

Ontario Employment Standards Act Changes Effective Jan 1, 2026

The Government of Ontario has amended the Employment Standards Act to include measures that require new declarations in job postings and mandates certain requirements around communication and retention of data as they relate to recruitment practices and posting jobs.

As of Jan 1, 2026, **all employers with 25 or more employees** have the following additional obligations under the Employment Standards Act:

Pay Transparency

- Every publicly advertised job posting must identify “the expected compensation for the position or the range of expected compensation”
 - The salary range identified in job postings **must not exceed \$50,000**; salary information does not have to be posted for jobs paying above \$200,000 per year or with a range that exceeds \$200,000 per year

Canadian Experience

- No publicly advertised job posting or associated application “**may include requirements related to Canadian experience**”

Use of Artificial Intelligence

- If an employer “**uses artificial intelligence to screen, assess or select applicants for the position**” in a publicly advertised job posting, a statement disclosing the use of the artificial intelligence must be included in the posting

Job Posting Information

- Every publicly advertised job posting must include “**a statement disclosing whether the posting is for an existing vacancy or not**”

Duty to Inform Applicants Interviewed

- All applicants interviewed for a publicly advertised job posting must be informed “**whether a hiring decision has been made for that posting**”
 - This information must be provided within **45 days** of the applicant’s most recent interview

Retention of Job Posting and Application Forms

- An employer must “**retain or arrange for... copies of every publicly advertised job posting and any associated application forms**” to be retained for **three years** after public access to the posting is removed

General Exemptions

- The requirements above do not apply to the following:
 - A general recruitment campaign that does not advertise a specific position
 - A general help wanted sign that does not advertise a specific position
 - A posting for a position that is restricted to existing employees
 - A posting for a position for which work is to be performed outside Ontario or for which work is performed in, and outside Ontario, but the work outside Ontario is not a continuation of work performed in Ontario

Policy on Fraudulent Publicly Advertised Job Postings

- A person operating a job posting platform must ensure there is a “**mechanism or procedure in place for users... to report fraudulent publicly advertised job postings to the person operating the... platform**” and the mechanism must be located in a “**conspicuous**” place
 - They must also have “**a written policy with respect to fraudulent publicly advertised job postings**” that includes information about **how the issue will be addressed** and “**keep posted a copy of the written policy in at least one conspicuous place on the... platform**”

Review the full Employment Standards Act here: [Employment Standards Act, 2000, S.O. 2000, c. 41 | ontario.ca](http://www.ontario.ca)