

# Proposed Amendment to Third Party Demand Provision of the ESA, 2000

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Lawyers You Should Know: Maria Kotsopoulos

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Bill 85 – otherwise known as the *Strengthening and Improving Government Act, 2015* – received first reading in the legislature on April 2, 2015. The Bill proposes an amendment to the third-party demand section in Part XXIV of the *Employment Standards Act, 2000*.

In its current form, section 125(1) provides that where the Director of Employment Standards suspects a person owes money to, or is holding money for, a person liable to make a payment under the Act the Director may demand that all or part of the money be paid to the Director in trust.

If passed, Bill 85 would go beyond this and permit the Director to make this demand for all or part of the money to be paid to the Director in trust where the Director believes or suspects that a person will within 365 days owe money to or hold money for the employer, director or other person.

We will keep you updated on the progress of this legislation.