

Ontario Employers Employment Health Check – September 2025 Checklist

This list is provided as a reference tool in order to assist employers in fulfilling their responsibilities. It does not purport to be an exhaustive list. Caution should be exercised when referring to this list as the laws and regulations pertaining to the requirements below may be amended from time to time.

MANDATORY POLICIES		Check
Occupational Health and Safety Policy	Employers with 6 or more employees must have policy which is provided to the employee.	
Workplace Harassment Policy	Must include sexual harassment and virtual harassment.	
Workplace Violence Policy	All employers must prepare and review at least annually	
Workplace Harassment & Violence Program	Document outlines in a more fulsome way the process for ensuring how the respective policies will be implemented	
Disconnecting from work	25 + employees – provide within 30 days of hire or change. Keep policy for 3 years after policy ceases to be in effect.	
Electronic Monitoring	25 + employees – provide within 30 days of hire or change. Keep policy for 3 years after policy ceases to be in effect	
Accessibility for Ontarians with Disabilities Act, 2005 (AODA)	20 + employees	
RECOMMENDED POLICIES		Check
Privacy	A privacy policy with respect to client/customer personal information is required but in addition, a privacy policy with respect to employee personal information is recommended. There is no legal requirement for a Privacy Policy vis-à-vis employees in Ontario.	
Human Rights	Although not required as a matter of law, a Human Rights Policy is highly recommended since it can be referenced as a first line of defence in the event of a human rights complaint against the employer. A Human Rights Policy will be more fulsome than a Workplace Harassment Policy which prohibits sexual harassment, as it will also prohibit harassment and discrimination on the basis of all protected grounds under the Ontario Human Rights Code.	
General Employment Policies	It is recommended to develop general employment policies where the Company intends to provide benefits which may be more generous than the ones provided under the ESA (e.g. vacation, overtime, sick leave, time off with pay, etc.).	
Computer/Device Use Policy	Highly recommended in order to protect the company and its confidential information, and to give the company the right to review all communications on its devices and servers	
Tip Sharing	ESA requires employers to post any written policy about employers, directors, or shareholders sharing in tip pools, effective June 21, 2024. This policy must be posted in a clear and visible place in the workplace. Employers must also retain copies of these policies for 3 years after they cease to be in effect.	

ADDITIONAL HEALTH AND SAFETY OBLIGATIONS		Check
Safety Representatives	<ul style="list-style-type: none"> • Workplaces with 5 or more workers or for which a designated substance regulation applies to the workplace must have a health and safety representative, prepare a written occupational health and safety policy, review that policy at least once per year, and set up and maintain a program to implement it. The health and safety representative must be selected by the workers. <hr/> • Workplaces with between 20 and 49 employees must, in addition to the policy requirements set out above, have a Joint Health and Safety Committee with at least 2 members. <hr/> • Workplaces with 50 or more employees must, in addition to the policy requirements set out above, have a Joint Health and Safety Committee with at least 4 members. 	
TRAINING		Check
AODA	<ul style="list-style-type: none"> • Training: A free online training program can be found here: https://www.aoda.ca/free-online-training/ <hr/> • Train employees who deal with the public and employees who develop the Company's policies, practices and procedures on providing goods and services to the public on accessible customer service <hr/> • Train <u>all</u> employees, parties who help to develop the Company's policies and third parties who provide services, goods, facilities on behalf of Company on accessible customer service <hr/> • Train employees, volunteers, those who develop the Company's policies and any third parties who provide goods/services on behalf of Company on the AODA requirements and the Human Rights Code provisions on disability discrimination. 	
Harassment training	Annual training	
Violence training	Annual training	
Occupational Health and Safety	<ul style="list-style-type: none"> • Training: https://www.ontario.ca/page/health-and-safety-training <hr/> • At least two members of the Joint Health and Safety Committee must be certified. Refresher training is required at least every 3 years. <hr/> • Employees are to be paid when undergoing certification training as well as for time spent preparing for and attending meetings of the Committee. <hr/> • A health and safety representative (for a workplace with between 5 and 19 workers) is not required to be certified but must have completed Worker Safety Awareness Training and Supervisor Safety Awareness Training. The health and safety representative is to be paid for time spent carrying out his or her duties. <hr/> • Employers are responsible to ensure that their employees have completed the training, but that is their only obligation when it comes to Worker and Supervisor Safety Awareness training. 	
First Aid	Only employers which are covered by the Workplace Safety and Insurance Act (WSIA) are required to have first aid equipment, facilities and trained workers in all workplaces, although the requirements under the WSIA are recommended for all employers in order to provide a strong defence to possible tort claims for damages resulting from workplace injury or illness.	
Other – sector specific		
POSTERS		Check
Occupational Health & Safety Act (OHSA) and policy	No longer required to physically post in a workplace if employers provide clear instructions on where and how to access this electronic info. Copy of OHSA	
Names and work locations of Joint Health and Safety Committee members	OHSA	
Workplace Harassment and Violence Policy and Procedure document.	OHSA	
Workplace Safety & Insurance Board's "Health & Safety at Work: Prevention Starts Here"	WSIA Prevention Starts Here	
Workplace Safety & Insurance Board's "In Case of Injury" poster	WSIA In Case of Injury Poster	

ESA Poster	All employers are required to provide a copy of the ESA poster to each employee within 30 days of an employee's date of hire. Note that the prior requirement that employers must also post the most recent version of the poster in the workplace has now come to an end. ESA Poster	
RECORDS		Check
RECRUITMENT		
Job Poster	Effective January 1, 2026 - Job poster must disclose (a) Expected Compensation; (b) Use of AI (c) No Canadian experience requirement (d) State if vacancy exists. Must be retained for three (3) years. S. 15 (7.1)	
Applicants who interviewed must be notified within 45 days	Effective on January 1, 2026. Must advise whether or not a hiring decision has been made. S. 15	
Interview Information	Effective January 1, 2026 - Employer shall retain (or arrange for some other person to retain) copies of interview information for three years after the information was provided to the applicant.	
Notify public that accommodations are available during the recruitment	AODA	
ONBOARDING RECORDS		
Provide: Employer info to new hires	Effective July 1, 2025 employers must provide the following information to new hires (best practice is to make sure it is in the employment agreement) (i) Employer's legal name, business or operating name (ii) Contact information (iii) General description of the work location (iv) Starting pay rate (v) The pay period per the agreement and (vi) Employees working hours. Assignment employees are exempt from this requirement.	
Provide - Info on benefits and benefit enrollment documents		
Provide - Info on incentive plans		
Provide - Copies of mandatory policies, training and posters	s. 15 (8.1) (8.2)	
Provide - TD1 Forms		
Retain – Social Insurance Number	Employer is required to obtain an employee's SIN within three (3) days of employment. If the employee does not have one, the employer should instruct the employee to apply for one and must provide proof of application within 3 days.	
DURING EMPLOYMENT RECORDS		
Provide Wage statements	s. 12 <i>ESA</i> - Amount and purpose of all deductions	
Provide vacation pay statements	Can be part of wage statement or a separate document.	
Retain record of hours worked/days/ overtime.	s. 15 <i>ESA</i>	
Retain – Vacation Accrual records -	s. 15.1 <i>ESA</i> - Annual vacation including dates taken, amounts paid, amounts owing. Records under this section must be kept for 5 years. 15.1(5)	
Retain – Statutory holidays taken and amounts paid		
Retain record of benefits paid to the employee by employer	Ensure salary increases are reported to the benefits provider to ensure that benefits match salary.	
Retention of Agreements Re working Excess Hours	Retain for 3 years after the day work performed under the agreement	
Retention of Overtime Averaging Agreements	Retain for 3 years after the day work performed under the agreement	
Copies of records related to the hiring of foreign nationals	Employers must keep all records related to the employment of foreign workers for a minimum of 6 years from the date the work permit was issued.	
Records related to hiring an employee through a temporary help agency.	Employer must record name of employee, hours worked, each day worked.	
Record that temporary help agency used by employer is licensed.	Employers are prohibited from knowingly engaging or using the services of a temporary help agency unless the agency holds a license.	
Records re leave of absence	Retain all documents that relate to an employee taking pregnancy leave, parental leave, family medical leave, organ donor leave, family caregiver leave, critical illness leave, child death leave, crime-related child disappearance leave, domestic or sexual violence leave, long-term illness leave, sick leave, family responsibility leave, bereavement	

	leave, emergency leave during a declared emergency or an infectious disease emergency or reservist leave. Retain for 3 years.	
Records about a reported injury or illness plus all First Aid records	Must be kept for at least 3 years	
DPSP Plan text, Trust Agreement, Service Agreement and tax reporting relating to the DPSP (including pension adjustments)	Keep for the duration of the Plan but at least for 7 years after any of these plans are terminated since a DPSP is a registered plan under the Income Tax Act and the plan documents may be required for any disputes relating to the tax of these plans from a corporate perspective or any of the employees personally	
T4 Statements annually		
Retain – CPP and EI contribution records	s. 24 <i>Canadian Pension Plan</i> s. 87 <i>Employment Insurance Act</i>	
BREAK IN SERVICE RECORDS		
Issue ROE	If employee experiences (a) 7 consecutive days with no work or insurance earnings. (b) salary falls below 60% of regular weekly earnings due to illness, injury or other protected leave and (c) part time/ causal work who has not worked / earned insurable earnings for 30 days or more.	
Provide copies of applicable claim forms for STD/ LTD /WSIB as applicable.		
TERMINATION RECORDS		
Payroll Records	Maintain all payroll records (income tax, source deductions) for six (6) years from the end of the last tax year to which they relate.	
Notice of termination is in writing (ESA)	Maintain all separation documents (termination letter, resignation letter, full and final release) for 3 years after which they should be safely and properly disposed off.	
Statement of wages on termination	s. 12.1 ESA The employer shall provide the employee with a written statement setting out the information prescribed at s. 12.1 (including gross amount of vacation, termination pay, severance pay and how those amounts were calculated, the pay period)	
Final wages must be paid within seven days after employment ends or on their next pay day (which ever is later).	s. 11(5) ESA	
ROE –5 calendar days after the final pay period in which an employee’s interruption of earnings occurs	<i>Employment Insurance Act</i>	
Additional requirements may apply if Mass Termination		
EMPLOYMENT CONTRACT AND MANUAL REVIEW		Check
Review termination clause language		
Confirm start date of Employment		
Confirm consideration for new agreements		
Confirm none of the clauses in the employment contract undercut the ESA		
Confirm policies do not undercut the ESA		
Confirm employer IP and confidential information is protected		
Confirm employee advised of Legal name of employer. Contact info. Place of work. Starting hourly wage. Pay period and pay day. Anticipated hours of work.		
OTHER EMPLOYER OBLIGATIONS TO TRACK		Check
BENEFIT REVIEW	Inform benefit providers of salary increases. Some benefits such as life insurance, AD & D and LTD are often tied to an employee’s salary.	
WORKPLACE SAFETY & INSURANCE	Schedule 1 and Schedule 2 employers are required to register with the Workplace Safety and Insurance Board (WSIB) under the WSIA within 10 days of becoming an Ontario employer.	

	<p>In addition to the mandatory registration required of Schedule 1 and Schedule 2 employers, exempt employers can elect to register under the WSIA. Those employers which voluntarily register will be required to pay a premium but will be shielded from potential court claims for injury or illness in the workplace.</p> <hr/> <p>While most Ontario employers fall under Schedule 1 or Schedule 2, there are some exemptions. One such class of employer which is exempt from WSIA registration is those companies which fall under the definition of “software development and computer services”.</p>	
OHSA	<p>If there are hazardous materials in the workplace, the employer may also need to comply with the OHSA regulation entitled Workplace Hazardous Materials Information System (WHMIS).</p>	
PAY EQUITY	<ul style="list-style-type: none"> • The <i>Pay Equity Act</i> applies to all employers which operate in Ontario and employ at least 10 employees in Ontario and aims at redressing differences in compensation due to the systemic gender discrimination suffered by persons who occupy positions in predominantly female job classes. <hr/> <ul style="list-style-type: none"> • All employers with at least 10 employees must perform an analysis of job classes within the workplace and adjust compensation in order to achieve pay equity. <hr/> <ul style="list-style-type: none"> • Large private sector employers which had employees as of January 1, 1988 are required to post their Pay Equity Plan in the workplace. Newer private sector employers, regardless of size, are not required to post a Pay Equity Plan in the workplace. 	
AODA	<ul style="list-style-type: none"> • Prepare an accessible customer service plan <hr/> <ul style="list-style-type: none"> • Make accessible customer service plan available to the public <hr/> <ul style="list-style-type: none"> • Establish a feedback process for receiving and responding to feedback about the manner in which the Company provides goods or services to members of the public with disabilities <hr/> <ul style="list-style-type: none"> • Ensure the feedback process is accessible upon request and information about the process is available to the public <hr/> <ul style="list-style-type: none"> • Report compliance online (Service Ontario website) <hr/> <ul style="list-style-type: none"> • Prepare Statement of Organizational Commitment – make statement available to the public (for example on website) <hr/> <ul style="list-style-type: none"> • Prepare policies on how the Company will achieve accessibility <hr/> <ul style="list-style-type: none"> • Prepare a multi-year accessibility plan <hr/> <ul style="list-style-type: none"> • Review and update the accessibility plan at least once every 5 years <hr/> <ul style="list-style-type: none"> • Provide individualized emergency response information to all employees with disabilities who may need help in an emergency <hr/> <ul style="list-style-type: none"> • Notify public that accommodations for applicants with disabilities are available during the recruitment, assessment and selection process; consult with a job applicant about suitable accommodations if accommodation is requested. <hr/> <ul style="list-style-type: none"> • When making offers of employment include notice of policies on accommodation for employees with disabilities <hr/> <ul style="list-style-type: none"> • Inform employees of policies to support those with disabilities; consult with the employee where accommodation of a disability is requested; provide communication support to employees who need assistance in accessing information required to perform their job duties. <hr/> <ul style="list-style-type: none"> • Prepare individual accommodation plans for employees with disabilities <hr/> <ul style="list-style-type: none"> • Implement a return to work process for employees off work due to disability and who require disability- related accommodation to return to work <hr/> <ul style="list-style-type: none"> • If the Company uses performance management (example annual performance reviews) take accessibility needs of employees with disabilities into account. <hr/> <ul style="list-style-type: none"> • If the Company provides career development and advancement opportunities (for example upward movement, promotions and acting roles) take accessibility needs of employees with disabilities into account <hr/> <ul style="list-style-type: none"> • If the Company redeploys or reassigns employees, as an alternative to layoff, take accessibility needs of employees with disabilities into account 	

	<ul style="list-style-type: none"> • If the Company prepares a new website or existing website is significantly refreshed, the site and any web content published after January 1, 2012 must conform to WCAG 2.0 Level A <hr/> • If the Company provides publicly available emergency and safety information, provide such in accessible formats upon request <hr/> • If the Company has processes for receiving and responding to feedback, Company must ensure that these processes are accessible to persons with disabilities by providing for accessible formats and communication supports upon request; notify the public of availability of accessible formats and communication supports <hr/> • Upon request, the Company must arrange to provide information and communicate using accessible formats and communication supports for persons with disabilities and must notify the public about the availability of accessible formats and communication supports <hr/> • All websites and content published after January 1, 2012 must conform with WCAG 2.0 Level AA (other than live video captioning and pre-recorded video audio descriptions) <hr/> • Accessible off-street parking - If constructing new or redeveloping parking facilities that the company intends to maintain, must meet rules for numbers, width and signage for accessible parking spaces <hr/> • Service Counters - Newly constructed service counters must include at least one counter that accommodates a mobility aid through countertop height, knee clearance and floor space <hr/> • Waiting Areas - New or redeveloped waiting areas with seating fixed to the floor must include a minimum of 3% accessible seating 	
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