



March 3, 2020

Spring is on the way, it really is. Does your HR function need a spring cleaning? It's a good time to look at your records retention and cleaning up files you are no longer required to keep. For example:

- Employee Records, including name, address, date of hire, hours worked, hourly rate etc. must be kept for 3 years *after* the employee has left your employment.
- Information contained in an employee's wage statement must be kept for 3 years *after* the employee was provided with the information.
- Vacation time and vacation records must be kept for 5 years *after* the time they were made.
- Information related to leaves – all the documentation relating to an employee's job protected leave must be kept for three years + 1 day after the leave expired.

As well, this is a good time of year to ensure that you are compliant with key legislation in Ontario. Here are some things to consider putting on your list:

Ontario employers are required by law to have the following workplace policies:

- an Accessibility Policy;
- an Accommodation Policy;
- a Pay Equity Plan (employers with 10 or more employees);
- a Workplace Health and Safety Policy; and
- a Workplace Violence and Harassment Policy.

While not required by law, there are other policies that employers should consider implementing, including:

- an Absenteeism Policy;
- an Employment Equity Policy;
- an Intoxicants Policy (updated to address medical and non-medical cannabis in addition to alcohol, prescription drugs, over-the-counter drugs and illegal drugs);
- A Performance Management Policy;
- A Complaint Resolution Policy;
- an Investigations Policy;
- a Privacy Policy; and
- a Social Media Policy.

Ontario employers are required by law to carry out:

- AODA training;
- Harassment prevention and training;
- Health and Safety prevention and training; and
- Violence prevention and training.

Postings required by law in Ontario workplaces include:

- Poster: "Health & Safety at Work: Prevention Starts Here";
- Poster: "What you Need to Know" about the *Employment Standards Act*;
- Poster: "In Case of Injury" if your workplace is covered by the WSIB; and
- Copy of the *Occupational Health and Safety Act* must be available on site.

Health and Safety Committee or Representative are required by law in Ontario workplaces:

- A Joint Health and Safety Committee must be formed and trained if your organization employs 20 or more employees.
- A Health and Safety Representative must be selected and trained if your organization employs more than 5 but less than 20 employees.

Accessibility for Ontarians with Disabilities Act ("AODA"):

- December 31, 2020 is the deadline for organizations with 20 or more employees in Ontario to file an Accessibility Compliance Report. The Report form and additional information is available online from the Government of Ontario. Small organizations having more than 20 but fewer than 50 employees are only required to complete an accessibility report with respect to the accessibility standards for customer service.
- January 1, 2021 is the deadline for organizations with 50 or more employees in Ontario to make website and web content accessible to the WCAG 2.0 standard.

Annual Document Update:

Review your employment agreements, employee handbooks and employment policies to ensure that they are compliant with the latest statutory revisions and judicial decisions.

If you are interested in fine tuning your HR Practices, Policies and Procedures, we would be happy to help. For more information, please contact Frances Mote, Managing Director Niagara Street HR Consulting Inc. at frances@niagarastreetconsulting.com or 416-559-3301.