

Ontario Launches Consultation on Forthcoming Job Posting Rules

September 12, 2024

The Government of Ontario has launched a [public consultation](#) on job posting rules under the Ontario *Employment Standards Act*.¹ Some of these rules were introduced in the recently passed *Working for Workers Four Act*,² but have not yet been declared in force. Others are proposed in *Working for Workers Five Act*.³ When in force, an employer will be required to do the following with respect to a publicly advertised job posting:

- Disclose the expected compensation or range of compensation.
- Disclose the use of artificial intelligence (“AI”).
- Disclose whether a posting is for an existing vacancy.
- Provide follow up information to an applicant who has been interviewed.
- Not require Canadian experience.

The aim of these requirements, according to the Government, is to give jobseekers greater certainty in the hiring process without adding unnecessary or onerous requirements on employers.

The Government is seeking input from stakeholders regarding the implementation of these requirements and has specifically requested feedback on the following:

- The definition of “publicly advertised job posting” and “AI.”
- Whether there should be an exemption for higher-paid positions from the requirement to disclose compensation.
- When disclosing an expected range of compensation for a position, what range of expected compensation would be reasonable?
- Whether there is any other information that should be required to be disclosed in a publicly advertised job posting.

¹ [Employment Standards Act, 2000, SO 2000, c 41.](#)

² Please see our March 21, 2024 [briefing note](#) for more details regarding this Act.

³ Please see our May 10, 2024 [briefing note](#) for more details regarding this Act.

- What information should be provided following a job interview and the appropriate timelines. For example, is 30 calendar days a reasonable amount of time for an employer to be required to follow up with an interviewee?
- Whether there should be any exceptions regarding:
 - The prohibition on the requirement for Canadian experience
 - The requirement to disclose whether a posting is for an existing vacancy (for smaller employers)
 - The requirement to disclose the use of AI.

Public responses to this consultation are due by Friday, September 20, 2024. The [consultation paper](#) can be accessed online.

To learn more or for assistance making submissions to this consultation, contact your Sherrard Kuzz lawyer or info@sherrardkuzz.com.

*The information contained in this briefing note is provided for general information purposes only and does not constitute legal or other professional advice, nor does accessing this information create a lawyer-client relationship. This briefing note is current as of **September 12, 2024**, and applies only to Ontario, Canada, or such other laws of Canada as expressly indicated. Information about the law is checked for legal accuracy as at the date the briefing note is prepared but may become outdated as laws or policies change. For clarification or for legal or other professional assistance please contact Sherrard Kuzz LLP.*



LEXPERTRANKED

Chambers
and Partners

Sherrard Kuzz LLP, Employment & Labour Lawyers

Ontario Launches Consultation on Forthcoming Job Posting Rules - Current as of September 12, 2024

Main 416.603.0700 / 24 Hour 416.420.0738 / www.sherrardkuzz.com