

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 42ND LEGISLATURE, ONTARIO
67 ELIZABETH II, 2018

Bill 12

An Act to amend the Employment Standards Act, 2000 in respect of leaves of absence

Ms J. French

Private Member's Bill

1st Reading July 31, 2018

2nd Reading

3rd Reading

Royal Assent



An Act to amend the Employment Standards Act, 2000 in respect of leaves of absence

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 (1) Section 141 of the *Employment Standards Act, 2000* is amended by adding the following subsection:

Regulation restricting leave prohibited

(2.5) A regulation made under paragraph 3, 6 or 7 of subsection (1) must not detrimentally affect any employee's entitlements and rights under Part XIV.

(2) Subsection 141 (6) of the Act is amended by striking out "Without restricting the generality of paragraphs 6 and 7 of subsection (1), a regulation made under paragraph 6 or 7 may" at the beginning and substituting "Without restricting the generality of paragraphs 6 and 7 of subsection (1), but subject to subsection (2.5), a regulation made under paragraph 6 or 7 may".

Commencement

2 This Act comes into force one year after the day it receives Royal Assent.

Short title

3 The short title of this Act is the *Fairness for the Auto Sector Act (Employment Standards), 2018*.

EXPLANATORY NOTE

Currently, the *Employment Standards Act, 2000* permits industry-specific regulations about leaves of absence. These regulations can detrimentally affect the entitlements and rights that an employee would otherwise have under the Part of the Act that deals with leaves of absence.

The Bill would restrict this power. Industry-specific regulations could still be made, but they would not be permitted to detrimentally affect those entitlements and rights.