<Your Name>

<Your Address>

<City, Province, Postal Code>

<Date of Letter>

<Name of Recipient

<Title of Recipient>

<Address>

<City, Province, Postal Code>

Dear <Name of Recipient>,

I am writing you as I am concerned by recent moves taken by the provincial government and the Ministry of Labour that will harm independent contractors in Ontario.

The proposed measures of the Fair Workplaces, Better Jobs Act, 2017 (Bill 148) place independent contractors at risk of being wrongfully categorized as employees and receiving a punitive tax treatment that puts them at a significant competitive disadvantage and have major personal implications.

The Fair Workplaces, Better Jobs Act was introduced to update Ontario’s labour and employment laws to reflect the changing workplace. Despite the intent of focusing on growth and supporting jobs, the government has indicated that it will make contractor misclassification a priority enforcement issue and increase penalties. While misclassification is already prohibited, independent contractors should expect more scrutiny and potentially interference in their client engagements. Even more, where the government perceives a potential misclassification, it intends to institute “Reverse Onus”, which impose a defacto employee classification. Simply put, this means it will be the client company’s responsibility to prove a worker is not an employee. This will create a new risk specific to independent contractors.

Highly-skilled independent contractors are a cornerstone of the technology sector and help businesses in Ontario stay current and competitive. Taking steps to interfere with their ability to engage clients will not only restrict their opportunities but hurts the economy as a whole. Being pushed into an undesired employee classification is a severe event that can disrupt their livelihood and have significantly negative effects on any pension, health benefits or growth planning organized around their business. Being independent is important to me and I am joining with the Association of Professional Canadian Consultants to ask the Ontario Government to reconsider its proposals.

Sincerely,

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