

## iGlobal Law Annual Alert 2023 : Canada (Ontario)

Legal Change	Effective Date	Action required
<p><b>New Exclusions from Ontario ESA</b></p> <p>“Business consultants” and “information technology consultants” will be excluded from the application of the Ontario <i>Employment Standards Act, 2000</i> if certain conditions are met, including, among other things, the consultant is paid a base hourly rate of \$60.</p>	<p>January 1<sup>st</sup>, 2023</p>	<p>Consider whether to retain qualifying business consultants and/or information technology consultants at an hourly rate of \$60 to exempt them from the application of the Ontario <i>Employment Standards Act, 2000</i>.</p>
<p><b>Naloxone Kits Mandatory in Certain Workplaces (Ontario)</b></p> <p>The Ontario <i>Occupational Health and Safety Act</i> will be amended to require employers to provide naloxone kits and to comply with related requirements if the employer becomes aware, or ought reasonably to be aware, that there may be a risk of a worker having an opioid overdose at the workplace, or in other prescribed circumstances.</p>	<p>June 1<sup>st</sup>, 2023</p>	<p>Employers must consider whether this new legislative requirement applies to their workplace and prepare to comply if applicable.</p>
<p><b>New Rights for Digital Platform Workers (Ontario)</b></p> <p>Ontario enacted the <i>Digital Platform Workers’ Rights Act, 2022</i>, which establishes certain rights for workers who provide platform-facilitated labour such as ride share, delivery, or courier work, regardless of whether the worker is classified as an employee or contractor.</p> <p>Such rights include, but are not limited to, minimum wage; the right to prescribed information concerning the calculation of the worker’s pay; and 2 weeks’ notice of the worker’s removal from the platform unless he or she is guilty of wilful misconduct.</p>	<p>Not yet announced</p>	<p>If relevant, track the status of this legislation and be prepared to comply with the new requirements.</p>