

Employer Notice

Information about the Claim Process

You are receiving this notice because your employee or past employee believes that you have contravened the Employment Standards Act, 2000 (ESA).

Most employees who are eligible to file a claim under the ESA must first contact their employer* or former employer before the Ministry of Labour will begin an investigation.

In contacting you about his or her concerns, your employee is fulfilling a requirement of the Ministry of Labour's claim filing process.

This requirement gives you, the employer, information about the alleged contravention(s) of the ESA and the opportunity to resolve the matter. If you and the employee are unable to resolve the issue(s) directly, a Ministry of Labour investigation may begin.

Please note that at this point no determination has been made about whether or not a contravention has occurred. Where possible, your early efforts to solve problems with your employee may avoid the need for an investigation by us. However, if an investigation determines that a contravention of the ESA has occurred, enforcement action can be taken against you. You may be ordered to pay any wages that are owing to the employee and in some cases, you could be ordered to pay compensation or to reinstate the employee. A notice of contravention carrying a monetary penalty could be issued against you and you could also be subject to prosecution.

Anti-reprisal provisions

If an employee asks you about his or her rights, or asks you for his or her rights under the ESA, you cannot punish the employee in any way, such as:

- Reduce the employee's pay
- Intimidate the employee
- Suspend the employee
- Fire the employee
- Penalize the employee in any other way
- Threaten any of these actions.

Employers that commit a reprisal have been ordered to compensate employees, often for many thousands of dollars. In some cases, reinstatement can also be ordered.

Contact Information

For more information about your employment standards responsibilities, visit the Ministry of Labour website at www.labour.gov.on.ca. You can also contact the Employment Standards Information Centre at 416-326-7160 or toll free at 1-800-531-5551.