



# Hiring for your small business

A Canadian Bar Association series supporting legal wellness

Operating a small business is exciting. This checklist offers issues to keep in mind when hiring. It can help you protect your interests, prevent problems and avoid costly mistakes.

- ☐ Are you hiring an employee or arranging for services from an independent contractor? There are important differences.

When hiring employees:

- ☐ What does employment standards legislation require of employers in your province or territory? \*
  - ☐ Do your pay periods comply with that legislation? Do you take the right deductions?
  - ☐ Will your employees work full-time, or part-time? For a set period, or indefinitely?
  - ☐ Will you pay your employees by the hour, or a salary?
  - ☐ What overtime laws apply to your business?
  - ☐ What notice or pay in lieu of notice is required to end employment without “just cause”?
  - ☐ Do you know that you must issue a Record of Employment when employment ends?
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- ☐ Did your employees or independent contractors sign agreements before they started work?
  - ☐ Is your business registered with the workers compensation board in your province or territory?
  - ☐ What steps have you taken to prevent illness and injuries? Occupational health & safety law violations can be serious.
  - ☐ Does your business, including your employees, comply with human rights and privacy legislation? Have you got a process to investigate and address complaints?

*\*Most workplaces are covered by provincial or territorial laws, but some are regulated by the federal government. If that applies to your workplace, check the federal government website.*

It is important to get answers to these questions before hiring. If you are unsure, get legal advice.

**LAW. YOU. CHECK IT OUT.**



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