NEW JOB POSTING LAWS

Employment Standards Act, 2000, Part III.1
Effective January 1, 2026 (Ontario)

#1. Expected compensation

Must disclose if upper end of expected comp is **≤$200,000** (max range = **$50,000**)

#2. AI usage

Must disclose if using AI to **screen, assess, or select** applicants

#3. Actual vacancy

Must disclose if posting is for **existing vacancy or not**

#4. Canadian experience

Posting & application forms **can't** require Canadian experience

#5. 45-day turnaround

Must inform applicant of results within **45 days after interview**

CLAUSEWORK

SOME MORE DETAILS ▪

1. Expected Compensation

Rule: Your job posting must include the expected compensation if the upper end of the expected compensation range is ≤$200,000

Examples:

$155,000 to $205,000 base ⟶ **don't** need to post
$120,000 to $160,000 base + $50,000 bonus ⟶ **don't** need to post
$120,000 base + $85,000 commissions ⟶ **don't** need to post
$150,000 to $180,000 base ⟶ **must** post

2. Permitted Compensation Range Examples

Rule: Maximum range of expected compensation = $50,000

Examples:

✓ $30,000 to $70,000 base
✗ $100,000 to $140,000 base + $10,000 to $30,000 bonus

Hint: You don't need to post the full range of possible bonuses. The requirement concerns "**expected** compensation", which we can (for now) interpret to mean the target bonus. You can provide more details on achieving target in the interview process and the contract.

3. Canadian Experience Requirements

Rule: You can't require Canadian experience in your job postings and related application forms.

Caution: This doesn't mean you can still consider Canadian experience outside of the job postings and application forms. Human rights law separately prohibits Canadian experience requirements unless the employer can prove it is a "bona fide occupational requirement". See the Human Rights Commission's policy for more information.