

Bill 66 Becomes Law in Ontario

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On April 2, 2019, the Ontario provincial government passed Bill 66, also known as the *Restoring Ontario's Competitiveness Act* (the Act). The law purports to streamline various regulations that apply to businesses in an effort to make Ontario more competitive on the global and national market. The Act amends many different laws in the province but of particular note to Ontario employers are the following changes to the *Employment Standards Act, 2000* (the ESA):

- Employers are no longer required to have the ESA poster displayed in workplaces;
- Employers no longer have to apply to the Director of Employment Standards for approval to enter into agreements with employees to work more than 48 hours per week; and
- Employers no longer need Director approval to enter into overtime averaging agreements with employees for a period of up to 4 weeks.

While many news outlets are reporting that the impact of Bill 66 is that employers are now entitled to pay employees less overtime, employers should do a closer read of the Act. Employers must still obtain employees' written agreement to average overtime and are still obligated to track hours of work and pay overtime at time and half when it is earned. They should also note that existing averaging agreements will be deemed to have met the new requirements under the ESA and will remain in effect until their original expiry date or they are revoked in accordance with the ESA.

Employers are encouraged to review and update their overtime policies to ensure that they stay current with the law. If you need assistance with ensuring that your company is compliant with Ontario's employment laws, please contact Laurie Jessome or any other member of the Cassels Employment & Labour Group.

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.