



CLEO

Community Legal Education Ontario
Éducation juridique communautaire Ontario

INTRODUCTION: YOUR RIGHTS AS A WORKER

CANADIAN LANGUAGE BENCHMARK 6+

This activity kit, designed to teach newcomers to Ontario in Adult ESL and LINC classes about their legal rights and responsibilities, includes:

<u>Introductory notes for instructors</u>	<u>1</u>
<u>Activities for learners</u>	<u>2-6</u>
<u>Teaching notes with answer keys and suggestions for using the kit</u>	<u>7-13</u>

Visit www.cleo.on.ca to download these pages and to find other legal information.

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INTRODUCTION: YOUR RIGHTS AS A WORKER

INTRODUCTORY NOTES

Context outcomes

Understand that workers have rights regardless of immigration status.

Get an overview of the different kinds of laws about workers' rights.

Learn about kinds of discrimination, and learn about employers' duties to accommodate.

CLB outcomes

- 👂 Identify main ideas, supporting details, statements and examples in a descriptive presentation.

Activities

Your rights as a worker: Before you listen

While you listen: Listen for the main ideas; Listen for details

After you listen: Questions for discussion

Free companion resource *Your rights as a worker*

The information in this activity kit is based on *Your rights as a worker*, produced as part of the CLEO project "Your Rights. Your Language." You can find text and audio versions on CLEO's web site at www.cleo.on.ca. You may wish to download and burn the audio version onto a CD for use in your class. To order "Your Rights. Your Language." materials from CLEO, you can use the online order form or call **416-408-4420, extension 33**.

Please take note

Ontario's *Employment Standards Act (ESA)* is a law that outlines the rights of employees and the responsibilities of employers. The *ESA* sets minimum standards for working conditions. Many employers offer better.

The information in these activities applies to most but not all workers. Not all jobs are covered by the *ESA*, and in some cases only parts of the *ESA* apply. Some industries, such as banks, airlines, trucking and broadcasting, are regulated by the federal government. Learners should get legal advice if they have concerns.

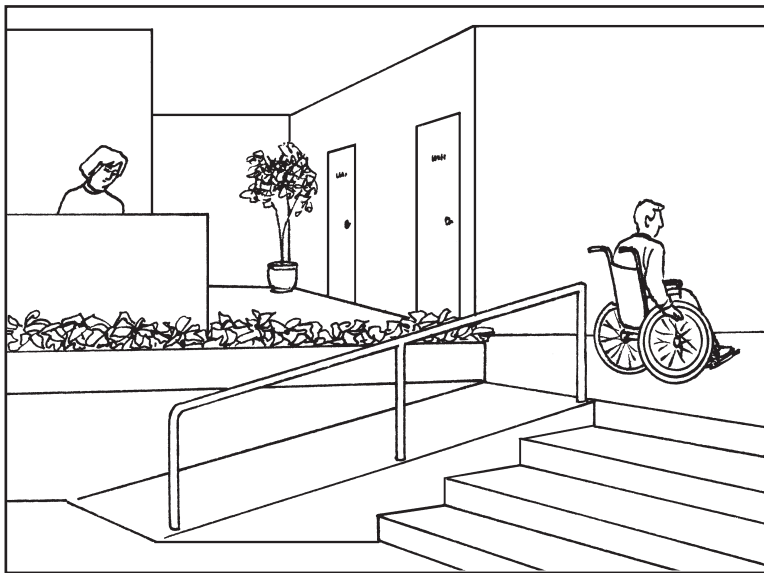
Immigration status does not matter. You do not need to be a Canadian citizen, permanent resident, or holder of a work permit to be covered by the *ESA*.

The information in these activities is not a substitute for legal advice. Every situation is different so learners with concerns should get legal help. They can contact their local community legal clinic. To find the nearest community legal clinic, check Legal Aid Ontario's web site at www.legalaid.on.ca or phone **1-800-668-8258** (toll-free).

Your rights as a worker: Before you listen

Discuss these questions.

1. What do you already know about workers' rights?
2. Describe what you see in each drawing. What issues about workers' rights do these drawings raise?
3. Why do you think it's important to be informed about your rights as a worker?



Your rights as a worker: While you listen

Listen for the main ideas (Total time: 3:47)

A. Listen to the talk. Check off the main ideas as you hear them.

- a. All workers have rights, including workers who are new to Canada.
- b. There are laws about workers' rights in Ontario.
- c. There are human rights laws against discrimination in the workplace.
- d. Employers have to try to remove barriers that discriminate against workers.
- e. Workers may need to get legal help if their employer or a co-worker treats them unfairly or doesn't respect their rights.
- f. Unemployed workers may be able to get Employment Insurance benefits.
- g. Workers' rights may vary in different provinces and territories in Canada.

B. Check your answers with another student. Were there any ideas you didn't hear addressed? What ideas did you hear that you want to know more about?

Listen for details (Total time: 3:47)

A. Listen to the first section of the talk. (0:00 - 0:38)

Apply the information in the talk to the following situations. Do these workers have rights? How do you know?

1. Abel just started his job two weeks ago. _____
2. Wen is not a Canadian citizen. _____
3. Zhiling is not a permanent resident. _____
4. Anissa lives with a family and works as their nanny. _____
5. Noureen works part-time. _____

B. Listen to the second section of the talk. (0:39 - 1:16)

1. What kinds of workers' rights laws are there in Ontario? Number the items listed below in the order in which you hear them. Not all of the items in the list will be mentioned.

___ minimum wage

___ the kinds of questions an employer can ask you before they hire you

___ what you can do if you're fired or treated so badly that you are forced to quit

___ what to wear to an interview

___ time off from work

___ vacation pay

___ hours of work

___ holiday pay

___ how to get a raise

___ health and safety in the workplace

2. Are the laws the same for every kind of job? Circle the correct answer.

a. Yes

b. No

c. The speaker doesn't say.

d. It's not important.

3. Where might you be able to get help to find out about your rights? Circle the correct answer.

a. unions

b. community agencies

c. legal clinics

d. all of the above

C. Listen to the third section of the talk. (1:17 - 1:37)

What reasons for discrimination are mentioned? Fill in the ones that are missing from the list.

- race or ethnic background
- _____
- age
- disability
- _____
- sexual orientation
- pregnancy or because you have _____

D. Listen to the fourth section of the talk. (1:38 - 2:16)

This section gives examples of ways that employers must try to remove barriers that discriminate against workers. Which of the following is not included as an example? Circle it.

1. You have the right to come back to your job, or a similar job, after a pregnancy leave.
2. If you need to celebrate a religious holiday, your employer might have to let you take time off.
3. If you have a vision disability, your employer might have to provide you with reading materials in an alternative format.
4. Because of your health, your employer might need to let you sit while you work.

E. Listen to the fifth section of the talk. (2:17 - 2:38)

Write two pieces of advice from this section of the talk.

1. _____
2. _____

F. Listen to the sixth section of the talk. (2:39 - 3:47)

1. How do you know if you're protected by a union? _____

2. Where can you get help if you don't have a union? Provide details. _____

3. Where can you download further information? _____

After you listen: Questions for discussion**Discuss with other students.**

1. The speaker says that even if you signed a contract saying you are an “independent contractor” you still might have rights as a worker. Can you think of possible reasons an employer might want to call a worker an “independent contractor” instead of an “employee”?
2. Can you think of other possible kinds of discrimination?
3. The speaker gives examples of ways that employers must try to remove barriers that discriminate against workers. Can you think of other examples?
4. Share ideas about your system for keeping records of your work. What approach do you use? What works for you? What has worked for you in the past? Share your ideas with the others in your group.
5. Brainstorm questions you have about workers' rights.

TEACHING NOTES

Curriculum connections

LINC/Adult ESL:

Theme: Employment

Topic: Working in Canada

Theme: Canadian Law

Topic: Employment Law

Theme: Community & Government Services

Topic: Counselling & Advocacy

LINC 5-7:

Unit: Notetaking and Study Skills

Unit: Workplace Teams and Reporting Relationships

Unit: Resolving Conflicts

Unit: Policies, Procedures and Legislation

Note: This activity kit works well as an introduction to the topic of workers' rights, and would be followed well by two other ESL activity kits:

- *Overview: Your rights at work* CLB 5+
(based on the CLEO booklet *Your rights at work*) and
- *Have you been fired or laid off?* CLB 5+
(based on the CLEO booklet *Have you been fired or laid off?*).

On the other hand, depending on the listening skills level of your class, you could consider using the activities in this kit as a follow-up to one or both of the other two activity kits. That way the activities in this kit would serve as a review, and at the same time introduce some additional material not included in the booklets.

Your rights as a worker: Before you listen (page 2)

This pre-listening activity allows learners to anticipate the kinds of information they'll hear in the listening text. In pairs or small groups, learners can look at the picture and discuss the questions provided. You may wish to make one copy per small group. In addition to answering the questions provided, learners can relate the pictures to their own experiences and discuss. They can try to come up with captions which capture key issues in the drawings. In the case of the second drawing, learners can guess the situation and imagine the conversation between the two people. They can speculate as to what the woman can and should do next. You may wish to ask them to role play conversations based on one or both of the drawings.

**Your rights as a worker:
While you listen
(pages 3-6)**

Note: This listening text is one of the audio recordings in the project “Your Rights. Your Language.” It can be accessed on the CLEO web site at www.cleo.on.ca. If you have access to computers with an Internet connection, learners can complete the activities independently. This would allow them to work at their own pace and listen as many times as they need to. It is recommended that you go over the questions as a class ahead of time, to deal with unfamiliar vocabulary and make sure instructions are clear. Then, after learners have had the opportunity to listen and answer, take up answers as a class to ensure accuracy. You can also distribute the transcript of the talk (pages 12-13) as a way of allowing learners to check their own answers. Be aware that while the wording of the PDF text version of *Your rights as a worker* is not exactly the same as the audio version, the content is basically the same.

**Listen for the
main ideas
(page 3)**

Allow learners to listen to the whole talk at least twice. Give learners the opportunity to check their answers with a partner or in small groups. The last two topics are not covered in the talk.

Note: There is an alternate version of this activity on page 11, designed for learners who would benefit from a more challenging listening activity. The main ideas are not listed in the order in which they are heard. In a multilevel class, both versions of the activity could be distributed as appropriate.

Answers:

Learners should check a-e; f and g are not covered in the talk.

Answers for alternate version (page 11):

- 4 a. Employers have to try to remove barriers that discriminate against workers.
- 1 b. All workers have rights, including workers who are new to Canada.
- 5 c. Workers may need to get legal help if their employer or a co-worker treats them unfairly or doesn't respect their rights.
- not covered d. Workers' rights may be different in different provinces and territories in Canada.
- 2 e. There are laws about workers' rights in Ontario.
- 3 f. There are human rights laws against discrimination in the workplace.
- not covered g. Unemployed workers may be able to get Employment Insurance benefits.

Listen for details
(pages 3-6)

You may want to choose one or two sections for focused practice instead of doing all of them, depending on time constraints, the listening skills levels of the learners in your class, and interest level in the material.

Suggested procedure:

Listen to the talk one section at a time, and take up the answers section by section. Give learners time to read the questions before listening. It is recommended that you give learners the opportunity to listen to each section at least twice. The first time they hear the section, they should just listen. The second time, they can write their answers. A third listening would give learners an opportunity to check their answers.

Answers:

- A. *Yes, they all have rights.*
1. *Even if you are...new to your job, you have rights.*
 2. *You have rights even if you are not a Canadian citizen.*
 3. *You have rights even if...you are not a permanent resident.*
 4. *You have rights if...you live in someone else's home and work for them.*
 5. *It doesn't matter whether your job is full-time, part-time or temporary.*
- B. 1.
- 3 *minimum wage*
 - 1 *the kinds of questions an employer can ask you before they hire you*
 - 8 *what you can do if you're fired or treated so badly that you are forced to quit*
 - not mentioned *what to wear to an interview*
 - 6 *time off from work*
 - 4 *vacation pay*
 - 2 *hours of work*
 - 5 *holiday pay*
 - not mentioned *how to get a raise*
 - 7 *health and safety in the workplace*
2. *b Different kinds of work, for example farm work, have different laws.*
 3. *d Unions, some community agencies, and legal clinics may be able to help you.*

C.

- *race or ethnic background,*
- *religion,*
- *age,*
- *disability,*
- *sex,*
- *sexual orientation,*
- *pregnancy or because you have children.*

D.

3. is not included as an example in the listening text. It is a possible example of a way an employer might have to remove a barrier that discriminates against a worker.

E. (Possible answers)

You should get legal advice.

You should make notes about the situation: who, when, where and what happened.

You should keep track of your hours of work and documents such as pay stubs.

F.

- 1. Usually, union dues are taken off your pay cheque when you're protected by a union.*
- 2. Call Findhelp for information and referral in many languages without charge, 24 hours a day, 7 days a week. Call **1-866-667-5366**. Findhelp is also online at **www.211ontario.ca***
- 3. **www.cleo.on.ca***

**After you listen:
Questions for
discussion
(page 6)**

Learners can use the brainstorming session to identify areas about which they want more information. Following the discussion, learners can write their questions about workers' rights. If you're planning to use the ESL activity kit *Overview: Your rights at work* CLB 5+, learners can see which of their questions are answered at that time. Otherwise, you can direct them to the CLEO booklets *Your rights at work*, and *Have you been fired or laid off?* to do their own research.

Your rights as a worker: While you listen

Listen for the main ideas (Total time: 3:47)

A. Listen to the talk. Number the main ideas below in the order in which you hear them. Not all of the ideas will be mentioned.

- ___ a. Employers have to try to remove barriers that discriminate against workers.
- ___ b. All workers have rights, including workers who are new to Canada.
- ___ c. Workers may need to get legal help if their employer or a co-worker treats them unfairly or doesn't respect their rights.
- ___ d. Workers' rights may be different in different provinces and territories in Canada.
- ___ e. There are laws about workers' rights in Ontario.
- ___ f. There are human rights laws against discrimination in the workplace.
- ___ g. Unemployed workers may be able to get Employment Insurance benefits.

B. Check your answers with another student. Were there any ideas you didn't hear addressed? What ideas did you hear that you want to know more about?

Your rights as a worker - transcript

Total time: 3:47

(0:00 – 0:38)

Do you know that you have rights as a worker in Canada? Even if you are new to the country and new to your job, you have rights.

You have rights even if:

- you are not a Canadian citizen, a permanent resident, or a holder of a work permit.

You have rights if:

- you work in your own home or someone else's home, or
- you live in someone else's home and work for them.

It doesn't matter whether your job is

- full-time, part-time, or temporary, or
- you must work in different places at different times to do the job,

you have rights as a worker.

Even if you signed a contract saying you are an "independent contractor" you still might have rights as a worker.

(0:39 – 1:16)

In Ontario there are laws about:

- the kinds of questions an employer can ask you before they hire you,
- hours of work,
- minimum wage,
- vacation pay, holiday pay, and time off from work,
- health and safety in the workplace, and
- what you can do if you are fired or treated so badly that you are forced to quit.

Different kinds of work, for example farm work, have different laws. You need to find out what these laws say about the kind of work you do. Unions, some community agencies, and legal clinics may be able to help you.

(1:17 – 1:37)

Human rights laws say employers must not discriminate against you for reasons such as your:

- race or ethnic background,
- religion,
- age,
- disability,

- sex,
- sexual orientation,
- pregnancy or because you have children.

And if other workers discriminate against you, your employer must take steps to stop them.

(1:38 – 2:16)

Employers must do what they can to remove barriers that discriminate against you, unless they can show that it would be too hard to do so.

Here are some examples. Because of your religion, your employer might have to let you take a break for prayer, or take time off for a religious holiday. Maybe you wear certain things because of your religion. Your employer might have to let you wear these things at work. Because of your health, you might need to sit, stand, or move around while you work. Your employer must try to remove barriers at work so you can meet these kinds of needs.

After a pregnancy leave, you have the right to come back to your job or a similar job.

(2:17 – 2:38)

If your employer or someone at work treats you unfairly or does not respect your rights as a worker, you may need to take legal action. You should get legal advice. You should also make notes about the situation: who, when, where and what happened, and keep track of your hours of work and documents such as pay stubs.

(2:39 – 3:47)

Every situation is different, and if you are experiencing problems in the workplace, you may need help.

If you are protected by a union, ask them for help. Usually, union dues are taken off your pay cheque if you are protected by a union.

If you are not in a union, please call **Findhelp**. You can reach people who speak many languages without charge, 24 hours a day, 7 days a week at **Findhelp**. Call **1-866-667-5366**. **Findhelp** is also online at **www.211ontario.ca**

This presentation was developed by CLEO (Community Legal Education Ontario/Éducation juridique communautaire Ontario) and the CLEO Six Languages Advisory Group. CLEO thanks Findhelp for telephone support. Funding was provided by the Ontario Trillium Foundation and Legal Aid Ontario. To download further information, please go to **www.cleo.on.ca** if you are not already there.