



## LAWS & ANNOUNCEMENTS

### Employment Standards

Oct 21: The Ontario Assembly is debating new [Working for Workers](#) legislation that would require operators of job posting platforms to create and implement a written policy on fraudulent publicly advertised job postings, as well as a mechanism or procedure for platform users to report such postings to the person operating the platform.

**Action Point:** There are [10 hiring and recruiting practices that you should stop using right now](#). Find out what they are and why they're problematic.

### Leaves of Absence

Oct 21: To protect employees caught up in mass layoffs, [Bill 30](#) requires employers who lay off 50 or more employees to give affected employees up to 3 days' unpaid leave for job search and other related activities. Companies must also furnish laid off employees with information about provincial government programs for skills training and job search support.

**Action Point:** The Ontario law would be a new twist to already tricky employment standards group termination requirements. Find out how to [comply with the group termination rules](#).

### Termination

Oct 21: [Bill 30](#), aka, *Working for Workers Seven*, would amend the *Employment Standards Act* to allow employers to extend temporary layoffs to 35 or more weeks in a 52-consecutive week period, provided that the employer and employee agree to and the Employment Standards Director approves the arrangement. The hope is that extended layoffs will allow companies and employees to maintain their long-term employment relationship during hard times.

**Action Point:** Find out how to comply with [temporary layoff requirements](#).

### Leaves of Absence

Oct 21: Ontario has passed but not yet proclaimed a new unpaid ESA leave for employees for the placement of a child into their custody, care, and control for purposes of adoption or surrogate birth. Employees must have at least 13 weeks' previous employment and start leave up to 6 weeks before the expected date of placement, with a total entitlement of 16 weeks for a child. Employers must retain, or records relating to the leave for 3 years after the day the leave expires.

**Action Point:** Find out how to implement a legally sound [Parental Leave Compliance Game Plan](#) at your workplace.

### New Laws

Oct 27: First Reading for [Bill 61](#) requiring the provincial government to implement an artificial intelligence, talent, and innovation strategy. The *Ontario Artificial Intelligence, Talent, and Innovation Strategy Act, 2025* would also establish a new

Advisory Committee to make recommendations on AI issues and publish an annual progress report.

**Action Point:** Find out how to guard against AI legal and liability risks by implementing a legally sound [workplace artificial intelligence use policy](#).

### **New Laws**

Sep 18: Ontario will invest \$1.5 million through the [Skills Development Fund \(SDF\)](#) Training Stream to help 100 experienced construction workers become mentors and train others in emerging home construction technologies. Once trained, mentors will be matched with “mentees,” including recent graduates and those at risk of job displacement, seeking to complete up to 2 credentials in high-demand areas such as resilient construction and radon mitigation.

### **New Laws**

Oct 22: Ontario will invest more than \$8.6 million through the [Skills Development Fund \(SDF\)](#) to help more than 1,700 women across the Greater Toronto Area access training for good-paying, in-demand jobs in the skilled trades. The move comes a week after the government announced a \$64.2 million 3-year plan to expand in-class apprenticeship training.

### **Immigration**

Oct 21: The Ontario Assembly is debating new legislation ([Bill 30](#)) authorizing government immigration inspectors to require a person to attend an in-person interview separate and apart from other persons, subject to requirements to be set out in the regulations. The objective of separate interviews is to enable interviewees who might be intimidated by the presence of another interviewee to speak candidly.

**Action Point:** Find out what companies and their HR directors need to know to [navigate the immigration law maze](#).

### **Immigration**

Oct 21: The [Working for Workers Seven Act](#), which is through First Reading and being debated for Second Reading, would expand the Ontario Immigrant Nominee Program’s authority to establish or remove immigrant nomination streams in response to changes to economic conditions and current job market needs. Employers will also be allowed to submit their applications directly and electronically to the new ONIP employer portal that’s scheduled to launch this summer.

### **Privacy**

Oct 15: The Ontario Information and Privacy Commission updated and expanded its de-identification [guidelines](#) for structured data. De-identification refers to the process of removing personal information from a record or dataset to protect individuals’ privacy. Once de-identified, a dataset is considered to no longer contain personal information.

### **Health & Safety**

Oct 21: If and when [Bill 30](#) (the *Working for Workers Seven Act*) passes, Ontario MOL inspectors will be allowed to issue Administrative Monetary Penalties (AMPs) against companies and individuals that commit OHS violations in amounts to be

determined by regulations. As in other provinces, those on the receiving end of an AMP will have the right to appeal.

**Action Point:** Find out how to survive OHS and other [surprise government inspections](#).

### **Workers' Comp**

Oct 21: The Ontario Assembly is considering new legislation that makes failure to pay workers' comp premiums an offence subject to administrative penalties. [Bill 30](#) also lists "aggravating factors" that would increase administrative penalty amounts while creating a new maximum \$750,000 per conviction fine against persons convicted of 2 or more counts of the same *Workplace Safety and Insurance Act* offence in the same legal proceeding.

## **CASES**

### **Employment Contract: Ex-Director Who Stole Confidential Information Not Liable for Damages**

A family-run steel business sued its former sales director for allegedly making off with the company's confidential information and opening a competing firm. The judge concluded that the director kept over 1,000 confidential documents after resigning and ordered him to give them back. But she declined to award any money damages, reasoning that the director wasn't a fiduciary, didn't engage in willful misconduct or gross negligence wasn't in a fiduciary position and didn't cause the company to suffer any proven losses. Adding insult to injury, the court ordered the company to pay the director over \$161,000 in legal costs. The company took its case all the way to the Ontario Court of Appeal. But the high court dismissed the appeal and added another \$20,000 to its legal costs debt to the director [[Titus Steel Company Limited v. Hack](#), 2025 ONCA 693 (CanLII), October 9, 2025].

**Action Point:** Find out more about when employees [owe a fiduciary duty](#) to their company.

### **Employee Dishonesty: Falsifying Timesheets to Conceal Going AWOL Is Just Cause to Terminate**

This is a sad story about a 54-year-old technician and "valued team member" with no disciplinary record who lost his job as a result of a serious lapse in judgment. It happened while the technician was away on a job 500 km from home when his wife called to inform him that his adult and mentally challenged daughter was having an especially "bad episode." Considering the situation urgent, the technician decided to leave his post and drive home without notifying his supervisor. He then made things worse by lying to his bosses and doctoring his timesheet and mileage log to make it look like he had worked a full day. He also claimed a full per diem meal allowance for the day. When the company found out, they terminated him for cause. The Ontario arbitrator ruled that the company was justified in concluding that it could no longer trust him. Although serious, the family situation wasn't urgent; and not thinking clearly was no excuse for deliberate deception and falsifying information [[Ontario Power Generation Inc. v Power Workers' Union](#), 2025 CanLII 102168 (ON LA), October 7, 2025].

**Action Point:** Find out [when lying is and is not just cause for termination.](#)