

ccdi.ca



Prince Edward Island provincial legislation guide

July 2026



Canadian Centre for Diversity and Inclusion
Centre canadien pour la diversité et l'inclusion

Contents

Introduction3

Employment Standards Act4

Freedom of Information and Protection of Privacy Act.....5

Non-Disclosure Agreements Act6

Occupational Health and Safety Act.....7

Prince Edward Island Human Rights Act.....8

Temporary Foreign Worker Protection Act9

Workers Compensation Act 10

Youth Employment Act..... 11

Introduction

This guide provides a brief overview of key employment, health and safety, privacy, and diversity, equity, inclusion and accessibility (DEIA) legislation in Prince Edward Island. For each piece of legislation, we outline why it is important to employers and how it relates to DEIA, who and what it applies to, the latest date of amendment, the key requirements for employers (highlighting how the legislation specifically affects workplace practices), and the penalties for non-compliance. This guide is intended for general informational purposes only and does not constitute legal advice.

We encourage organizations to use this guide as a starting point for understanding their obligations under the law. However, this guide is not exhaustive and there are details, exceptions, and nuances in the legislation that require further reading or consultation to fully understand and apply. Additionally, while the information and links provided are accurate at the time of publication, this guide is not updated with every legislative change. Users should review the relevant legislation to confirm current requirements.

While compliance with the law is the baseline, we also recommend that organizations go beyond compliance where possible, proactively building workplaces that prioritize safety, inclusion, and equity in policies, practices, and culture.

Note that this resource covers legislation specific to one province or territory. A Canadian federal legislation guide is also available.

Employment Standards Act

Why this legislation matters

The Employment Standards Act establishes minimum workplace standards in Prince Edward Island. Clear minimum rules on wages, hours, leave, and termination help reduce exploitation and support more equitable treatment across the workforce.

Applies to

- Most employers and employees in Prince Edward Island, subject to listed exclusions or special rules.

Latest amendment

- 2024-10-01

Requirements for employers

- The Act establishes minimum standards for key employment conditions, such as:
 - Wages and pay practices
 - Work hours and overtime
 - Vacation, public holidays, and job-protected leaves
 - Termination obligations
 - Workplace harassment, including sexual harassment

Penalties for non-compliance

- Enforcement usually starts with education and correction, and Employment Standards can order employers to pay owed wages and correct violations.
- Serious or willful offences and contraventions under the Act can lead to fines between \$200 and \$10,000 per offence.
- Employers may also face formal investigations by the Employment Standards Branch and binding orders that must be posted in the workplace.

Further reading

- [Employment Standards Act](#)
- [Employment Standards](#), Government of Prince Edward Island
- [Guide to Employment Standards in Prince Edward Island \(PDF\)](#), Government of Prince Edward Island

Freedom of Information and Protection of Privacy Act

Why this legislation matters

The Freedom of Information and Protection of Privacy Act (FOIPP Act) shapes how public bodies treat people's personal information and access to information in ways that directly affect trust and equity. The FOIPP Act supports equitable treatment, informed participation, and protection of sensitive personal information.

Applies to

- Public bodies in Prince Edward Island, including provincial government departments and agencies, crown corporations, municipal governments, school boards, health authorities, and other publicly funded bodies.

Latest amendment

- 2026-03-30

Requirements for employers

- Collect, use, and disclose personal information only as authorized by the Act, and only for purposes that are reasonable and necessary.
- Put safeguards in place to prevent unauthorized access, use, or disclosure.
- Respond to access requests within legislated timelines, provide access to records unless a specific exception applies, and provide written reasons when access is denied.
- Ensure staff are aware of and comply with the FOIPP Act.
- Appoint a designated FOIPP coordinator or officer.
- Cooperate with investigations by the Information and Privacy Commissioner.

Penalties for non-compliance

- The Privacy Commissioner can order disclosure of records, require changes to privacy practices, and investigate complaints and issue formal findings.
- Serious or willful offences can lead to fines up to \$10,000.

Further reading

- [Freedom of Information and Protection of Privacy Act](#)
- [Freedom of Information and Protection of Privacy \(FOIPP\)](#), Government of Prince Edward Island

Non-disclosure Agreements Act

Why this legislation matters

The Non-disclosure Agreements Act regulates the use of non-disclosure agreements (NDAs) in situations involving harassment or discrimination. It prevents the misuse of NDAs to silence complainants and supports safer, more accountable workplace responses to misconduct.

Applies to

- Employers, former, current, and prospective employees, contractors, and other individuals in a work-related context.

Latest amendment

- 2022-05-17

Requirements for employers

- The Act significantly restricts how employers can use NDAs:
 - An NDA is only valid if it is voluntarily requested by the affected individual.
 - Employers cannot require an NDA to obtain or keep a job or to access a settlement or compensation.
 - An NDA is only permitted where it is clearly in the best interest of the person who experienced misconduct, the individual has had an opportunity to receive independent legal advice, and there is no undue pressure or coercion.
 - Valid NDAs must be written in clear, understandable language, specify what information is covered and any exceptions, and allow the individual to withdraw consent within a specified period.
- The Act makes clear that a non-compliant NDA is null and void and that an NDA cannot prevent disclosures protected under other laws such as employment standards, human rights, or occupational health and safety legislation.

Penalties for non-compliance

- A non-compliant NDA may be legally ineffective, which creates significant legal and reputational risk for employers.

Further reading

- [Non-disclosure Agreements Act](#)
- [P.E.I. Non-Disclosure Agreements Act: 3 Key Facts for Employers](#), McInnes Cooper

Occupational Health and Safety Act

Why this legislation matters

The Occupational Health and Safety Act is Prince Edward Island's main workplace safety law. Workplace inclusion is not meaningful without safety, and all workers should have access to information, protection, and participation in health and safety systems.

Applies to

- Almost all workplaces, and workers in Prince Edward Island, including supervisors, contractors, and self-employed persons, and owners of workplaces and equipment.

Latest amendment

- 2023-08-01

Requirements for employers

- Take every reasonable precaution to protect workers' health and safety.
- Provide and maintain safe equipment, materials, and work environments.
- Identify workplace hazards, implement measures to eliminate or control risks, and ensure proper procedures and safe work practices.
- Provide training, information, and supervision so workers know how to safely do their jobs and use protective equipment.
- Establish health and safety committees or representatives as required.
- Investigate and report incidents as required.

Penalties for non-compliance

- Occupational Health and Safety Officers can issue orders to comply, require hazards to be corrected, and issue stop-work orders where there is immediate danger.
- Serious or willful offenses can lead to significant penalties, including fines up to \$250,000, possible imprisonment, and additional daily fines for continuing offences.

Further reading

- [Occupational Health and Safety Act](#)
- [OHS Act & Regulations](#), Workers Compensation Board of Prince Edward Island
- [Prince Edward Island's Guide to Occupational Health and Safety Legislation](#), Workers Compensation Board of Prince Edward Island

Prince Edward Island Human Rights Act

Why this legislation matters

The Prince Edward Island Human Rights Act is the province's foundational anti-discrimination law. It protects individuals from discrimination based on protected grounds in employment and other areas, and supports fair treatment, dignity, and inclusion in the workplace.

Applies to

- Public and private sector employers, as well as employees, service providers, landlords, and organizations.

Latest amendment

- 2024-03-01

Requirements for employers

- Prevent discrimination in all stages of employment, including recruitment and hiring, working conditions, pay and benefits, promotion, and termination.
- Provide reasonable accommodations for needs related to disability, religion, or other protected grounds, to the point of undue hardship.
- Maintain non-discriminatory policies and practices.
- Respond to and address complaints of discrimination or harassment.

Penalties for non-compliance

- Human rights proceedings can result in enforceable remedial orders, and the Act also contains offence provisions with fines for contraventions.

Further reading

- [Human Rights Act](#)
- [For Employers and Employees](#), Prince Edward Island Human Rights Commission

Temporary Foreign Worker Protection Act

Why this legislation matters

The Temporary Foreign Worker Protection Act is designed to protect temporary foreign workers (TFWs) from exploitation and unfair treatment. It supports more equitable treatment of migrant workers, who may face heightened vulnerability in the workplace.

Applies to

- Employers and recruiters involved in hiring TFWs in Prince Edward Island.
- Temporary foreign workers employed in the province.

Latest amendment

- 2025-04-01

Requirements for employers

- Employers may be required to register with the province before hiring TFWs, and recruiters that help employers in Prince Edward Island find TFWs must be licensed.
- Employers and recruiters must not charge prohibited fees or expenses to workers (e.g., recruitment fees or attempts to recover hiring costs).
- Provide truthful information about job duties, wages, and working conditions.
- Ensure employment terms are consistent with the job offer and any federal approvals.
- Avoid document retention and other prohibited practices.
- Employers must not threaten, discipline, or penalize TFWs for asserting their rights, filing a complaint, or participating in an investigation.
- Comply with future worker-protection requirements as [phases of the legislation](#) come into force.

Penalties for non-compliance

- Individuals can face fines of \$200 to \$5,000 and possible imprisonment of up to one year, while corporations can face fines of \$1,000 to \$25,000.
- Non-compliance can also lead to being barred from hiring TFWs in PEI.

Further reading

- [Temporary Foreign Worker Protection Act](#)
- [Temporary Foreign Worker Protection Act Information](#), Government of Prince Edward Island

Workers Compensation Act

Why this legislation matters

The Workers Compensation Act establishes the no-fault workplace insurance system administered by the Workers Compensation Board of Prince Edward Island (WCB). The Act ensures all workers have equal access to injury benefits, rehabilitation, and return-to-work support.

Applies to

- Most employers and workers in Prince Edward Island, including temporary or part-time workers, seasonal workers, or family members on payroll.
- Some industries are excluded from coverage requirements, but employers in these industries can purchase optional coverage.

Latest amendment

- 2025-08-02

Requirements for employers

- Register with the WCB and pay assessments based on payroll and industry.
- Report workplace injuries or illnesses promptly and keep accurate records.
- Maintain a safe work environment.
- Partner with employees and the WCB to prevent work-related injuries or illnesses.
- Support injured workers with return-to-work or modified duties programs.
- Protect workers from retaliation for reporting injuries or filing claims.

Penalties for non-compliance

- Employers who fail to register, report injuries, or pay assessments can face administrative penalties (e.g., fines up to \$1000 or interest on unpaid assessments).

Further reading

- [Workers Compensation Act](#)
- [Workers Compensation Board of Prince Edward Island](#)
- [Information for Employers](#), Workers Compensation Board of Prince Edward Island

Youth Employment Act

Why this legislation matters

The Youth Employment Act supports the Labour Standards Act by establishing specific requirements for the employment of workers under the age of 16. The Act ensures that young workers can access employment in a way that is safe and developmentally appropriate and reduces power imbalances between employers and young workers.

Applies to

- Employers and workers under age 16 in Prince Edward Island

Latest amendment

- 2023-11-29

Requirements for employers

- The Act sets minimum age of eligibility for workers:
 - Children under 14 years old generally cannot be employed, except in limited circumstances (e.g., family business or agriculture).
 - Youth aged 14 to 15 may work, but only under regulated conditions.
- Employers must obtain a youth employment permit and ensure parent/guardian consent is provided.
- Employers must ensure that young workers do not work during school hours and do not work excessive hours that could interfere with education.
- Employers must ensure work is safe and appropriate for the worker's age and is not harmful to their health, safety, or moral development. Youth under 16 cannot be employed in hazardous work.
- Employers must also provide adequate supervision, ensure a safe working environment, and comply with record keeping requirements.

Penalties for non-compliance

- Orders, fines, and restrictions on employing young workers.

Further reading

- [Youth Employment Act](#)
- [Guide to Employment Standards in Prince Edward Island \(PDF\)](#), Government of Prince Edward Island