

Definition of “employment agencies” in Canadian provincial legislation - 2014

Addendum to “Regulation of Employment Agencies”, by Peter Bowal, Kymbat Yermekbayeva and Joshua Beckie,
LawNow, 39(1), Sep/Oct 2014

Province	Definition	Legislation
Alberta	<p>“Employment agency business” means the business designated as the employment agency business under <i>Designation of Trades and Businesses Regulations</i> (AR 178/99)”</p> <p>“Employment agency business means any of the following activities:</p> <ul style="list-style-type: none"> a. securing or attempting to secure individuals in Alberta for employment; b. securing or attempting to secure employment in Alberta for individuals; c. evaluating or testing an individual, or arranging for an individual to be evaluated or tested, for skills or knowledge required for employment by an employer where the individual or the employment is located in Alberta; d. any activities specified under the <i>Employment Agency Business Licensing Regulation</i> as activities that constitute engaging in the employment agency business” 	<p><i>Fair Trading Act</i></p> <p><i>Employment Agency Business Licensing Regulation</i>, section 1(b)</p> <p><i>Designation of Trades and Businesses Regulation</i>, section 4(2)</p>
British Columbia	<p>“Employment agency” means a person who, for a fee, recruits or offers to recruit employees for employers”</p>	<p><i>Employment Standards Act</i>, section 1(1)</p>
Manitoba	<p>“Employment agency business” means the activities of finding individuals – other than child performers or foreign workers – for employment, or finding employment for such individuals”</p>	<p><i>The Worker Recruitment and Protection Act</i>, section 1</p>
New Brunswick	<p>“Employment agency” includes a person who undertakes with or without compensation to procure employees for employers and a person who undertakes with or without compensation to procure employment for persons”</p>	<p><i>Human Rights Code</i>, section 2</p>
Newfoundland and Labrador	<p>“Employment agency” includes a person who undertakes with or without compensation to procure employees for employers and a person who undertakes with or without compensation to procure employment for persons”</p>	<p><i>Human Rights Act</i>, section 2 (f)</p>
Nova Scotia	<p>“Employer” means a person, firm, corporation, agent, manager, representative, contractor or subcontractor having control or direction of or being responsible, directly or indirectly, for the employment of any employee”</p>	<p><i>Labour Standards Code</i>, section 2 (e)</p>
Prince Edward Island	<p>“Employment agency” includes a person who undertakes with or without payment to procure employees for employers and a person who undertakes with or without payment to procure employment for persons”</p>	<p><i>Human Rights Act</i>, section 2 (h)</p>
Saskatchewan	<p>“Employment agency” includes a person who undertakes, with or without compensation, to procure employees for employers and a person who undertakes, with or without compensation, to procure employment for persons”</p>	<p><i>Human Rights Code</i>, section 2.1 (h)</p>
Ontario	<p>“Employment agency” means the business of procuring for a fee, reward or other remuneration,</p> <ul style="list-style-type: none"> (a) persons for employment, or (b) employment for persons, <p>and includes the business of counseling or testing persons for a fee, reward or other remuneration to assist them in securing employment”</p> <p>“Temporary help agency” means an “employer that employs persons for the purpose of assigning them to perform work on a temporary basis for clients of the employer”</p>	<p><i>Employment Agencies Act</i>, section 1</p> <p><i>Employment Standards Amendment Act (Temporary Help Agencies)</i>, 2009</p>