

## **Job Posting Rules for Ontario Employers in force January 1, 2026**

December 9, 2024

In both the *Working for Workers Four Act*<sup>1</sup> and *Working for Workers Five Act*,<sup>2</sup> the Ontario Government passed legislation enacting rules regarding publicly available job postings. Now, those rules – along with a corresponding Regulation<sup>3</sup> – have been declared in force, effective **January 1, 2026**.

### **Application**

The job posting rules apply to any employer that employs 25 or more employees on the day the job is posted. The rules only apply to a “publicly advertised job posting.” This means “an external job posting that an employer or a person acting on behalf of an employer advertises to the general public.”

The rules **do not** apply to a:

- General recruitment campaign or help wanted sign that does not advertise for a specific position
- A job posting restricted to internal employees, or
- A job posting for work performed outside Ontario.

### **Job Posting Rules**

#### **a) Expected Compensation**

The job posting must include the expected compensation (“wages”), or compensation range for the position, and a range cannot exceed the equivalent of more than \$50,000 annually.

There is an exception if the position has expected compensation equivalent to more than \$200,000 annually (including if the range of expected compensation ends at an amount equivalent to more than \$200,000 annually). In such a case, the job posting does not need to include the expected compensation.

#### **b) Disclosure Requirements**

The job posting must disclose:

- Whether artificial intelligence<sup>4</sup> is used to screen, assess or select applicants.
- Whether the posting is for an existing vacancy (as opposed to creating a “pool” of applicants for a future vacancy).

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<sup>1</sup> See our March 21, 2024 briefing note: [Ontario Passes Fourth Working for Workers Act](#).

<sup>2</sup> See our October 30, 2024 briefing note: [Working for Workers Five Act Receives Royal Assent](#).

<sup>3</sup> [O. Reg. 476/24](#): Rules and Exemptions Re Job Postings.

<sup>4</sup> Defined as “a machine-based system that, for explicit or implicit objectives, infers from the input it receives in order to generate outputs such as predictions, content, recommendations or decisions that can influence physical or virtual environments.”

### **c) Duty to Inform**

Within 45 days of an interview (or the last interview if there has been more than one), an employer must inform an interviewed applicant whether a hiring decision has been made. This information can be provided in person, electronically, or “using technology.”

“Interview” is defined as a meeting (in person or using technology) between an applicant who has applied to a publicly advertised job posting and an employer (or person acting on behalf of an employer), where questions are asked, and answers are given to assess the applicant’s suitability for the position. However, interview does not include preliminary screening before the selection of applicants for an interview.

### **d) Ban on Requirement for Canadian Experience**

An employer will be prohibited from requiring “Canadian experience” on a publicly advertised job posting or any associated application form.

Note: An employer may seek confirmation an applicant has any credentials required to work in Ontario (e.g., a license).

### **e) Record Keeping**

An employer must retain a copy of every publicly advertised job posting and associated application form for three years after public access to the posting is removed.

***To learn more and for assistance, contact your Sherrard Kuzz lawyer or [info@sherrardkuzz.com](mailto:info@sherrardkuzz.com).***

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**Chambers  
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Sherrard Kuzz LLP, Employment & Labour Lawyers

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Main 416.603.0700 / 24 Hour 416.420.0738 / [www.sherrardkuzz.com](http://www.sherrardkuzz.com)