

What You Don't Know Can Really Hurt You™

WHAT EVERY DOCTOR SHOULD KNOW ABOUT EMPLOYMENT LAW™

Attention Ontario employers who do your own payroll



Greetings!

The way that you must calculate public holiday pay for New Year's Day will be different from the calculation for Christmas and Boxing Day. That is because the revision to the section of Ontario's *Employment Standards Act, 2000*, that covers public holiday pay comes into effect on January 1, 2018.



Old calculation:

(use for Christmas and Boxing Day 2017)

total amount of earnings
in the four weeks prior to the public holiday
divided by 20

New calculation:

(use for New Year's Day 2018)

total amount of regular wages earned
in the pay period immediately before the public holiday
divided by the number of days worked by the employee in that period

You can readily see that this change (like many of the other amendments to the ESA) will cost Ontario employers more since part-time employees (who were formerly paid proportionately for a public holiday) will now be paid their equivalent of a full work day.

For example, employee, Jane, works one day per week and earns \$100 each day she works. Accordingly, she earned \$100 for the pay period December 24 to 30, 2017. Per the new calculation, she would be entitled to \$100 in public holiday pay for January 1, 2018 ($\$100 \div 1 = \100). Under the old calculation, Jane would have earned just \$20.

This is just one of the many changes to the ESA. For further details, see below.

As always, let us know if you have any questions at all. Your MBC team wishes you and your loved ones a very safe and happy holiday season!

Sincerely,



Bill 148 is now Law

As you have likely seen in the media, Ontario is undergoing the most dramatic changes to employment legislation in decades. Bill 148 (the tendentiously named *Fair Workplaces Better Jobs Act*) has been passed. (Alberta already passed similar legislation and other provinces are likely to follow.) The bulk of the amendments to the *Employment Standards Act* (the "ESA") are expected to come into force on January 1, 2018.

If you are an existing PPP™ client, you should, in our opinion, update your contracts to be consistent with the new law. Fortunately, (and because we have been very careful drafting over the years) the updates should be simple. Please click on the link below in Part I: Updating Your PPP™ below for details. For all readers, we have prepared a summary of the important *ESA* changes that we think you need to be aware of, in Part II, below.

To see how any *ESA* or other employment law provision applies to your particular situation, **contact** us.

Part I: Updating Your PPP™

If you are an existing PPP™ client, please click [here](#) to learn how to get your contracts updated in accordance with the new law.

Part II: ESA Amendments

Whether or not you are a PPP™ client yet, click [here](#) for a summary of the changes to the *Employment Standards Act*.

Litigation Explosion



We are thrilled with the results we are getting for our clients in a range of litigation matters. Here are some of their comments:

"MBC Legal has been helping my husband's dental clinic for years. I am not involved in his dental practice and when my own personal employment issue arose, I wanted to ask if Mariana and her team were able to help and they did. I was thrilled with the professionalism throughout the process. They represented me well in a difficult situation and they were able to get for me

Health and Safety Training

Do you feel



overwhelmed by the myriad health and safety regulations and how to train your staff? MBC Legal is delighted to announce that we have expanded our Health and Safety training

what they wanted to achieve. I don't believe that any other firm would have been able to deliver what MBC did in my situation."

"We hired MBC Legal several years ago to transition our staff to proper, legal contracts and office manual (PPP TM). This turned out to be one of the best business decisions we have made as subsequently a long term employee who was terminated for just cause started a six-figure lawsuit against us. Mariana, Dirk and their team provided outstanding professional advice and expertise throughout the legal process.

Due to the fact that we had followed their recommendations rights from the start of the employee contract transition and received such expert legal representation, the employee and her lawyers dropped the lawsuit and walked away with nothing. We highly recommend the MBC Legal team and thank them for their outstanding legal counsel, support and guidance!"

If you are concerned about a sensitive situation that looks like it will become litigious, the sooner you contact us, the more we can help. Contact us at 905-825-2268 or [email here](#).

services. **Maria Turner** has not only joined MBC Brokerage as an Associate, but she is also bringing her decades of dental office expertise to the Legal Division to allow us better to serve your needs. If you need help with your onerous obligations to train staff on health and safety, call us today. You can reach Maria at 905-464-2545 or mct@mbclegal.ca.

Contact Maria

Articles and Videos



Contact us



Welcome to
MBC BROKERAGE
All you need to know about the appraisal and sale of
dental / veterinary / optometry and other professional practices



MBC
Brokerage

Contact Your
Team

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Listings

Request
Appraisal

We have set out as much general information as possible here for you in order to be as helpful as possible. However, please understand that nothing here constitutes legal advice, nor does it create a solicitor-client relationship. If you are an existing MBC client, or you wish to become one, please contact us so that we can address your specific situation and advise you properly.