



Record Keeping

All employers in Ontario are required to keep written records about each person they hire. These records must be kept by the employer, or by someone else on behalf of the employer, for a certain period of time. The employer must also ensure that the records are readily available for inspection.

The employer must record and retain the following information for each employee:

| Name | Period |
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| The employee's name, address and starting date of employment | This must be kept for three years after the employee stopped working for the employer. |
| The employee's date of birth if the employee is a student under 18 | This must be kept for either three years after the employee's 18th birthday or three years after the employee stopped working for the employer, whichever happens first. |
| The hours worked by the employee each day and week. The employer must record and retain the date and time the employee worked. | <p>This must be kept for three years after the day or week of work. If an employee receives a fixed salary for each pay period and the salary does not change (except if the employee works overtime) the employer is only required to record:</p> <ul style="list-style-type: none">• the employee's hours in excess of those hours in the employee's regular work week;• the number of hours in excess of eight per day (or in excess of the hours in the employee's regular work day, if it is more than eight hours).• Employers are not required to record the hours of work for salaried employees who are exempt from overtime pay and the provisions for maximum hours of work. |
| The regular rate for each hour of overtime worked, where the employee has two or more regular rates of pay | If the employee has two or more regular pay rates and in a work week, performed work for the employer exceeding the overtime threshold, the employer must record the dates, times, and regular rate for each overtime hour worked. These records must be kept for three years. |
| Retention of written agreements to work excess | An employer must retain copies of every |

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| hours or average overtime pay | agreement made with an employee to work excess hours or to average overtime pay for three years after the last day on which work was performed under the agreement. |
| Substituted day off for public holiday | If a day is substituted for a public holiday, the employer must provide the employee with a written statement containing the public holiday which is being substituted. The statement must also include the date of the substituted day, and the date on which the statement is provided to the employee. The employer must retain a record of the information contained on the statement for three years. |
| Retention of vacation time records | Employers are required to keep records of the vacation time earned since the date of hire but not taken before the start of the vacation entitlement year, the vacation time earned during the vacation entitlement year (or stub period), vacation time taken (if any) during the vacation entitlement year (or stub period) and the amount of vacation time earned since the date of hire but not taken as of the end of the vacation entitlement year (or stub period). The records must be retained for five years after they are made. |
| Retention of vacation pay records | <p>The employer must keep records of the vacation pay earned and paid to the employee during the vacation entitlement year (or stub period, if any) and how that vacation pay was calculated. These records must be made no later than seven days after the start of the next vacation entitlement year (or first vacation entitlement year if the records relate to a stub period) or the first payday after the next vacation entitlement year ends (or first vacation entitlement year if the records relate to a stub period), whichever is later.</p> <p>Generally, this information must be kept for five years after the record of vacation time and pay was made.</p> |
| Information contained in an employee's wage statement | This must be kept for three years after the information was given to the employee. |

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| Information related to leaves | <p>All the documents relating to an employee's pregnancy, parental, sick, family responsibility, bereavement declared emergency, family caregiver, family medical, critical illness, organ donor, reservist, domestic or sexual violence, child death and crime-related child disappearance leave.</p> <p>An employer must keep or arrange for some other person to keep all notices, certificates, correspondence and other documents given to or produced by the employer that relate to an employee taking a leave. This information must be kept for three years after the day on which the leave expired.</p> |
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Health and Safety, and Accessibility

| Name | Period |
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| Health & Safety Policies/Manual Receipt & Acceptance Form | No period of time is specified in the regulation. |
| <p>Records for Health & Safety Training:</p> <ul style="list-style-type: none"> ✓ Health & Safety Awareness (General or Supervisor) ✓ WHMIS ✓ First Aid ✓ Job-specific Safety & PPE Training ✓ Workplace Violence & Harassment ✓ Fire Safety | An employer must keep the record of training for at least six months after a worker or supervisor stops working for him or her to be in a position to comply with this requirement. |
| Records relating to the Occupational Health and Safety Act (OHSA) | <p>This includes records of all workplace injuries and illnesses, as well as records of inspections and other health and safety activities.</p> <p>Under the OHSA, employers are required to retain certain health and safety records for specific time periods. For example, records of workplace injuries and illnesses must be kept for at least five years.</p> |
| Records for Accessibility Training: | Must keep a written record of this training that |

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| <ul style="list-style-type: none"> ✓ General AODA Requirements ✓ Customer Service Standard ✓ Human Rights Code as it pertains to persons with disabilities ✓ Job-Specific Accessibility Training | <p>includes how many people were trained and the dates the training was provided. No period of time is specified in the regulation. We advise you to keep the record of training for at least six months after an employee's resignation.</p> |
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References:

<https://osg.ca/6-tips-for-managing-health-safety-records-in-ontario/>

<https://www.ontario.ca/document/your-guide-employment-standards-act-0/record-keeping>

<https://www.aoda.ca/general-aoda-requirements/>

<https://www.ontario.ca/page/accessibility-rules-businesses-and-non-profits>

<https://www.wsib.ca/en/human-resources-personal-information-bank>