



1882-2007

Business Bulletin, May 2008
UPGRADES.....NOT JUST COMPUTER SPEAK
By: Leanne Standryk

The Ministry of Labour published a new version of the Employment Standards Poster "What You Should Know about The Employment Standards Act ". Version 4.0 replaces the earlier Version 3.0 which has been posted in employer workplaces governed by the *Employment Standards Act, 2000 (the "ESA")* for quite some time.

Version 4.0 upgrades Version 3.0 by reflecting recent changes to the ESA regarding minimum wage, re-servist leave, declared emergency leave, Family Day and the employees who qualify to take a family medical leave.

The newest 4.0 version was released in February 2008 and can be downloaded from the Ministry of Labour website at <http://www.labour.gov.on.ca/english/es/poster.html> . Alternately, employers may order copies of the poster from ServiceOntario Publications or pick up copies from ServiceOntario Centres.

Employers should immediately remove the Version 3.0 from the workplace and replace it with Version 4.0.

Failure to post Version 4.0 is a contravention under the ESA. A transition period took place between February 15th, and April 11th during which employment standards officers could issue a Compliance Order requiring posting of Version 4.0. Notices of Contravention or prosecutions would only be initiated during that period of time where an employer failed to comply with an earlier issued compliance order.

On or after April 12, 2008, Employment Standards Officers may issue the full range of employment standards enforcement measures, including fines. All Employers managing a workforce that is covered by the Employment Standards Act 2000 are recommended to proceed immediately to download and/or pick up Version 4.0 and immediately post the upgrade in a conspicuous place in their workplace.

The foregoing is provided to you for information purposes only. We caution you to obtain legal advice specific to your situation in all circumstances.

Commercial Law Group

Rodger Gordon	rgordon@lbwlawyers.com	Robert Welch	rwelch@lbwlawyers.com
Harry Thorsteinson	hthorsteinson@lbwlawyers.com	R. Bruce Smith	bsmith@lbwlawyers.com
Gary Black	gblack@lbwlawyers.com	Michael A. Mann	mmann@lbwlawyers.com
David L. Edwards	dedwards@lbwlawyers.com		

Employment Law Group

Robert B. Reid	rreid@lbwlawyers.com	Leanne E. Standryk	lstandryk@lbwlawyers.com
----------------	----------------------	--------------------	--------------------------

Lancaster, Brooks & Welch LLP

PO Box 790, 80 King Street, St. Catharines, Ontario L2R 6Z1 Tel. 905.641.1551, Fax 905.641.1830
PO Box 67, 247 East Main Street, Welland, Ontario L3B 5N9 Tel. 905.735.5684, Fax 905.735.3340
55 Main Street West, Grimsby, Ontario L3M 1R3 Tel. 905.594.1263, Fax 905.594.1268
www.lbwlawyers.com