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Bill 229

**An Act to enact the Skilled Trades Week Act, 2024 and to amend various statutes
with respect to employment and labour and other matters**

The Hon. D. Piccini

Minister of Labour, Immigration, Training and Skills Development

Government Bill

1st Reading November 27, 2024

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 EMPLOYMENT STANDARDS ACT, 2000

The *Employment Standards Act, 2000* is amended to add a new section 47.1 (Placement of a child leave), which provides that an employee who has been employed by an employer for at least 13 weeks is entitled to up to 16 weeks of leave without pay because of the placement or arrival of a child into the employee's custody, care and control through adoption or surrogacy.

The Act is also amended to add a new section 49.8 (Long-term illness leave), which provides that an employee who has been employed by an employer for at least 13 consecutive weeks is entitled to up to 27 weeks of leave without pay if the employee will not be performing the duties of the employee's position because of a serious medical condition.

SCHEDULE 2 HIGHWAY TRAFFIC ACT

The Schedule repeals and replaces section 159 of the *Highway Traffic Act* to add a requirement for drivers to slow down and proceed with caution when a work-related vehicle with flashing amber lights is stopped on a highway. Similarly, the amendments require drivers to move into another lane, if it is safe to do so, when such a vehicle is stopped on a highway with two or more lanes. These requirements do not apply in certain construction zones. A regulation-making authority is added to allow the Lieutenant Governor in Council to define "work-related vehicle".

SCHEDULE 3 OCCUPATIONAL HEALTH AND SAFETY ACT

The Schedule amends the *Occupational Health and Safety Act*. Here are some highlights:

New section 7.2.1 authorizes the Chief Prevention Officer to establish criteria to be used to assess training programs delivered outside Ontario for equivalency. An approved training provider may be approved to assess the training programs. If a training program is determined to be equivalent to a program approved under the Act, the program is deemed to have been approved for the purposes of the Act.

New section 7.8 authorizes the Chief Prevention Officer to establish policies regarding general training requirements established under the Act.

Section 10 of the Act is amended to provide the Minister with the power to make orders in respect of worker trades committees.

Section 22.3 of the Act is amended to provide that the Chief Prevention Officer may seek advice from a committee or person appointed under subsection 21 (1) of the Act. In addition, copies of any assistance, advice or report provided to the Minister by a committee are to be provided to the Chief Prevention Officer.

New section 22.3.1 of the Act provides for the collection of personal information by the Chief Prevention Officer for certain purposes.

Section 25 of the Act is amended to require employers to ensure that personal protective clothing and equipment that is provided, worn or used is a proper fit and is appropriate in the circumstances, having regard to all relevant factors, including such factors as may be prescribed.

Subsection 66 (2) of the Act, which sets out the fines applicable to corporations for convictions under the Act, is re-enacted. In addition to setting the maximum fine, the new provision also sets a minimum fine for second or subsequent offences that result in the death or serious injury of one or more workers.

Section 70 of the Act is amended to give the Lieutenant Governor in Council authority to make regulations requiring the assessment of personal protective clothing and equipment and prescribing requirements related to the conduct of those assessments.

SCHEDULE 4 ONTARIO IMMIGRATION ACT, 2015

The Schedule amends the *Ontario Immigration Act, 2015* to require representatives to comply with any standards or requirements that may be prescribed by the Minister.

A new section provides that a person or body shall not make misrepresentations, or counsel the making of misrepresentations, that falsely allege that an applicant meets any prescribed criteria for approval. Failure to comply with the section is an offence.

Currently, the director may ban a person or body from making an application for approval or acting as a representative or recruiter for up to five years in certain circumstances. The Act is amended to provide that the Minister may also impose such bans, and new minimum and maximum ban periods are specified for representatives.

A section is added respecting liability of various persons.

SCHEDULE 5
SKILLED TRADES WEEK ACT, 2024

The Schedule enacts the *Skilled Trades Week Act, 2024*, which proclaims the first full week in November in each year as Skilled Trades Week.

SCHEDULE 6
WORKPLACE SAFETY AND INSURANCE ACT, 1997

Section 15.1 of the *Workplace Safety and Insurance Act, 1997*, which creates presumptions that apply to certain firefighters and fire investigators, is amended to establish presumptions in respect of primary-site kidney cancer and primary-site colorectal cancer. Related amendments are made to provisions of that section and to section 15.2 of the Act.

New section 97.3 of the Act provides that, in certain circumstances, the Board is required to distribute amounts in the insurance fund in excess of specified amounts among certain Schedule 2 employers.

New section 97.4 of the Act provides for the immunity of the Board, members of the board of directors, officers and employees of the Board and the Crown in specified circumstances.

**An Act to enact the Skilled Trades Week Act, 2024 and to amend various statutes
with respect to employment and labour and other matters**

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Preamble

The Government of Ontario continues to:

Help Ontario workers access better training, better jobs, and bigger paycheques with its sixth Working for Workers bill.

Support the well-being of workers and their families, as well as keep costs low for workers and businesses.

Honour the contributions of the workers who built Ontario.

Grow Ontario's skilled trades workforce and strengthen protections for first responders.

Ensure Ontario remains the best place to live, work and raise a family.

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

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Working for Workers Six Act, 2024*.

SCHEDULE 1
EMPLOYMENT STANDARDS ACT, 2000

1 (1) Subsection 15 (7) of the *Employment Standards Act, 2000* is amended by adding “placement of a child leave” after “pregnancy leave”.

(2) Subsection 15 (7) of the Act is amended by adding “long-term illness leave” after “domestic or sexual violence leave”.

2 Subsection 29 (2.1) of the Act is amended by striking out “46 or 48” and substituting “46, 47.1 or 48”.

3 The Act is amended by adding the following section:

PLACEMENT OF A CHILD LEAVE

Placement of a child leave

47.1 (1) In this section,

“placement” means,

- (a) the placement of a child into an employee’s custody, care and control for the first time for the purposes of adoption,
- (b) the arrival of a child into an employee’s custody, care and control for the first time where the person who gave birth to the child is a surrogate, or
- (c) the occurrence of any other prescribed event or prescribed circumstances.

Entitlement to leave

(2) An employee who has been employed by an employer for at least 13 weeks is entitled to a leave of absence without pay because of a placement.

Total amount of leave

(3) The total amount of leave that may be taken by an employee under this section in respect of a child is 16 weeks.

Same

(4) The total amount of leave that may be taken by one or more employees under this section in respect of the same child is 16 weeks.

More than one placement

(5) The total amount of leave that may be taken by one or more employees under this section in respect of the placement of the same two or more children is 16 weeks if,

- (a) the placements occur on the same day; or
- (b) the placements occur during a prescribed period or in the prescribed circumstances.

Single period

(6) An employee may take a leave under this section only in a single period.

When leave may begin

(7) An employee may begin a leave under this section no earlier than the earlier of,

- (a) the day that is six weeks before the expected date of the placement; and
- (b) the day the placement occurs.

When leave ends

(8) A leave under this section ends no later than 17 weeks after the day the placement occurs.

If placement will not occur

(9) If, during a leave under this section, the employee is informed that the placement will not occur, the leave continues for 14 days after the day on which the employee is so informed or, if the employer and employee agree, for fewer days.

Notice re beginning and end of leave

(10) An employee wishing to take a leave under this section shall give the employer written notice of the days on which the employee intends to begin and end the leave at least two weeks before the day the leave is to begin.

Notice to change date

(11) An employee who has given notice to begin a leave under this section may begin the leave,

- (a) on an earlier day than was set out in the notice, if the employee gives the employer a new written notice at least two weeks before that earlier day; or

- (b) on a later day than was set out in the notice, if the employee gives the employer a new written notice at least two weeks before that later day.

If placement earlier than expected

- (12) If an employee stops working because a placement occurs earlier than expected,
 - (a) the employee's leave under this section begins on the day the employee stops working; and
 - (b) the employee must give the employer written notice that the employee is taking a leave under this section within two weeks after stopping work.

Changing end date

- (13) An employee may end a leave under this section,
 - (a) on an earlier day than was set out in the notice, if the employee gives the employer a new written notice at least four weeks before the earlier day; or
 - (b) on a later day than was set out in the notice, if the employee gives the employer a new written notice at least four weeks before the day indicated in the original notice.

Evidence

- (14) An employer may require an employee who takes a leave under this section to provide evidence reasonable in the circumstances of the employee's entitlement to the leave.

Employee not returning

- (15) An employee who takes a leave under this section shall not terminate the employee's employment before the leave expires or when it expires without giving the employer at least four weeks written notice of the termination.

Exception

- (16) Subsection (15) does not apply if the employer constructively dismisses the employee.

4 Subsection 49 (1) of the Act is repealed and the following substituted:

End of parental leave

- (1) An employee's parental leave ends,
 - (a) 61 weeks after it began if the employee also took pregnancy leave;
 - (b) 62 weeks after it began if the employee also took placement of a child leave; or
 - (c) 63 weeks after it began, otherwise.

5 The Act is amended by adding the following section:

LONG-TERM ILLNESS LEAVE

Definitions

- 49.8** (1) In this section,

“qualified health practitioner” means,

- (a) a person who is qualified to practise as a physician, a registered nurse or a psychologist under the laws of the jurisdiction in which care or treatment is provided to the employee, or
- (b) in the prescribed circumstances, a member of a prescribed class of health practitioners; (“praticien de la santé qualifié”)

“week” means a period of seven consecutive days beginning on Sunday and ending on Saturday. (“semaine”)

Entitlement to leave

- (2) An employee who has been employed by an employer for at least 13 consecutive weeks is entitled to a leave of absence without pay if,
 - (a) the employee will not be performing the duties of the employee's position because of a serious medical condition; and
 - (b) a qualified health practitioner issues a certificate that,
 - (i) states that the employee has a serious medical condition, and
 - (ii) sets out the period during which the employee will not be performing the duties of the employee's position because of the serious medical condition.

Serious medical condition

(3) For greater certainty, a serious medical condition referred to in subsection (2) may include a condition that is chronic or episodic.

Entitlement of 27 weeks

(4) Subject to subsection (5), the total amount of leave that may be taken by an employee under this section is 27 weeks, even if the employee has more than one serious medical condition.

Limit — period less than 27 weeks

(5) If the certificate described in clause (2) (b) sets out a period of less than 27 weeks, the employee is entitled to take a leave only for the number of weeks in the period specified in the certificate.

When leave ends

(6) Subject to subsection (7), a leave under this section ends no later than the last day of the period specified in the certificate described in clause (2) (b).

Limitation period

(7) If the period specified in the certificate described in clause (2) (b) is 52 weeks or longer, the leave ends no later than the last day of the 52-week period that begins on the earlier of,

- (a) the first day of the week in which the certificate is issued; and
- (b) the first day of the week in which the employee was not performing the duties of the employee's position because of the serious medical condition.

Further leave

(8) If an employee who has taken a leave under this section continues to have a serious medical condition after the employee returns to work but before the 52-week period described in subsection (7) expires, the employee is entitled to take an extension of the leave or a new leave if,

- (a) a qualified health practitioner issues an additional certificate described in clause (2) (b) that sets out a different period during which the employee will not be performing the duties of the employee's position because of the serious medical condition;
- (b) the amount of leave that has been taken and the amount of leave the employee takes under this subsection does not exceed 27 weeks in total; and
- (c) the leave ends no later than the last day of the 52-week period described in subsection (7).

Additional leaves

(9) If an employee still has a serious medical condition after the 52-week period described in subsection (7) expires, the employee is entitled to take another leave and the requirements of this section apply to the new leave.

Advising employer

(10) An employee who wishes to take a leave under this section shall advise the employee's employer in writing that the employee will be doing so.

Same

(11) If the employee must begin the leave before advising the employer, the employee shall advise the employer of the leave in writing as soon as possible after beginning it.

Leave deemed to be taken in entire weeks

(12) For the purposes of an employee's entitlement under this section, if an employee takes any part of a week as leave under this section, the employer may deem the employee to have taken one week of leave.

Copy of certificate

(13) If requested by the employer, the employee shall provide the employer with a copy of the certificate referred to in clause (2) (b) as soon as possible.

6 (1) Section 141 of the Act is amended by adding the following subsection:

Transitional regulations

(2.0.3.9) The Lieutenant Governor in Council may make regulations providing for any transitional matter that the Lieutenant Governor in Council considers necessary or advisable in connection with the implementation of the amendments made by the *Working for Workers Six Act, 2024*.

(2) Subsection 141 (2.0.4) of the Act is amended by striking out “(2.0.3.7) or (2.0.3.8)” wherever it occurs and substituting in each case “(2.0.3.7), (2.0.3.8) or (2.0.3.9)”.

Commencement

7 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Working for Workers Six Act, 2024* receives Royal Assent.

(2) Subsection 1 (2) and section 5 come into force on the day that is six months after the day the *Working for Workers Six Act, 2024* receives Royal Assent.

(3) Subsection 1 (1) and sections 2, 3 and 4 come into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 2 HIGHWAY TRAFFIC ACT

1 Section 159 of the *Highway Traffic Act* is repealed and the following substituted:

Approaching, following emergency vehicles

Stop on approach of vehicle with flashing lights or bell or siren sounding

159 (1) The driver of a vehicle, upon the approach of a vehicle mentioned in clause (a) of the definition of “emergency vehicle”, with its bell or siren sounding or with its lamp producing intermittent flashes of red light or red and blue light, or upon the approach of a public utility emergency vehicle with its bell or siren sounding or its lamp producing intermittent flashes of red light, shall immediately bring such vehicle to a standstill,

- (a) as near as is practicable to the right-hand curb or edge of the roadway and parallel therewith and clear of any intersection; or
- (b) when on a roadway having more than two lanes for traffic and designated for the use of one-way traffic, as near as is practicable to the nearest curb or edge of the roadway and parallel therewith and clear of any intersection.

Slow down on approaching specified stopped vehicles

(2) If any of the following vehicles is stopped on a highway, the driver of a vehicle travelling on the same side of the highway shall, upon approaching the stopped vehicle, slow down and proceed with caution, having due regard for traffic on and the conditions of the highway and the weather, to ensure that the driver does not collide with the stopped vehicle or endanger any person outside of the stopped vehicle:

- 1. An emergency vehicle with its lamp producing intermittent flashes of red light or red and blue light.
- 2. A tow truck with its lamp producing intermittent flashes of amber light.
- 3. A work-related vehicle with its lamp producing intermittent flashes of amber light.

Same

(3) If any of the vehicles listed in subsection (2) is stopped on a highway with two or more lanes of traffic on the same side of the highway as the side on which the vehicle is stopped, the driver of a vehicle travelling in the same lane as the stopped vehicle or in a lane that is adjacent to the stopped vehicle, in addition to slowing down and proceeding with caution as required by subsection (2), shall, upon approaching the stopped vehicle, move into another lane if the movement can be made safely.

Exception, construction zones

(4) Subsections (2) and (3) do not apply in respect of a work-related vehicle that is stopped on a part of a highway that is designated as a construction zone under subsection 128 (8) or (8.1) if, under subsection 128 (10), a maximum rate of speed is in effect in the construction zone.

Stop on approaching specified vehicles

(5) Nothing in subsection (2) or (3) prevents a driver from stopping their vehicle and not passing a vehicle listed in subsection (2) that is stopped on a highway if stopping can be done safely and is not otherwise prohibited by law.

Following fire department vehicle

(6) No driver of a vehicle shall follow in any lane of a roadway at a distance of less than 150 metres a fire department vehicle responding to an alarm.

Offence

(7) Every person who contravenes subsection (1), (2), (3) or (6) is guilty of an offence and on conviction is liable,

- (a) for a first offence, to a fine of not less than \$400 and not more than \$2,000; and
- (b) for each subsequent offence, to a fine of not less than \$1,000 and not more than \$4,000 or to imprisonment for a term of not more than six months, or to both.

Time limit for subsequent offence

(8) An offence referred to in subsection (7) committed more than five years after a previous conviction for an offence referred to in that subsection is not a subsequent offence for the purpose of clause (7) (b).

Driver's licence suspension

(9) If a person is convicted of an offence under subsection (7), the court may make an order suspending the person's driver's licence for a period of not more than two years.

Appeal of suspension

(10) An appeal may be taken from an order under subsection (9) or a decision to not make the order in the same manner as from a conviction or an acquittal under subsection (7).

Stay of order on appeal

(11) Where an appeal is taken under subsection (10) from an order under subsection (9), the court being appealed to may direct that the order shall be stayed pending the final disposition of the appeal or until otherwise ordered by that court.

Regulations, definition of “work-related vehicle”

(12) The Lieutenant Governor in Council may make regulations defining “work-related vehicle” for the purposes of this section and those regulations may include or exclude any vehicle or class of vehicle for the purposes of that definition.

Definition

(13) In this section,

“emergency vehicle” means,

- (a) an ambulance, fire department vehicle, police department vehicle or ministry vehicle operated by an officer appointed for carrying out the provisions of this Act,
- (b) public utility emergency vehicle,
- (c) a vehicle while operated by a conservation officer, fishery officer, provincial park officer or mine rescue training officer, while the officer is in the course of their employment,
- (d) a vehicle while operated by a provincial officer designated under the *Environmental Protection Act*, the *Nutrient Management Act, 2002*, the *Ontario Water Resources Act*, the *Pesticides Act* or the *Safe Drinking Water Act, 2002*, while the officer is in the course of their employment, or
- (e) a vehicle as prescribed for the purposes of paragraph 5 of subsection 62 (15.1).

Commencement

2 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 3 OCCUPATIONAL HEALTH AND SAFETY ACT

1 Section 7.1 of the *Occupational Health and Safety Act* is amended by adding the following subsection:

Adoption of codes

(3) If the Chief Prevention Officer establishes a standard under this section or amends a standard under subsection 7.3 (1), the Chief Prevention Officer may adopt by reference, in whole or in part, with such changes as the Chief Prevention Officer considers necessary, any code, standard, criteria or guide.

2 The Act is amended by adding the following section:

Equivalent training

7.2.1 (1) The Chief Prevention Officer may establish criteria to be used to assess whether a training program delivered outside Ontario is equivalent to a program that is approved under section 7.1 and delivered by a provider approved under section 7.2.

Application for equivalency

(2) The Chief Prevention Officer may approve a training provider approved under section 7.2 to assess whether a training program delivered outside Ontario is equivalent to a program that is approved under section 7.1 and delivered by a provider approved under section 7.2, using the criteria established under subsection (1).

Deemed approval

(3) If a training program delivered outside Ontario is determined to be equivalent to a program that is approved under section 7.1 and delivered by a provider approved under section 7.2, that training program is deemed to be an approved training program for the purposes of this Act.

3 Section 7.7 of the Act is repealed and the following substituted:

Delegation

7.7 The Chief Prevention Officer may delegate, in writing, any of the Chief Prevention Officer's powers or duties under subsections 7.1 (2), 7.2 (2), 7.2.1 (1) and (2), sections 7.4 and 7.5, clause 7.6 (1) (b), subsections 7.6 (5) and (6), 7.6.1 (1) and 7.6.2 (1), sections 7.6.3 and 7.6.4 and subsection 7.6.5 (1) to any person, including any person outside the Ministry, subject to such limitations, restrictions, conditions and requirements as the Chief Prevention Officer may set out in the delegation.

4 The Act is amended by adding the following section:

Training requirements

7.8 (1) The Chief Prevention Officer may establish policies regarding general training requirements established under this Act.

Amendment or revocation

(2) The Chief Prevention Officer may amend or revoke a policy established under subsection (1).

Adoption of codes

(3) If the Chief Prevention Officer establishes or amends a policy under this section, the Chief Prevention Officer may adopt by reference, in whole or in part, with such changes as the Chief Prevention Officer considers necessary, any code, standard, criteria or guide.

Factors to consider

(4) The Chief Prevention Officer shall consider any relevant information when establishing, amending or revoking a policy, including but not limited to the following:

1. The specific workplace hazards to be addressed by the policy.
2. Learning outcomes of the training programs and requirements to be referenced in the policy.
3. The priorities identified in the provincial occupational health and safety strategy under section 22.3.
4. Whether the training programs and requirements referenced in the policy are adopted in other jurisdictions for similar workplace activities.
5. Training design requirements and delivery methods of training programs and whether those methods are appropriate for delivering relevant learning outcomes.
6. Whether an external body has developed related training programs or requirements in an existing standard.

Publication

(5) The Chief Prevention Officer shall ensure that any policy made or amended under this section is published promptly after it is made or amended.

Legislation Act, 2006

(6) Part III (Regulations) of the *Legislation Act, 2006* does not apply to a policy under this section.

5 (1) Section 10 of the Act is amended by adding the following subsections:

Minister's order

(1.1) Despite subsection (1), the Minister may, by order in writing, require a constructor to establish a worker trades committee for a project and may, in such order, provide for the composition, practice and procedure of any worker trades committee so established.

Same

(1.2) If a worker trades committee has been established under subsection (1), the Minister may, by order in writing, alter and otherwise provide for the composition, practice and procedure of the worker trades committee.

Same

(1.3) For greater certainty, for the purposes of subsections (1.1) and (1.2), in providing for the composition of a worker trades committee, an order made under those subsections may require that the constructor, one or more employers of workers employed in the trades or the owner of the project be represented on the worker trades committee.

Same

(1.4) If an order made under subsection (1.1) or (1.2) requires a constructor, employer or owner of a project to be represented on a worker trades committee, the constructor, employer or owner shall select their representative.

What Minister may consider

(1.5) In exercising the power conferred by subsection (1.1) or (1.2), the Minister may consider,

- (a) the nature of the work being done;
- (b) the frequency of illness or injury in the workplace or in the industry of which the constructor or employer is a part;
- (c) the existence of health and safety programs and procedures in the workplace and their effectiveness; and
- (d) such other matters as the Minister considers advisable.

(2) Section 10 of the Act is amended by adding the following subsection:

Exception

(3.1) Subsections (2) and (3) do not apply with respect to a member of a worker trades committee who is a representative of a constructor, employer or owner of a project provided for in an order made under subsection (1.1) or (1.2).

6 (1) Subsection 22.3 (1) of the Act is amended by adding the following clauses:

- (h.2) exercise the power and perform the duties with respect to training that are set out in section 7.8;
- (h.3) provide advice to the Minister on any proposed changes to this Act or the regulations regarding training programs that employers are required to provide, or the requirements that such training programs must meet;

(2) Section 22.3 of the Act is amended by adding the following subsection:

Information and advice

(1.1) To assist the Chief Prevention Officer in performing the duties set out in subsection (1),

- (a) the Chief Prevention Officer may seek advice from a committee or person appointed under subsection 21 (1); and
- (b) a copy of any assistance, advice or report provided to the Minister by a committee appointed under subsection 21 (1) shall also be provided to the Chief Prevention Officer, unless the Minister specifies otherwise.

7 The Act is amended by adding the following section:

Collection of information by Chief Prevention Officer

22.3.1 (1) The Chief Prevention Officer may collect personal information, directly or indirectly, for purposes related to the following matters and may use it for those purposes:

- 1. To develop, monitor and evaluate a provincial occupational health and safety strategy.
- 2. To report on occupational health and safety.
- 3. To provide advice to the Minister on the prevention of workplace injuries and occupational diseases, including planning or delivering programs and services related to the prevention of workplace injuries.

Other information serves purpose

(2) The Chief Prevention Officer shall not collect or use personal information under subsection (1) if other information will serve the purpose of the collection or use.

Personal information limited to what is reasonably necessary

(3) The Chief Prevention Officer shall not collect or use more personal information under subsection (1) than is reasonably necessary to meet the purpose of the collection or use.

Limit on disclosure

(4) Unless required to do so by law, the Chief Prevention Officer shall not disclose personal information collected indirectly under subsection (1) to any person.

Notice required by s. 39 (2) of FIPPA

(5) If the Chief Prevention Officer collects personal information indirectly under subsection (1), without limiting the ability to give notice in other ways, the notice required by subsection 39 (2) of the *Freedom of Information and Protection of Privacy Act* may be given by a public notice posted on the Ministry's website.

Same

(6) A notice given in the manner described in subsection (5) is deemed to comply with subsection 39 (2) of the *Freedom of Information and Protection of Privacy Act*.

8 Subsection 25 (1) of the Act is amended by adding the following clause:

(b.1) any personal protective clothing and equipment that is provided, worn or used is a proper fit and is appropriate in the circumstances, having regard to all relevant factors, including such factors as may be prescribed;

9 Subsection 66 (2) of the Act is repealed and the following substituted:**Same**

(2) If a corporation is convicted of an offence under subsection (1),

(a) the maximum fine that may be imposed upon the corporation is \$2,000,000; and

(b) for a second or subsequent offence that results in the death or serious injury of one or more workers in a two-year period, the minimum fine that may be imposed is \$500,000.

10 Subsection 70 (2) of the Act is amended by adding the following paragraph:

44.1 requiring the assessment of personal protective clothing and equipment and prescribing requirements related to the conduct of those assessments;

Commencement

11 (1) Except as otherwise provided in this Section, this Schedule comes into force on the day the *Working for Workers Six Act, 2024* receives Royal Assent.

(2) Section 5 comes into force on the later of January 1, 2025 and the day the *Working for Workers Six Act, 2024* receives Royal Assent.

**SCHEDULE 4
ONTARIO IMMIGRATION ACT, 2015**

1 The Ontario Immigration Act, 2015 is amended by adding the following sections:

Standards and requirements

14.1 A representative shall comply with any standards or requirements that may be prescribed by the Minister.

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Misrepresentation

15.1 (1) A person or body shall not make an oral or written misrepresentation in connection with any application or submit or supply a document that alleges falsely that an applicant meets any prescribed criteria for approval.

Same

(2) A person or body shall not counsel another person or body to make an oral or written misrepresentation in connection with any application or to submit or supply a document that alleges falsely that an applicant meets any prescribed criteria for approval.

2 Subsections 19 (1) to (4) of the Act are repealed and the following substituted:

Banning applications

(1) If the director or the Minister is satisfied, on reasonable grounds, that a person or body has contravened or is contravening a provision of this Act or the regulations, the director or Minister may, by order and subject to the regulations made by the Minister,

- (a) ban the person or body from making an application for approval or from acting as a recruiter for a period of up to five years; and
- (b) ban the person or body from acting as a representative,
 - (i) permanently, if the person or body, while acting as a representative, has been convicted of an offence under this Act, the *Employment Protection for Foreign Nationals Act*, the *Criminal Code* (Canada), the *Immigration and Refugee Protection Act* (Canada) or any other offence that may be prescribed, or
 - (ii) for a period of at least three years but no more than 10 years, in any other case.

No hearing required

(2) Subject to the regulations made by the Minister, the director and the Minister are not required to hold a hearing or to afford the person or body mentioned in subsection (1) an opportunity for a hearing before making an order under subsection (1).

Non-application of other Act

(3) The *Statutory Powers Procedure Act* does not apply to an order made under subsection (1).

Notice of ban

(4) Upon making an order under subsection (1), the director or Minister shall give a copy of the order to the person or body affected by the order.

3 Paragraph 3 of section 20 of the Act is repealed and the following substituted:

- 3. A person or body that is subject to a ban ordered by the director under subsection 19 (1).

4 (1) Subsection 29 (1) of the Act is amended by striking out “section 15” and substituting “section 15 or 15.1”.

(2) Subsections 29 (2) and (3) are repealed.

5 The Act is amended by adding the following section:

No personal liability

34.1 (1) No cause of action arises against any current or former member of the Executive Council, the director, an inspector, an investigator, a person who conducts an internal review under section 34, or an employee or agent of the Crown for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person’s powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

Crown remains vicariously liable

(2) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (1) does not relieve the Crown of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

Proceedings barred

(3) No proceeding shall be commenced against any person specified in subsection (1) in respect of a matter referred to in that subsection.

Same

(4) Subsection (3) does not apply with respect to an application for judicial review or any proceeding that is specifically provided for under this Act, but does apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, an injunction, declaratory relief, a remedy in contract, restitution, unjust enrichment or tort, a remedy for breach of trust or fiduciary obligation or any equitable remedy, enforcement of a judgment, order or award made outside Ontario or any form of compensation or damages including loss of revenue or profit.

Proceedings by Crown not prevented

(5) This section does not apply with respect to proceedings brought by the Crown.

6 Subclause 37 (1) (e) (i) of the Act is repealed and the following substituted:

- (i) establishing categories of applicants, including foreign nationals, and categories of employers to employ foreign nationals, including employers whose status has been verified, and governing such verifications,

Commencement

7 This Schedule comes into force on the day the *Working for Workers Six Act, 2024* receives Royal Assent.

SCHEDULE 5
SKILLED TRADES WEEK ACT, 2024

Skilled Trades Week

1 The week beginning on the first Monday in November in each year is proclaimed as Skilled Trades Week.

Commencement

2 The Act set out in this Schedule comes into force on the day the *Working for Workers Six Act, 2024* receives Royal Assent.

Short title

3 The short title of the Act set out in this Schedule is the *Skilled Trades Week Act, 2024*.

SCHEDULE 6
WORKPLACE SAFETY AND INSURANCE ACT, 1997

1 (1) Section 15.1 of the *Workplace Safety and Insurance Act, 1997* is amended by adding the following subsections:

Same, primary-site kidney cancer

(4.5) If a worker is prescribed under clause (8) (a) and suffers from and is impaired by primary-site kidney cancer, the disease is presumed to be an occupational disease that occurs due to the nature of the worker's employment as a firefighter or fire investigator, unless the contrary is shown.

Restriction

(4.6) The presumption in subsection (4.5) does not apply unless the worker was employed as a full-time firefighter, part-time firefighter or fire investigator or served as a volunteer firefighter for a total of at least 10 years before being diagnosed.

Same, primary-site colorectal cancer

(4.7) If a worker is prescribed under clause (8) (a) and suffers from and is impaired by primary-site colorectal cancer, the disease is presumed to be an occupational disease that occurs due to the nature of the worker's employment as a firefighter or fire investigator, unless the contrary is shown.

Restriction

(4.8) The presumption in subsection (4.7) does not apply unless the worker was employed as a full-time firefighter, part-time firefighter or fire investigator or served as a volunteer firefighter for a total of at least 10 years before being diagnosed.

(2) Subsection 15.1 (5) of the Act is amended by striking out "subsections (4), (4.1) and (4.3)" and substituting "subsections (4), (4.1), (4.3), (4.5) and (4.7)".

(3) Subsection 15.1 (6) of the Act is amended by striking out "subsection (4), (4.1) or (4.3)" and substituting "subsection (4), (4.1), (4.3), (4.5) or (4.7)".

(4) Subsection 15.1 (7) of the Act is amended by striking out "subsections (1), (4), (4.1) and (4.3)" and substituting "subsections (1), (4), (4.1), (4.3), (4.5) and (4.7)".

(5) Clause 15.1 (8) (a) of the Act is amended by striking out "subsection (1), (4), (4.1) or (4.3)" and substituting "subsection (1), (4), (4.1), (4.3), (4.5) or (4.7)".

(6) Clause 15.1 (8) (e) of the Act is amended by striking out "subsections (1), (4), (4.1) and (4.3)" and substituting "subsections (1), (4), (4.1), (4.3), (4.5) and (4.7)".

2 Clause 15.2 (1) (b) of the Act is amended by striking out "subsection 15.1 (4.1) or (4.3)" and substituting "subsection 15.1 (4.1), (4.3), (4.5) or (4.7)".

3 Subsection 96 (2) of the Act is amended by adding the following paragraph:

4. To make such other payments as are required under this Act.

4 The Act is amended by adding the following sections:

Distribution of surplus, Schedule 2 municipal employers

97.3 (1) Except in such circumstances as may be prescribed, if the amount in the insurance fund is greater than the amount prescribed under clause 100 (c), the Board shall pay to a Schedule 2 employer that is a municipality an amount that is equal to the cost of benefits that are required under section 90 to be paid by the employer in respect of a worker or survivor for the period between the day on which the worker or survivor became entitled to benefits and the day on which section 4 of Schedule 6 to the *Working for Workers Six Act, 2024* comes into force in respect of an occupational disease,

- (a) that was diagnosed on or before the day on which section 4 of Schedule 6 to the *Working for Workers Six Act, 2024* comes into force;
- (b) to which the presumption set out in subsection 15.1 (4.7) applies; and
- (c) that relates to a claim that is filed or refiled under section 15.2 within 12 months from the day that section 4 of Schedule 6 to the *Working for Workers Six Act, 2024* comes into force or that is pending before the Board or Appeals Tribunal on the day that section 4 of Schedule 6 to the *Working for Workers Six Act, 2024* comes into force.

Schedule 2 employer

(2) For the purposes of subsection (1), a Schedule 2 employer includes an employer who is a Schedule 1 employer but who, on the day of diagnosis described in clause (1) (a), was a Schedule 2 employer.

No payment

(3) If at any time the Board is required to make payments to one or more Schedule 2 employers under subsection (1), and if making all of the required payments would result in the amount in the insurance fund being equal to or less than the amount prescribed under clause 100 (c), no payment shall be made.

Conflict

(4) If there is a conflict between the Board's duty to make payments under this section and the Board's duty to maintain the sufficiency of the insurance fund under subsection 96 (3), the duty set out in subsection 96 (3) prevails.

Same

(5) If there is a conflict between the Board's duty to make payments under this section and the Board's duty to distribute amounts under subsection 97.1 (2), the duty set out in 97.1 (2) prevails and the Board shall distribute amounts to Schedule 1 employers under subsection 97.1 (2) before it makes payments to Schedule 2 employers under this section.

Timing of payments

(6) The Board may determine the timing of payments made under this section and may make payments to different Schedule 2 employers at different times.

Form

(7) The Board may determine the form of the payments made under subsection (1).

No appeal or reconsideration

(8) A decision regarding a payment made by the Board under this section is not a decision or a final decision of the Board for the purposes of Part XI and an employer has no right of reconsideration by, or appeal to, the Board or the Appeals Tribunal in respect of a decision made by the Board under this section.

Overpayment

(9) If the Board makes a payment to a Schedule 2 employer under subsection (1) in respect of a claim that is subsequently varied or reversed by the Board or Appeals Tribunal, the payment made by the Board is an overpayment owing by the Schedule 2 employer to the Board at the time that the overpayment is made.

Amount

(10) The amount of the overpayment is as determined by the Board.

Regulations

(11) The Lieutenant Governor in Council may make regulations prescribing circumstances for the purposes of subsection (1), including circumstances related to an employer's compliance with this Act.

Immunity

97.4 (1) No action or other legal proceeding may be commenced against the Board or a member of the board of directors, an officer or an employee of the Board in respect of an act or omission done or omitted by a person in good faith in the execution or intended execution of any power or duty under section 97.1 or 97.3.

Same

(2) No cause of action arises against the Crown and no costs, compensation or damages are owing or payable to any person as a direct or indirect result of the enactment, repeal or amendment of any provision in section 97.1 or 97.3.

Commencement

5 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.