

1986

# c 51 Employment Standards Amendment Act, 1986

Ontario

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## CHAPTER 51

**An Act to amend the Employment Standards Act***Assented to November 18th, 1986*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. Section 1 of the *Employment Standards Act*, being chapter 137 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following clause:**

(na) "severance pay" means the amount of pay to which an employee is entitled under section 40a.

**2. Subsection 7 (4) of the said Act is repealed and the following substituted therefor:**

(4) Any payment to which an employee is entitled upon termination of employment, other than termination pay and severance pay, shall be paid by the employer to the employee not later than seven days after termination of employment. Payment on termination

(5) Every contract of employment shall be deemed to include the following provision: Deemed term of employment contract

All severance pay and termination pay become payable and shall be paid by the employer to the employee in two weekly instalments beginning with the first full week following termination of employment and shall be allocated to such weeks accordingly. This provision does not apply to severance pay if the employee has elected to maintain a right of recall as provided in subsection 40a (7) of the *Employment Standards Act*.

(6) For the purposes of subsections (4) and (5), if an employer provides payments on termination in excess of those required by section 40 or section 40a, the entire amount so provided shall be deemed to be severance pay or termination pay, as the case may be. Extended application

Commence-  
ment

**3. This Act comes into force on the day it receives Royal Assent.**

Short title

**4. The short title of this Act is the *Employment Standards Amendment Act, 1986*.**