

KEMPT

Bill 190 compliance, automated.

The Bill 190 Compliance Checklist

Everything Ontario businesses need to do
before the next Ministry of Labour inspection.

WHO THIS IS FOR

Any Ontario business with employees.
Restaurants, retail, offices, gyms, clinics,
gas stations, auto shops, and more.

What changed, and when

Ontario's Working for Workers Five Act (Bill 190) amended the Occupational Health and Safety Act by adding Section 25.3. It's the first time washroom cleanliness and recordkeeping became a formal, enforceable occupational health and safety requirement in the province.

JULY 1, 2025

OHSA s.25.3 becomes enforceable

Employers must keep washroom facilities 'clean and sanitary.' Ministry of Labour inspectors can issue non-compliance orders.

JANUARY 1, 2026

O. Reg. 480/24 takes effect

Businesses must keep records of the date and time of the two most recent cleanings of every washroom facility. Records must be posted physically near the washroom or made available digitally with worker access instructions.

JANUARY 1, 2026

Bill 30 administrative monetary penalties

Inspectors can now issue monetary penalties directly for OHSA contraventions without going through prosecution. Fines can be issued on the spot during an inspection.

The bottom line: every business with employees in Ontario must now clean washrooms, keep records, and make those records accessible. Skipping any one of these creates direct legal exposure.

1. Clean and sanitary condition

OHSA s.25.3 doesn't define 'clean and sanitary' in exact terms — it's assessed by inspectors based on what they see. These are the items they look for.

 Toilets, urinals, sinks cleaned on a set schedule

Not 'when someone notices.' A defined frequency — e.g., twice daily, hourly in high-traffic sites — matched to your business type and foot traffic.

OHSA s.25.3(1)

 Floors mopped and free of visible soiling

Wet floor signage where appropriate. Spills dealt with immediately, not at the end of shift.

 Soap, paper towels, and toilet paper stocked at all times

Stock-check built into the cleaning routine — not a separate task that gets forgotten.

 Waste receptacles emptied before they overflow

Includes sanitary product disposal where applicable.

 Visible surfaces (mirrors, dispensers, handles) wiped

High-touch surfaces especially — door handles, flush levers, tap handles.

 Ventilation functional and not visibly dirty

Fans working, vents free of buildup. Addresses odour and air quality as part of 'sanitary condition.'

2. Recordkeeping

This is the section that trips up almost every business. Paper logs get lost, initials get forgotten, and inspectors don't accept 'we clean regularly' as proof.

Each cleaning logged with date AND time

Not just the date. The time of day matters — inspectors check whether cleanings actually happened during the hours your business operates.

O. Reg. 480/24, s.1(2)

Last two cleanings visible at any moment

The regulation requires the two most recent cleanings to be documented. Older records can be archived but the latest two must always be current.

O. Reg. 480/24, s.1(2)

Records posted near the washroom OR accessible digitally

Posted physically where workers will see them, OR available digitally with clear instructions to workers on how to access them (e.g., a QR code).

O. Reg. 480/24, s.1(3)

Workers know how to find the records

If records are digital, workers must be given explicit instructions on where and how to access them. 'Ask the manager' does not count.

O. Reg. 480/24, s.1(3)(b)

Each log identifies who did the cleaning

Not strictly required by the regulation but strongly recommended — in an investigation, being able to name the cleaner for each entry is the difference between a credible record and a contested one.

Records kept for at least one year

The regulation doesn't set a minimum retention — but one year is the working standard for audit and inspection purposes.

What happens if you don't

Under Bill 30, Ministry of Labour inspectors can now issue administrative monetary penalties directly — no prosecution required. If an inspector walks into your business today and asks for your cleaning records, you have three options:

Produce clean, dated records

Inspector moves on. No order, no penalty. This is the goal.

Produce incomplete or messy records

Inspector may issue a compliance order requiring you to fix your process within a set window. Failure to comply triggers penalties.

Produce no records at all

Direct exposure to administrative monetary penalties under Bill 30. Repeat offences can escalate further.

COMPLIANCE, WITHOUT THE PAPERWORK

Kempt does all of this automatically.

Put a QR code on the washroom wall. Your team scans it when they clean. The log is timestamped, saved, and accessible to workers and inspectors — exactly as O. Reg. 480/24 requires. You get weekly compliance reports. Inspectors get verified records. Nobody gets a fine.

[Start free at kemptclean.ca](https://kemptclean.ca)

This checklist is informational only and not legal advice. Consult a lawyer or the Ministry of Labour for advice specific to your business.