




Workplace Standards Workbook



The Workplace Standards Workbook is the second document of the Newcomer First Step Career Exploration Toolkit package. This workbook contains important highlights of the workplace matters covered under the Ontario's Employment Standards Act (ESA). The ESA is a law in Ontario that employers must follow pertaining to issues and standards about work hours, minimum wage, termination of employment, public holidays, parental leave, vacation, and more. For more information about this law or to get the most updated version, please visit the Ministry of Labour's website (Employment Standards) at www.labour.gov.on.ca

What rights does a worker have in Ontario?

The ESA sets minimum standards in Ontario workplaces. Workers in Ontario have the right to a fair and safe workplace. It is essential for newcomers to know their rights and obligations under this law. Please note that the list below is not meant to be comprehensive and that the information is provided for orientation purposes only.

1. Hours of Work

In general, the maximum number of hours employees can be required to work per day is eight hours. And the maximum number of hours they can work weekly is 48 hours. The daily and weekly maximum can be exceeded if there is an agreement between the employee and employer.

2. Minimum Wage

Minimum wage is the lowest wage rate an employer can pay an employee by law. Employees in Ontario are entitled to be paid a minimum wage. In 2022, the general minimum wage is \$15.00 per hour, and the student (under the age of 18) minimum wage is \$14.10 per hour.

3. Public Holidays

In Ontario, there are nine public holidays: New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day, and Boxing Day. Employees who qualify are entitled to take these days off work and be paid public holiday pay. If an employee agrees to work on a public holiday, they must be paid their normal rate of pay for the day, plus special pay or compensation for working on the public holiday.

4. Vacation Days

Generally, employees have the right to a minimum of two weeks of vacation time for every 12 months they work. Employees with five or more years of employment are entitled to three weeks of vacation time or as agreed with the employer. Employees are entitled to vacation pay equal to at least four percent their total wages.

5. Pregnancy and Parental Leave

New parents have the right to take parental leave that is unpaid time off work when their baby or child is born. Pregnant employees have the right to take pregnancy leave of up to 17 weeks of unpaid time off work. Employers do not have to pay wages to someone who is on pregnancy leave. Employment Insurance (EI) provides benefits to eligible parents.

6. Sick Leave

In general terms, employees have the right to take up to three days of unpaid sick leave per year due to a personal illness, injury or medical emergency.

7. Termination of Employment

A person's employment is terminated if the employer stops the agreement of employment with an employee. When an employer ends the employment of an employee, the employer must provide the employee with a notice of termination. An employee who is terminated by an employer has the right to receive a final paycheck, and may even be eligible for severance pay and unemployment compensation benefits.

8. Temporary Help Agencies

Temporary help agencies employ people to assign them to perform work on a temporary basis for clients of the agency. When a temporary help agency assigns a person to perform work, the agency is the employer of that person and the person is an assignment employee of the agency. In general, temporary help agency employees have the same rights as other employees.

9. File a Claim

If an employee believes that their employer has violated their rights or might not comply with the Ontario's employment standards, the employee can seek further information and file a claim with the Ministry of Labour, Training and Skills Development. Workers in Ontario are covered by the Employment Standards Act (ESA). An employee can file a claim online for any issues relating to the ESA by visiting their website at www.ontario.ca (filing-claim). They can also use the PDF claim form, and fax or email the form to the following number or address: 1-888-252-4684 or Provincial Claims Centre.

**Ministry of Labour,
Training and Skills Development
Provincial Claim Center**

70 Foster Drive, Suite 410
Roberta Bondar Place
Sault Ste. Marie, Ontario
P6A 6V4

Other Ontario workplace-related laws

In addition to the Employment Standards Act (ESA), there are other laws which are pertinent to the workplace standards in Ontario. To find out the content of these laws and for more information, please visit the website links provided below. In Ontario, there are community agencies such as community legal clinics that may also be able to help you with these laws.

The Ontario Human Rights Code

The Ontario Human Rights Code is a provincial law that prohibits discrimination in the workplace. Under the Code, no one working or applying for a job in Ontario can be treated unfairly because of their race, colour, ethnic origin, religion, age, sex, and disability, to name a few of the total 17 grounds. To learn more about The Ontario Human Rights Code, please visit www.ohrc.on.ca.

The Occupational Health and Safety Act

This law sets standards to protect the health and safety of Ontario workers and establish the obligations of employers. The law requires employers to offer employees basic health and safety training. It also sets out procedures for dealing with workplace hazards and for enforcement of the law as needed. To learn more about health and safety in the workplace, please visit the Ministry's website (Workplace Health and Safety) at www.labour.gov.on.ca.

The Ontario Workplace Safety and Insurance Board (WSIB)

The WSIB is an independent trust agency that operates under the Ministry of Labour. It administers Ontario's workplace insurance for employers and their workers. The Board is funded by employers who pay monthly premiums to them. These premiums go towards protecting the employers in the event a worker is injured in a workplace accident. For workers, if they are injured in a workplace accident, they are entitled to receive benefits paid out by the WSIB. For more information, please visit the WSIB website at www.wsib.ca.