

## What is a Union?

A union is an organization of employees who try to improve their wages, benefits and working conditions with an employer.

You have the right to join a union. Your boss cannot use their authority to change your decision to join a union. It is illegal for your boss to threaten or to penalize anyone who joins a union.

The union is required to represent all their members. The union must be recognized by the Ontario Labour Relations Board in order to be the workers' legal representative.

## Union Dues

Every union has the right to set dues to pay for the services it provides. Every employee who is represented by a union may be required to pay dues. Even if you pay dues to a union, you are not automatically a member. You must sign an application card to become a member. For union information, speak to your shop steward.

## Who is Covered by Ontario's Labour Laws?

Most workplaces in Ontario are covered by provincial workplace health and safety and employment standards laws. But if you work for an airline, a railway or a bank or in broadcasting, interprovincial trucking or shipping or certain other occupations you are covered by federal legislation.

Please Note: This document is provided for your convenience and information only.

May 2008

cope 343

## MINIMUM WAGES

**General Minimum Wage: \$8.75/hr\***

**Student Minimum Wage: \$8.20/hr\***

The student minimum wage applies to students under 18 who work 28 hours or less a week during the school term or who work during school holidays.

\*exemptions may apply

**Liquor Server Minimum: \$7.60/hr**

This applies to you if you serve liquor directly to customers in licensed premises as a regular part of your employment. (You must be 18 or over to serve liquor.)

**Homeworker Minimum: \$9.63/hr**

Homeworkers work in their home for a business owned by someone else. They work as sewers, other manufacturing, preparing food for resale, etc. "Domestic workers" are not the same as homeworkers.

## OVERTIME PAY

Usually you must be paid at least 1 1/2 times your regular rate for all hours over 44 hours in a week. Some jobs are not eligible for overtime.

## VACATION PAY

You are entitled to vacation pay at the rate of 4 per cent of all money you earn. No minimum period of employment is required. After one year of service you are entitled to two weeks' vacation with pay.

You must receive your vacation pay and any wages due not later than seven days after your employment ends or your next pay date.

## PUBLIC HOLIDAYS

Most employees, if they meet certain requirements, are entitled to nine public holidays with "public holiday pay":

**New Year's Day**

**Good Friday**

**Canada Day**

**Thanksgiving Day**

**Boxing Day**

**Family Day**

**Victoria Day**

**Labour Day**

**Christmas Day**

You are entitled to a day off for the public holiday if you have worked on your regularly scheduled shift before and your regularly scheduled shift after the holiday.

Public holiday pay is the total of regular wages and vacation pay you earned in the four weeks before the holiday, divided by 20.

You must be paid at least 1 1/2 times your regular rate if you work on a public holiday. Or, another day off with pay may be substituted for a public holiday, if you agree. Special provisions apply in the hospitality industry and other industries.

## HUMAN RIGHTS

Under the Ontario Human Rights Code, you cannot be discriminated against in your job because of: race, ancestry, place of origin, citizenship, creed, sex (including pregnancy), age (18-65), record of offences, marital status, family status, disability or sexual orientation.

Your Ontario Human Rights Commission office is under "Human Rights" in the Blue Pages of the phone book.  
[www.ohrc.on.ca](http://www.ohrc.on.ca)

 [www.ofl.ca](http://www.ofl.ca)

# KNOW Your RIGHTS!

TO GET MORE INFORMATION:

EMPLOYMENT STANDARDS MINISTRY OF LABOUR

**416-326-7160**

[www.labour.gov.on.ca/english/es](http://www.labour.gov.on.ca/english/es)

WORKERS' ACTION CENTRE

**416-531-0778**

[www.workersactioncentre.org](http://www.workersactioncentre.org)

KNOW YOUR RIGHTS WEBSITE

CANADIAN LABOUR CONGRESS

[www.workRights.ca](http://www.workRights.ca)

ONTARIO FEDERATION OF LABOUR

**416-441-2731**

[www.ofl.ca](http://www.ofl.ca)

TORONTO & YORK REGION LABOUR COUNCIL

[www.labourcouncil.ca](http://www.labourcouncil.ca)



OFL/FTO

# What are My Health and Safety Rights and Responsibilities?

Under the Occupational Health and Safety Act, employers, supervisors and workers share the responsibility of identifying and solving workplace health and safety problems. By law, the Act must be posted in your workplace.

## YOUR RIGHT TO KNOW

Like all workers, you have the right to know about any hazards you may be exposed to on the job.

This includes:

- \* the right to be trained
- \* the right to have information about machinery, equipment, working conditions, processes and hazardous materials
- \* the right to training about WHMIS, the "Workplace Hazardous Materials Information System", where the work involves hazardous materials

## REPORTING WORKPLACE HAZARDS

If you believe there is a hazard in the workplace, you have a duty to report it to your employer or supervisor.

If you believe the problem is not being dealt with adequately, advise the joint health & safety committee or the health & safety representative in the workplace.

If the workplace has no committee or representative or if you want more information or advice, phone your nearest Ministry of Labour office.

## HAZARDOUS MATERIALS

All controlled products (i.e. flammable or poisonous materials) must be labelled or identified. Material Safety Data Sheets (MSDS) give information about handling these products safely. These sheets must be available in the workplace.

Do not handle products that are not labeled or that you have not been trained to use!

## Hours of Work

The usual maximums are eight hours of work a day or 48 hours a week. Your boss may ask you to sign a contract, agreeing to work more than this as part of the job.

If you agree, then you can be required to work more than the usual hours, on a regular basis.

Legally, all workers have the right to at least 11 consecutive hours off work each day. As well, you cannot agree to work more than 60 hours a week without Ministry of Labour approval.

## Who to Call for Help:

- Workers' Health and Safety Legal Clinic ..... 416-971-8832 ..... [www.worksafety.ca](http://www.worksafety.ca)
- Workers' Health and Safety Centre ..... 416-441-1939 ..... [www.whsc.on.ca](http://www.whsc.on.ca)
- Workplace Safety and Insurance Board ..... 416-344-1007 ..... [www.wsib.on.ca](http://www.wsib.on.ca)
- OHCOV Clinic – Toronto ..... 416-449-0009 ..... [www.ohcov.on.ca](http://www.ohcov.on.ca)

## YOUR RIGHT TO REFUSE UNSAFE WORK

You have the right to refuse work you believe is dangerous to your health and safety or another worker's health and safety. To refuse unsafe work, phone the Ministry of Labour: 416-235-5330.

## YOUR RESPONSIBILITIES

Your employer has basic responsibility for your health and safety in the workplace, but you share this responsibility. You also share responsibility for the health and safety of other workers.

Your duties as a worker include:

- \* using or wearing any equipment, protective devices or clothing required by your employer
- \* reporting to your employer or supervisor any missing, broken or defective equipment or other hazard in the workplace, or any violation of health and safety law that you know about
- \* not working or operating equipment in a way that could be dangerous to yourself or anyone else in the workplace and not taking part in pranks or horse-play.

## WORKERS' COMPENSATION

Under the Workplace Safety and Insurance Act, if you are injured on the job you can receive compensation benefits while recovering. You also receive compensation benefits if you become sick as a result of your job.

If you have an accident on the job, stop working. Ask for first aid. Tell your supervisor or employer. No injury is too small to report. If you need to see a doctor, do so right away. If you cannot see your doctor right away, go to the emergency department of the nearest hospital.



## Minimum Ages



Construction .....	16 years
Window Cleaning .....	18 years
Logging Operations .....	16 years
Factory Operations .....	15 years
Workplace (other than a factory) .....	14 years

14- and 15-year-olds may not be employed during school hours unless they are excused from school attendance by Ontario government regulation 308.

## BREAKS

If you work more than five hours in a row, your employer must give you a meal break of at least half an hour, or two breaks within each five-consecutive-hour work period. Your employer is not required to pay for this time.

Other breaks are decided by your employer. But if you have to stay at your work station or workplace during a "break", the time is working time and cannot be deducted from your pay.

It is your legal right to refuse to sign any agreement that exceeds the maximum hours of work.

You may be asked to sign a contract that lets your boss average your worked hours over a period of 2 or more weeks.

For example, you will only be paid overtime rates if you work more than 176 hours if you agree to average your hours over 4 weeks.