

Global Immigration alert

January 2026

Canada

New Ontario advertising requirements

Executive summary

Ontario has introduced new requirements for publicly advertised job postings, effective 1 January 2026. These changes, implemented through amendments to the *Employment Standards Act, 2000* and related regulations, directly affect advertising requirements for Ontario-based employers filing Labour Market Impact Assessment (LMIA) applications under the federal Temporary Foreign Worker Program.

Ontario's new rules mandate disclosure of wage or wage range being offered for the role, the nature of a vacancy and AI use, and prohibit Canadian experience requirements. These changes are designed to increase hiring transparency and reduce barriers in recruitment. However, they will also require employers seeking LMIA applications to review and update related advertising and candidate screening practices for Ontario-based positions.

Ontario's new job posting requirements

The new rules apply to employers in Ontario with 25 or more employees who post "publicly advertised job postings", which may include job postings for LMIA-based recruitment in support of hiring a temporary foreign worker.

Public job postings in Ontario now require:

- **Compensation disclosure:** advertisements must include the expected compensation or range unless the compensation is \$200,000 or more annually or the high end of the wage range is \$200,000 or more annually. If a wage range is provided, the range cannot surpass \$50,000 annually (e.g., \$90,000 to \$140,000).

- **No advertising for Canadian experience:** employers are prohibited from including any requirements related to Canadian experience.
- **AI disclosure:** if an employer uses AI to screen, assess, or select applicants, the posting must include a disclosure notice.
- **Vacancy status:** postings must state whether the ad is for an existing vacancy or not.
- **Notification to interviewed candidates:** where a candidate is interviewed, employers must notify them within 45 days of the interview (or last interview, if there were multiple) of whether a hiring decision was made.
- **Record retention:** employers must retain copies of publicly advertised job postings, application forms, and post-interview communications for a three-year period.

Impact on employers

Ontario employers posting job ads under the Temporary Foreign Worker Program should:

- Consult with employment and immigration counsel to review and incorporate the additional Ontario requirements into public job postings. From an immigration perspective, particular attention should be given to wages, position requirements and appropriate disclosure of job vacancy status information (e.g., where an employer is posting LMIA advertising to support LMIA applications for existing temporary foreign workers)
- Review compensation for positions with labor market shortages to determine accurate and appropriate wage

levels and ranges that meet the requirements of both the Temporary Foreign Worker Program and Ontario's job ad rules

- Ensure that candidate suitability screening and LMIA advertisement reviews do not impose a requirement for prior Canadian work experience
- Review LMIA recruitment processes and record-keeping practices to ensure consistent tracking of hiring-decision communications, record retention, and all job ads, results, and screening activities for LMIA compliance

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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