadly defined to mean "a machine-based system that, for explicit or implicit objectives, infers from the input it receives in order to generate outputs such as predictions, content, recommendations or decisions that can influence physical or virtual environments."

4. Vacancy Status Disclosure: Job postings must include a statement whether the position is for an existing vacancy or not.

5. Applicant Notification Requirement: If an employer interviews an applicant for a publicly advertised job posting, they must notify the candidate within 45 days of their interview (or their last interview) whether a hiring decision has been made. This communication can be delivered in person, in writing, or using technology.

6. Recordkeeping: Employers must keep copies of all publicly advertised job postings and any related application forms for three years after the posting is no longer publicly accessible. Employers will also be required to retain any prescribed information provided to job applicants after interviews for three years from the date it was given.

Next Steps for Employers

Employers in the two months should proactively prepare to comply with the Ontario public job posting requirements. Employers may want to:

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- **Train Recruitment Staff:** Ensure all staff involved in hiring are familiar with the updated ESA requirements to guarantee consistent application across all publicly advertised jobs.
 - **Review And Update Standard Job Posting Forms:** Revise standard job postings to include required compensation details, vacancy status, and AI usage disclosures where applicable. Remove any references to Canadian experience requirements.
 - **Update Internal Processes:** Establish clear procedures for notifying applicants of hiring decisions within the mandated 45-day timeframe following interviews.
 - **Update Recordkeeping Systems:** Update systems to retain copies of public job postings, application forms, and interview-related information for the required three-year period.
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This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.