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66 ELIZABETH II, 2017

Bill 172

An Act to amend the Employment Standards Act, 2000 with respect to the minimum wage

Ms C. Forster

Private Member's Bill

1st Reading October 30, 2017

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Employment Standards Act, 2000* with respect to the determination of the minimum wage in Ontario.

An Act to amend the Employment Standards Act, 2000 with respect to the minimum wage

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

1 (1) Subsections 23.1 (1) and (2) of the *Employment Standards Act, 2000* are repealed and the following substituted:

Determination of minimum wage

(1) The minimum wage is the following:

1. On or after January 1, 2018 but before January 1, 2019, the amount set out below for the following classes of employees:
 - i. For the services of hunting and fishing guides, \$70.00 for less than five consecutive hours in a day and \$140 for five or more hours in a day, whether or not the hours are consecutive.
 - ii. For employees who are homeworkers, \$15.40 per hour.
 - iii. For any other employees not listed in subparagraphs i and ii, \$14.00 per hour.
2. On or after January 1, 2019 but before October 1, 2019, the amount set out below for the following classes of employees:
 - i. For the services of hunting and fishing guides, \$75.00 for less than five consecutive hours in a day and \$150 for five or more hours in a day, whether or not the hours are consecutive.
 - ii. For employees who are homeworkers, \$16.50 per hour.
 - iii. For any other employees not listed in subparagraphs i and ii, \$15.00 per hour.
3. From October 1, 2019 onwards, the amount determined under subsection (4).

Exception

(2) If a class of employees that would otherwise be in a class described in subparagraph 1 iii or 2 iii of subsection (1) is prescribed and a minimum wage for the class is also prescribed,

- (a) subsection (1) does not apply; and
- (b) the minimum wage for the class is the minimum wage prescribed for it.

Same

(2.1) A regulation prescribing a minimum wage for a class of employees as mentioned in subsection (2) shall not prescribe a minimum wage that is lower than the minimum wage that would otherwise apply under subparagraph 1 iii or 2 iii of subsection (1) in respect of the class.

(2) Subsection 23.1 (4) of the Act is amended by striking out the portion before the equation and substituting the following:

Annual adjustment

(4) On October 1 of each year starting in 2019, the minimum wage that applied to a class of employees immediately before October 1 shall be adjusted as follows:

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(3) Subsection 23.1 (7) of the Act is amended by striking out “2014” and substituting “2018”.

(4) Subsection 23.1 (8) of the Act is repealed.

(5) Subsection 23.1 (10) of the Act is amended by striking out “2020” and substituting “2024”.

2 Paragraph 2.0.1 of subsection 141 (1) of the Act is amended by striking out “described in subparagraph 1 v of subsection 23.1 (1)” and substituting “described in subparagraph 1 iii or 2 iii of subsection 23.1 (1)”.

Commencement

3 This Act comes into force on the day it receives Royal Assent.

Short title

4 The short title of this Act is the *Fairness in Minimum Wage Act, 2017*.