

Employment Update: WSIB in Ontario - What Employers Need to Know

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Lawyers You Should Know: Sarah Mills , Maria Kotsopoulos

Workplace injuries can carry significant legal, financial and operational consequences for Ontario employers. Central to managing these risks is the Workplace Safety and Insurance Board (“WSIB”), the provincial body that administers Ontario’s workplace insurance system. This article provides a practical overview of employer obligations under the WSIB regime and offers guidance on reducing risk.

Under the WSIB’s no-fault workplace insurance system, workers who are injured on the job receive wage-loss benefits, health care coverage and return-to-work support. In exchange, employers receive protection from most civil lawsuits related to workplace injuries. This trade-off, often referred to as the “historic compromise,” is a cornerstone of Ontario’s workplace safety regime.

Most Ontario employers are required to register with the WSIB within ten (10) days of hiring their first employee. This includes businesses in construction, manufacturing, retail and many service sectors. Certain businesses, such as some professional services firms, may be exempt from mandatory coverage, but these exceptions are narrow. If you are unsure of your status, it is important to confirm promptly, as misclassification can result in penalties and retroactive premiums.

WSIB premiums are calculated based on your industry classification and total insurable payroll. Your premium rate is also influenced by your claims history and return-to-work outcomes. Employers with strong safety practices and effective return-to-work programs can benefit from lower premiums over time, while those with a history of frequent or costly claims may see their rates increase.

Key Employer Obligations

Employers have several core responsibilities under Ontario’s workplace safety regime, and understanding each of them is essential to maintaining compliance:

- **Maintaining a safe workplace:** Employers must comply with the *Occupational Health and Safety Act* (“OHSA”), including providing appropriate training, supervision and equipment. Proactive compliance with the OHSA not only protects workers but also reduces the likelihood of WSIB claims and related costs.
- **Reporting workplace injuries promptly:** Employers are required to file a Form 7 with the WSIB within three (3) business days of learning about a workplace injury or illness that requires medical attention or results in lost time or modified work. Late or incomplete reporting can lead to penalties and may complicate the claims process.
- **Paying wages on the day of injury:** Employers must pay full wages and benefits for the day on which the injury occurs, regardless of when during the shift the injury took place.
- **Supporting return to work:** Employers have a legal obligation to cooperate in the worker’s safe and timely return to work. This includes offering suitable modified duties where available and maintaining communication with the injured worker throughout the recovery period. A well-managed return-to-work process can significantly reduce claims costs and help maintain productivity.
- **Maintaining proper records:** Accurate payroll and incident records must be kept and made available to the WSIB upon request. Good recordkeeping supports effective claims management and helps ensure that premium assessments are accurate.

Failure to meet WSIB obligations can result in financial penalties, increased premiums and audit activity. In the construction sector in particular, non-compliance can create difficulties in obtaining clearance certificates, which are often required to secure or maintain contracts with general contractors and project owners.

WSIB compliance is not simply an administrative requirement, it is a key component of sound risk management. Employers who prioritize workplace safety, timely reporting and effective return-to-work practices are better positioned to control costs, minimize operational disruption, and avoid disputes both with the WSIB and injured workers.

Recent Developments

The Ontario government has recently announced two significant proposed changes to the province’s WSIB regime. On April 8, 2026, the government introduced proposed legislation to extend mandatory WSIB coverage to approximately 29,000 additional frontline care workers employed in privately operated residential care facilities, retirement homes and group homes.

In addition, on April 13, 2026, the government proposed the first increase in nearly 30 years to WSIB income replacement benefits, raising Loss-of-Earnings benefits from 85 per cent to 90 per cent of a worker’s take-home pay. The proposed changes would also allow eligible workers to continue receiving Loss-of-Earnings benefits past age 65 if they planned to keep working. Employers should monitor these developments, as they may affect coverage obligations, premium costs and benefit entitlements.

For specifically tailored advice regarding your WSIB obligations, claims management or workplace safety policies, please reach out to a member of Blaney’s [Labour and Employment Group](#).

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