



Bill 47: What does that mean for Bill 148?

The Ontario government has passed Bill 47, the ‘Making Ontario Open for Business Act, 2018’.

This act has a great impact on the changes that Bill 148 had on the Employment Standards Act (ESA). What does this mean for restaurant owners and managers? Lots! We’ve compiled this handy chart that outlines changes to the ESA and how Ameego can solve for Bill 47 (and what remains of Bill 148).

Locations and scheduling

Bill 148 changes	Bill 47 changes
As of January 1, 2019, employees may request a change to their schedule or work location after three months' employment. Employers must notify when the change comes into effect if approved, or else explain the reasons for the denial.	Repealed
As of January 1, 2019, the three-hour rule imposes minimum three hours' pay for short shifts under certain circumstances.	Bill 47 does not change this provision.
As of January 1, 2019, on-call employees must be paid for at least three hours' work, even if they are not called in, under certain circumstances.	Repealed
As of January 1, 2019, employees may refuse shifts offered with less than 96 hours' notice, under certain circumstances.	Repealed
As of January 1, 2019, employees are entitled to three hours' pay if a shift or on-call period is cancelled with less than 48 hours' notice, under certain circumstances. This does not apply if a shift is shortened or lengthened.	Repealed

How Ameego can help! We allow you to keep accurate records of what went on (when someone should get paid for a minimum of three hours!) so you'll know who to pay and when to pay them. No more trying to remember what happened. You'll have it all wrapped up and easy to access within Ameego!

Minimum wage

Bill 148 changes	Bill 47 changes
As of January 1, 2018, the general minimum wage is \$14 per hour. As of January 1, 2019, the general minimum wage will be \$15 per hour.	Minimum wage will remain at \$14 per hour until October 1, 2020, when it will be adjusted annually in line with inflation.
Liquor servers may only be paid the liquor server minimum wage if they regularly receive tips or other gratuities; otherwise, they must be paid the general minimum wage.	Bill 47 does not change this provision.

How Ameego can help! Ameego ensures that you're always paying your employees the correct wage. We use your POS as a master data source so you only have to maintain one data set to ensure that wages are in line with Bill 148 requirements.

Employee leaves

Bill 148 changes	Bill 47 changes
<p>Any employee whose pregnancy leave begins after January 1, 2018, and who is not eligible for parental leave will be entitled to end their pregnancy leave either 17 weeks after the leave began or 12 weeks after the birth, stillbirth, or miscarriage, whichever is later.</p>	<p>Bill 47 does not change this provision.</p>
<p>Family medical leave is now 28 weeks, instead of eight.</p>	<p>Bill 47 does not change this provision.</p>
<p>Parental leave may now begin as late as 78 weeks after the child is born or first comes into the employee's custody, care, and control. Parental leave now lasts up to 61 weeks for employees who take pregnancy leave, and 63 weeks for those who do not.</p>	<p>Bill 47 does not change this provision.</p>
<p>Critical illness leave is now available for any prescribed family member, not just children. Leave entitlement is 37 weeks for minor children and 17 weeks for adults.</p>	<p>Bill 47 does not change this provision.</p>
<p>Child death leave is now an entitlement of up to 104 weeks of unpaid leave for child death regardless of whether that death is crime-related.</p>	<p>Bill 47 does not change this provision.</p>
<p>Crime-related child disappearance leave entitlement has increased to a maximum of 104 weeks,</p>	<p>Bill 47 does not change this provision.</p>
<p>Domestic or sexual violence leave is available to employees who have been employed by their employer for at least 13 consecutive weeks. Provides up to 10 days of leave to be taken as individual days, and up to 15 weeks to be taken as full weeks. The first five days of leave must be paid.</p>	<p>Bill 47 does not change this provision.</p>
<p>Personal emergency leave is now available to all employees. Two of the 10 days must be paid. Employers can no longer require a doctor's note.</p>	<p>Repealed. Replaced with three unpaid sick leave days, three unpaid family responsibility leave days, and two unpaid bereavement leave days. Each has separate criteria for use and employers may ask for proof of entitlement to leave (e.g., doctor's note for sick leave). Employees must have been employed with employer for two weeks to be entitled to these leaves.</p>

How Ameego can help! The Ameego HR manager was designed specifically to track employee events, and specific leave requirements are right up it's alley! You can easily view the length of leave being granted to an employee, and see all year-to-date leave information.

Vacation

Bill 148 changes	Bill 47 changes
Salaried employees who have worked for the same employer for five years are entitled to at least three weeks' paid vacation after each completed entitlement year.	Bill 47 does not change this provision.

How Ameego can help! Easily track vacation days with in the Ameego HR manager. Plus manage book offs with ease using our handy shift shop functionality!

Equal pay for equal work

Bill 148 changes	Bill 47 changes
As of April 1, 2018, equal pay provisions prohibit pay discrimination based on employment status.	Repealed. Employers may pay different wage rates based on employment status, such as part-time versus full-time.

How Ameego can help! Ameego ensures that you're always paying your employees the correct wage. We use your POS as a master data source so you only have to maintain one data set to ensure that wages are in line with the job being done and employee status!

Overtime pay

Bill 148 changes	Bill 47 changes
Employees who receive different wages for different work will have overtime pay calculated based on the actual work performed during the overtime hours, rather than the average of the different wages.	Bill 47 does not change this provision.

How Ameego can help! Ameego allows you to pay employees for multiple rates of pay depending on the job they're doing (ex. you can easily pay Molly minimum wage when she's serving, and a higher wage when she's supervising!). Because of this, overtime will always be calculated at the wage of the shift worked.

Public holidays

Bill 148 changes	Bill 47 changes
<p>Public holiday pay is now based on the wages earned in the preceding pay period divided by the number of days worked in that period. Some exceptions apply.</p>	<p>Repealed. Replaced with previous calculation before Bill 148. Public holiday pay is based on the total amount of regular wages and vacation pay earned in the four weeks before the work week with the public holiday, divided by 20.</p>
<p>Changes have been made to the written notice employers must provide when substituting a public holiday. These changes apply under various circumstances outlined in the act.</p>	<p>Bill 47 does not change this provision.</p>

How Ameego can help! We allow you to keep accurate records of what went on so you'll know who to pay and when to pay them. No more trying to remember what happened. You'll have it all wrapped up and easy to access within Ameego!

Are you using Ameego?

Ameego is always your best friend when it comes to scheduling, time savings, and labour management, but as you can see above we're also your best friend when it comes to HR and government compliance!

Add a powerful tool to your restaurant today. Get Ameego and make sure you're compliant with Bill 148, Bill 47, and whatever else may come your way!