

Reminder to Ontario Employers: Upcoming Deadlines for Workplace Policy Requirements

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By Daniel Wong, Seth Holland

Ontario employers be advised: there are two upcoming deadlines to implement new workplace policies to comply with recent legislative amendments to the *Employment Standards Act, 2000* ("ESA").

As a result of the *Working for Workers Act, 2021*, [which we previously wrote about in detail here](#), on **Thursday, June 2, 2022**, Ontario employers with 25 or more employees as of January 1, 2022 are required to implement a written policy on disconnecting from work.

Disconnecting from work policies must be in writing, and pertain to employees not engaging in work-related communications, including emails, telephone calls, video calls or sending or reviewing other messages, and being free from the performance of work.

Importantly, disconnecting from work policies do not create any new legal rights regarding disconnect from work. Therefore, it is important for an employer to draft its policy regarding disconnecting from work carefully to prevent the unintentional creation of a greater right or benefit for employees than required by the *ESA*.

Additionally, the *Working for Workers Act, 2022*, [which we wrote about in detail here](#) also requires Ontario employers with 25 employees or more as of January 1, 2022 to implement a policy on electronic monitoring of employees. This policy must be in writing and is required even if the employer does not monitor employees electronically. The deadline for employers to have this policy in place is **Tuesday, October 11, 2022**.

If your organization has not yet implemented a disconnecting from work policy or an electronic monitoring policy and requires assistance to comply with the new legal requirements, please feel free to contact Daniel Wong or Seth Holland of WeirFoulds' Employment Law Group.

The information and comments herein are for the general information of the reader and are not intended as advice or opinion to be relied upon in relation to any particular circumstances. For particular application of the law to specific situations, the reader should seek professional advice.

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