**MEMBER BULLETIN**

November 1st, 2023

**Maximum Fine for Corporations Now**

**$2 Million Under *OHSA***

On October 26, 2023, Ontario’s Bill 79*, Working for Workers Act, 2023* received Royal Assent and passing into law the Bill 79 amendments of several employment statutes including the *Occupational Health and Safety Act (OHSA).*

The Ontario health and safety law was amended to increase the maximum fine for a corporation, if convicted under the *OHSA,* from **$1,500,000 to $2,000,000**. The higher fine is not retractive and is not tax deductible. There is no minimum fine against a corporate offender.

In the spring of 2022, Ontario also increased the maximum fine for corporate directors and officers from **$100,000 up to $1,500,000, a 1500% increase**. Directors and officers also are subject to a penalty, upon conviction under the *OHSA*, of 12 months imprisonment.

Ontario has the highest maximum corporate fine under the workplace safety laws in Canada. Therefore, more than ever, corporations must have an effective health and safety management system, which will assist preventing incidents and help establish a due diligence defence.

If you have any questions about Bill 79, or fines for corporations and directors, please send an email to: [steven.crombie@oswca.org](mailto:steven.crombie@oswca.org) or 416-618-9839