



Working for Workers Act, 2021 Checklist – Ontario

This checklist is a general guide to help clients work toward compliance with the *Working for Workers Act, 2021*, which received Royal Assent on December 2, 2021, and to ensure no crucial aspects are missed. Employers should review the new act and its requirements and compliance dates in detail before completing this checklist.

- Create a written policy on disconnecting from work for employees.
 - *Only applicable for organizations that on January 1 of any year employ 25 or more employees. Policy must be implemented before March 1 of that year.*
 - *Transitional in force date is June 2, 2022, meaning all applicable business have until that date to implement this policy.*
- Consider and discuss with stakeholders how this new policy will affect business practices and anticipate challenges associated with the new requirements.
- Determine whether the new policy will affect any other processes, procedures, or policies and update as necessary.
- Communicate the new policy and associated procedures to all employees.
- Give a copy of the new right to disconnect policy to all employees within 30 days of creation (or of any update), and retain signed copies from each employee.
- Ensure the new policy is included in new-hire packages for employees brought on board after creation.
- Review current employment contracts, offer letters, non-compete agreements, termination letters, and so on to remove any language implying non-compete provisions after employment ends.
 - *Existing agreements entered into before October 25, 2021, can continue in place, but no future non-compete agreements can be entered into. This provision is deemed to have come into force October 25, 2021.*
- Have legal counsel review changes made to employment contracts, offer letters, non-compete agreements, termination letters, and so on.
- [*once in force*] If temporary help agencies or external recruiters are used, review contracts and agreements and seek proof from company of licence to operate as a temporary help agency or act as a recruiter.
- Create a policy or insert instructions into current practice standards specifying that the company will not knowingly use the services of an unlicensed temporary help agency or recruiter.
 - *Make sure to include procedures for record retention regarding the use of temporary help agencies.*
 - *This requirement is not yet in force and will be announced at a later date.*
- Create a memo or update an existing policy to communicate to your employees the new requirement that couriers and delivery workers entering your workplace are entitled to use the washroom facilities.
 - *This requirement is in force March 1, 2022.*

Additional Comments

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