



»» Who Is This Document For?

This factsheet is for people who have:

- Made a complaint under the **Canada Labour Code**,
- Received a **Payment Order** from the Labour Program,
- And now need help to make sure the employer pays the money.

It explains what to do next to **enforce** the Payment Order and try to get the money you are owed.



1 Preparing to Enforce a Payment Order

Find out **where to serve (send) the Payment Order** and **whether the business has assets** (i.e., something valuable like money, property, etc.)

You may need to assist the Labour Program to find the Director of the company; they may try to avoid receiving the Payment Order.

If possible, find the following information to locate the Director and find out what assets the business has.

If the **business is still operating**:

- Address of the business (if it has changed)
- Find out if the business has contracts with other customers or other companies
- Copies of any paycheques that show your employer's bank and branch information. This is helpful because the Labour Program can issue a letter to the bank to take money from the account for your payment order.



1 Preparing to Enforce a Payment Order

If the **business is no longer operating**, or refusing to pay, then the Director of the business (during the time covered in your complaint) may be held responsible.

In this case, the following information may be helpful:

- Home address of the Director
- Director's bank and branch information
- Find out if the Director is working as an employee for a company or has a business relationship with a company

The Labour Program is a free resource to workers and can garnish (take) money from the business or Director. However, the Labour Program does not assist once the Payment Order is filed in Federal Court.

2 Options to Enforce a Payment Order

Option 1: Seek Legal Advice for Enforcement Through Small Claims Court

- Payment orders can be enforced through small claims court. Each province and territory has their own small claims courts with different rules.
- Read more about [Ontario Small Claims Court](#) here.

Labour Community Services of Peel **does not represent workers** in Small Claims Court. We strongly advise you to seek legal counsel if proceeding with this option.

- You can contact a lawyer or paralegal through the [Law Society Referral Service](#) or [Law Society Lawyer and Paralegal Directory](#).



2 Options to Enforce a Payment Order

Option 2: File Payment Order with Federal Court

- The Labour Program can file the Payment Order in Federal Court on your behalf. You will have to give written permission for them to do so.
- The Federal Court can put a lien (legal hold) on the employer's assets (vehicles/real estate). There are fees to file the appropriate forms. You will receive money only when the property is sold or transferred to another owner. This requires the assets to be in the employer's or Director's name.

Labour Community Services of Peel **does not represent workers** once the Payment Order is filed in Federal Court. We strongly advise you to seek legal counsel if proceeding with this option.

- You can contact a lawyer or paralegal through the [Law Society Referral Service](#) or [Law Society Lawyer and Paralegal Directory](#).

3 Still Have Questions?

Contact [Labour Community Services of Peel](#) for support. Connect with a team member by phone at 905-451-0444 or email at info@labourcsp.ca.

Join the [Justice for Truck Drivers](#) campaign to end systemic injustices. Even when a Payment Order is made, often employers do not pay. The Labour Program does not have a lot of power to make employers give the money they owe. That's why drivers are getting organized, connect with the campaign by phone at 289-544-2998 or email at justice4td@gmail.com.

FACTSHEET:

How to Enforce a Payment Order



»» Helpful Links

- **Law Society Referral Service:** <https://lso.ca/getdoc/25b6c70d-ebf2-4ccd-834f-41775cd2382a/finding-a-lawyer-or-paralegal>
- **Law Society Lawyer and Paralegal Directory:** <https://lso.ca/public-resources/finding-a-lawyer-or-paralegal/lawyer-and-paralegal-directory>
- **Ontario Small Claims Court**
 - <https://www.ontariocourts.ca/scj/small-claims-court/>
 - <https://www.ontario.ca/document/guide-procedures-small-claims-court/after-judgment>
- **Labour Community Services of Peel:** <https://labourcsp.ca>
- **Justice for Truck Drivers:** <https://labourcsp.ca/campaigns/justice-for-truck-drivers/>



Legal Disclaimer: This factsheet is for general information purposes only and **does not constitute legal advice**. For legal guidance specific to your situation, please consult a qualified professional.