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Employer's Obligation

Did you Know?

1. **Registration with WSIB:** Within 10 days of hiring any employees, employers must register with the Workplace Safety and Insurance Board (WSIB)
2. **Written Records:** All employers must collect and store written records of each employee. Certain information employers must collect includes:
 - Name, address and starting date of employment
 - Vacation time and pay information
 - Employees' pay stubs information
 - Any overtime hours and pay
 - Date of Birth (If employee is under 18 years of age)
 - Any documents detailing an employee's critical illness, pregnancy, emergency contact information, family medical, organ donor, family caregiver and crime related child death
3. **Termination** of an employee must be in accordance with the *Employment Standards Act, 2000*. Employees must be provided with either a written notice or a termination pay.
4. **Right to refuse work:** An employee has the right to refuse to work on public holidays. If an employee agreed to work during a public holiday, they may later rescind their consent by giving at least 48 hours of notice to the employer.
5. **Personal Information Protection:** An employer has an obligation to protect the privacy of any personal information collected from their employees. Employers should review and comply with the *Personal Information Protection and Electronic Documents Act (PIPEDA)*. Some of the obligations include:
 - **Consent** → Obtaining employee's consent when collecting personal information
 - **Limitation of Use** → employers must limit the use of the personal information to the purpose they have identified and only retain the records for as long as necessary

Safeguards: Safety measures should be set up to protect sensitive information

Challenges

One of the biggest challenges facing employers is workplace compliance with the *Ontario Health and Safety Act (OHSA)*. Did you know that failure to comply with OHSA may not only lead to a fine of \$250 to \$650 on the spot, but may also lead to a court judgment? The courts may fine the employer an additional fine of up to \$100,000 per individual (or 12 months jail time) or an additional fine of up to \$1,500,000 for corporations.



Employee's Rights	Employer's Obligations
<p>Pursuant to section 25 of OHSA employees have the right to know any safety risks they might be exposed to.</p>	<p>All employer's must put up certain posters such as:</p> <p>Health & Safety at Work: Prevention Starts Here</p> <ul style="list-style-type: none"> • A copy of the Occupational Health and Safety Act
<p>As outlined in section 43 of OHSA, employees may refuse to work if they believe they are exposed to danger</p>	<p>If an employer has 6 or more employees they must (in addition to the documents above) put up:</p> <ul style="list-style-type: none"> • Health and Safety Policy • Workplace Violence Prevention Policy • Workplace Harassment prevention Policy
<p>Workers have a general obligation to take responsibility for their own health and safety. They should not knowingly or act recklessly when operating equipment that may endanger themselves or others.</p>	<p>If an employer has 20 or more employees, they must set up a joint health and safety committee. All employees are entitled to the names and locations of such committee.</p>
	<p>Employers must ensure that any equipment, supplies, materials are in good repair. They must take all reasonable steps to ensure the health and safety of their employees.</p>
Additional Resources	
<p>For additional information you may want to visit workers health and safety center where they have additional training and resources for employers</p> <p>To review your rights and duties as an employer and whether they are compliant with the OHSA please visit the Ontario Ministry of Labour, Training and Skills Development webpage for more information. https://www.labour.gov.on.ca/english/hs/faqs/rights.php</p>	