



CLEO

Community Legal Education Ontario
Éducation juridique communautaire Ontario

OVERVIEW: YOUR RIGHTS AT WORK

CANADIAN LANGUAGE BENCHMARK 3/4

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

Introductory notes for instructors 1-2

Activities for learners 3-10

Teaching notes with answer keys
and suggestions for using the kit 11-17

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

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OVERVIEW: YOUR RIGHTS AT WORK

INTRODUCTORY NOTES

Context outcomes

Get an overview of workers' rights.
Learn what kind of help is available and how to access it.

CLB outcomes

-  Get key information and important factual details in a description.
-  Get information from basic texts.
-  Ask for assistance.

Activities

Your rights as a worker – Options 1, 2 and 3

Vocabulary preview

What do you know about workers' rights?

Introduction to a CLEO booklet

Getting help with a legal problem

Free companion resources

Your rights at work
(print)

The information in this activity kit is based on the CLEO publication called *Your rights at work*. Read the publication before using the activity kit, and keep it on hand for reference as you guide learners through the activities. You can find it on CLEO's web site at www.cleo.on.ca. To order free copies for your class, you can use the online order form or call **416-408-4420, extension 33**.

Your rights as a worker
(audio)

You can also find the public service announcement *Your rights as a worker* on CLEO's web site. You may wish to download and burn it on to a CD for use in your class. You can also order a CD with this and other public service announcements from CLEO.

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.

CONTINUED ON PAGE 2

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). In Toronto, phone **416-979-1446**.

Your rights as a worker – Option 1

A. Listen to the public service announcement and fill in the blanks.

So you're _____ to Canada and working hard. There are laws about minimum wages, work _____, health and _____, and discrimination in the workplace. Workers have _____ under these laws, even if they don't have _____ status.

To find out more call Find _____ toll-free:

Or visit the Community Legal Education _____ web site: _____

B. Multiple choice: Circle the correct answer.

1. In this announcement, “you” means
 - a. employers
 - b. newcomers to Canada
 - c. health care workers
 - d. lawyers

2. Which of the following kinds of workers' rights laws are **not** mentioned?
 - a. time off from work
 - b. holiday pay
 - c. what you can do if you are fired
 - d. all of the above

3. Workers who are new to Canada
 - a. have the same rights as other workers.
 - b. don't have the same rights as other workers.
 - c. have rights if they are permanent residents.
 - d. have the same rights as other workers after 6 months.

Your rights as a worker – Option 2

A. Listen to the public service announcement and fill in the blanks.

So you're _____ to Canada and _____ hard. There are laws about minimum _____, work _____, health and _____, and _____ in the workplace. Workers have _____ under these laws, even if they don't have _____ status.

To find out more call _____ toll-free:

Or visit the Community _____ Education _____ web site: _____

B. Multiple choice: Circle the correct answer.

1. In this announcement, “you” means
 - a. employers
 - b. newcomers to Canada
 - c. health care workers
 - d. lawyers

2. Which of the following kinds of workers' rights laws are **not** mentioned?
 - a. time off from work
 - b. holiday pay
 - c. what you can do if you are fired
 - d. all of the above

3. Workers who are new to Canada
 - a. have the same rights as other workers.
 - b. don't have the same rights as other workers.
 - c. have rights if they are permanent residents.
 - d. have the same rights as other workers after 6 months.

Your rights as a worker – Option 3

A. Listen to the public service announcement and fill in the blanks.

So you're _____ to _____ and _____
hard. There are _____ about minimum _____,
work _____, _____ and _____, and
_____ in the workplace. Workers have
_____ under these _____, even if they don't have
_____ status.

To find out _____ call _____ toll-free:

Or visit the Community _____
_____ web site: _____

B. Multiple choice: Circle the correct answer.

1. In this announcement, “you” means
 - a. employers
 - b. newcomers to Canada
 - c. health care workers
 - d. lawyers

2. Which of the following kinds of workers’ rights laws are **not** mentioned?
 - a. time off from work
 - b. holiday pay
 - c. what you can do if you are fired
 - d. all of the above

3. Workers who are new to Canada
 - a. have the same rights as other workers.
 - b. don't have the same rights as other workers.
 - c. have rights if they are permanent residents.
 - d. have the same rights as other workers after 6 months.

Vocabulary preview

A. Match the words with their definitions.

- | | |
|-----------------------------|---|
| _____ 1. at least | a. request or demand for money that is owed to you |
| _____ 2. claim | b. extra hours of work that you get paid for at a higher rate of pay |
| _____ 3. deduction | c. not less than, minimum |
| _____ 4. labour union | d. government department that provides information about workers' rights |
| _____ 5. Ministry of Labour | e. an amount that is subtracted from a total |
| _____ 6. overtime | f. organization of workers |
| _____ 7. statement of wages | g. document which includes information such as rate of pay, pay period, wages, and deductions |

B. Fill in the blanks with words from Section A.

- The Employment Standards Act (ESA) has laws about working in Ontario. Employers must provide working conditions, such as wages and hours of work, _____ as good as what is in the ESA. Many employers offer better.
- You get paid more for each _____ hour than for each regular hour of work.
- A _____ negotiates with an employer to agree on working conditions such as wages and hours of work.
- A _____ is often called a pay stub.
- Income tax is an example of a _____.
- If your employer has not paid you your wages, you can file a _____ with the _____ against your employer.

What do you know about workers' rights?

1. In most jobs your employer can require you to work 8 hours a day.	T	F
2. An employer does not have to give you weekends off.	T	F
3. Minimum wage for students under 18 years of age is less than minimum wage for most other workers.	T	F
4. Minimum wage for workers who serve alcohol is less than minimum wage for most other workers.	T	F
5. Your employer has to give you a statement of your wages on or before your payday.	T	F
6. Your employer can make deductions, such as income tax, from your pay.	T	F
7. Overtime pay is at least 1 ½ times your regular hourly pay.	T	F
8. In most jobs, you must get at least 30 minutes off after every 5 hours of work.	T	F
9. On public holidays, people in most jobs have the right to get the day off with holiday pay.	T	F
10. Most workers get at least 2 weeks' vacation after working 12 months for the same employer.	T	F
11. Your employer has the right to decide when you can take your vacation.	T	F
12. Vacation pay must be at least 4% of total wages.	T	F
13. Most workers have the right to join or organize a labour union.	T	F
14. You usually have 6 months to file a claim for unpaid wages with the Ministry of Labour.	T	F
15. In most cases, the maximum amount the Ministry of Labour can order an employer to pay a worker is \$10,000.	T	F

Introduction to a CLEO booklet

Discuss these questions about the CLEO booklet *Your rights at work* with another student. You can make notes in the space provided.

Note: Answers to questions 2-6 are on the back cover of the booklet.

Answers to questions 7-10 are inside the booklet.

1. What is on the front cover of the booklet? _____
2. Read the information in the box at the top of the back cover of the booklet.
 - a. Which word has the same meaning as *booklet*? _____
 - b. Which word means *a person or thing that replaces someone or something else*?

 - c. Can workers get all the information they need about their rights from the booklet?
Explain. _____
3.
 - a. What does CLEO stand for? _____
 - b. What do you think legal education is? _____
4. How much does the booklet cost? _____
5. Where is the date of the booklet? Why is it important? _____

6. How can people get more booklets? _____
7. What does ESA stand for? _____
8. Look at the green section headings in the booklet. What is the same about all of them?

9. What is the first question in the booklet? Why is it important?

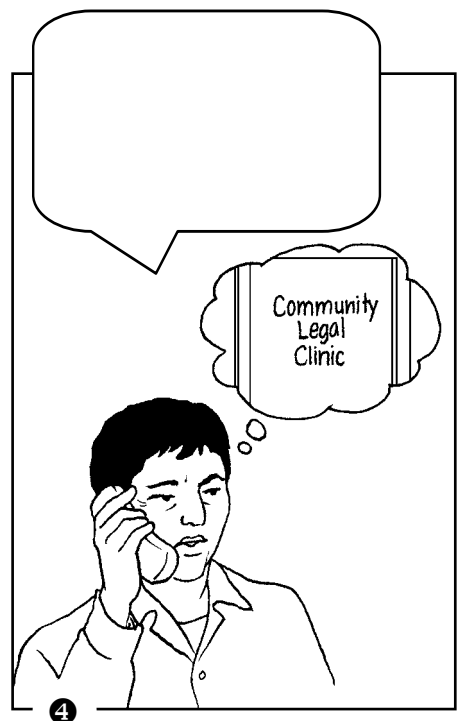
10. What is the question on the last page of the booklet? What is the answer?

Getting help with a legal problem

A. Read the story. Fill in the speech bubbles.



Diego works as a cleaner. He usually works 40 hours a week. Last week his supervisor asked him to work overtime, and he agreed. When he got his pay stub, he noticed a problem.



B. Match the sentences to the pictures. The first one is done for you.

- 2 a. Do we get overtime pay?
___ b. Something is wrong with my pay stub. Where's my overtime pay?
___ c. I need some legal advice.
___ d. The company doesn't pay time and a half for overtime.
___ e. I got the same pay for my regular hours and my overtime hours.
___ f. I'm not sure. Ask the supervisor.

C. Practise asking for legal help.

I need some legal help.

Could I please have some advice?

What should I do?

D. Write a conversation.

Choose one of the situations in the story, or another situation you know about.

Write a conversation between:

- a) two co-workers,
- b) a worker and a supervisor, or
- c) a worker and a lawyer or community legal worker.

Workers who have low incomes may be able to get help from a community legal clinic. To find the nearest community legal clinic, check Legal Aid Ontario's web site at www.legalaid.on.ca or phone their toll-free number, **1-800-668-8258**. In Toronto, phone **416-979-1446**.

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

Your rights as a worker – Option 1, 2 and 3 (pages 3-5)

The listening text is one of the public service announcements in CLEO's Six Languages Text and Audio Project. Note that it can be accessed on CLEO's web site at www.cleo.on.ca. If you have access to computers with an Internet connection, learners can complete the activity 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 the answers as a class to ensure accuracy. You can also distribute the transcript of the talk (see the box on page 12) as a way of allowing learners to check their own answers.

Inform learners that they are going to hear a short radio announcement about workers' rights. You can elicit a definition of a "right" (a right can be explained as something you are legally allowed or entitled to do or get) and give learners an opportunity to give examples of workers' rights of which they are aware.

Three versions of the cloze have been provided – Option 1, Option 2 and Option 3. You may want to select the level or levels most appropriate for the learners in your class, or make enough copies of all three versions of the handouts so that each learner can choose the level of difficulty they think they can handle.

Allow learners to listen to the announcement at least twice. The first time they hear the talk, they should just listen. The second time, they can write their answers. A third listening would give learners a chance to check their answers. You may want to give learners the opportunity to check their answers with someone who has the same handout (Option 1, 2 or 3).

You can then distribute a transcript of the text (see the box on page 12) so learners can check their own answers.

Learners can discuss what they know about workers' rights, as well as what they want to learn.

If the learners in your class are more advanced, you may wish to challenge them to try to get the key information from the listening text without using the handouts. In that case, you can dictate the following questions (or write the questions on the board) to direct their listening.

1. Who is this radio announcement for?
2. What is its main purpose?
3. What kinds of workers' rights laws are mentioned?
4. What phone number is mentioned?
5. What web site is mentioned?

Answers:

A. Transcript of audio text:

So you're new to Canada and working hard. There are laws about minimum wages, work hours, health and safety, and discrimination in the workplace. Workers have rights under these laws, even if they don't have immigration status.

To find out more call Findhelp toll-free: 1-866-667-5366.

Or visit the Community Legal Education Ontario web site: www.cleo.on.ca

B.

1. *b* 2. *d* 3. *a*

**Vocabulary preview
(page 6)**

Vocabulary has been selected to prepare learners to complete the next activity, **What do you know about workers' rights?**

To make this activity more challenging, learners can cover Section A while completing Section B.

Answers:

A.

1. *c* 2. *a* 3. *e* 4. *f*
5. *d* 6. *b* 7. *g*

B.

1. *at least* 2. *overtime*
3. *labour union* 4. *statement of wages*
5. *deduction* 6. *claim, Ministry of Labour*

**What do you know
about workers' rights?
(page 7)**

This activity involves reading but is intended to be primarily a listening and speaking activity. You may wish to review vocabulary from the preview as well as any other vocabulary in the activity that may need explanation, and review or introduce the modals used in the statements.

Make one copy of the handout for each pair or small group of learners. Cut the sentences in strips and distribute them to the pairs or small groups. This has the advantage of ensuring that learners will interact and discuss instead of reading and working independently.

Instruct learners to take turns reading the statements to each other, and to work together to decide whether they are true or false. They can put the statements into two piles accordingly, setting aside any strips about which they are unsure. Encourage learners to discuss their answers as they go along and, if they think a statement is false, to try to identify what the true statement might be.

After all the groups have had a chance to decide, go through the statements one by one and take up the answers. Groups can award themselves one point for each correct answer.

Answers:

All the statements are true.

Option:

You can make a copy of the handout on page 16 and give each learner one sentence strip. They should not show their strip to anyone else. They can move around the room and mingle with other learners, alternately reading their statements and guessing if each other's statements are true or false. To make the activity more challenging and to minimize the chance that they will read each other's answers, learners can be encouraged to memorize their sentences. When learners realize that all the statements are true, they can try to recall as many of the statements they have heard as possible and discuss as needed.

**Introduction to a
CLEO booklet
(page 8)**

Depending on the level of the learners in your class, you may wish to distribute the CLEO booklet *Your rights at work*. You can use **Introduction to a CLEO booklet** for your reference in guiding a class discussion, or you can hand out **Introduction to a CLEO booklet** to learners. If you distribute the handout, allow learners to work in pairs and discuss the questions. Space has been provided on the handout for learners who wish to write their answers. You can take up the answers as a whole class.

If the learners in your class are more advanced, you may wish to refer to the activity **Orientation to the booklet** in the ESL activity kit *Overview: Your rights at work* CLB 5+.

You can choose a statement from the quiz and encourage learners to scan the booklet to find the section that contains information about the statement, and then to find the specific information to confirm that it's a true statement.

If you have introduced modal verbs, the booklet provides a good opportunity for learners to see modals in context. Modal verbs are frequently used when talking about rights and responsibilities, and you can choose almost any section of the booklet and ask learners to find examples of modals.

Answers:

1. *The title of the booklet and topics covered in the booklet.*

2. *a. publication*

b. substitute

c. No. The booklet provides general information and is not a substitute for getting legal advice about a particular situation.

3. *a. Community Legal Education Ontario*

b. Answers may vary. Legal education can be explained as education or training about the law. CLEO's mandate is to provide people with the legal information they need to understand and exercise their legal rights.

4. *It's free.*

5. *The date of the booklet is in the bottom left hand corner of the back cover. It's important because booklets get changed when the law changes so the information in an older booklet may be out of date.*

6. *People can get more booklets on CLEO's web site or by calling 416-408-4420, extension 33.*

7. *Employment Standards Act.*

8. *They are all questions.*

9. *"Does the ESA apply to all workers?" This question is important because the ESA does not apply to all workers. Workers who aren't sure if they are covered or not should get legal help.*

10. *"Where can I find out more and get legal help?" A community legal clinic.*

**Getting help with a
legal problem
(page 9-10)**

This picture story provides an opportunity to review vocabulary and information about workers' rights in the context of a situation in which the minimum standards of the law are not respected.

If you have access to an overhead projector, you may want to make a transparency of the story on page 9. Learners can write their own dialogue and practise the conversations in groups of three.

As an alternative to writing their own dialogue, or after doing so, learners can work in pairs to match the conversation strips that have been provided (see page 17) to the pictures. Note that some of the sentences could fit in more than one place in the story. This provides an opportunity to discuss issues of appropriateness of tone and register.

You may want to discuss what Diego can do next. If Diego's supervisor is not receptive to his concerns, Diego should get legal help.

Emphasize the importance of keeping records and documents. You can elicit that this involves recording hours, keeping documents such as pay stubs, reconciling one's own records with pay stubs, and hanging on to them in case there's a mistake. You will find activities reinforcing the importance of keeping good records in the ESL activity kits *Laws about pay* CLB 2 and *Hours of work and overtime* CLB 2. You may wish to adapt them according to the needs and level of the learners in your class.

After practising the set expressions, learners can write conversations and present them to the rest of the class.

Answers:

B.

- 2 a. *Do we get overtime pay?*
- 1 b. *Something is wrong with my pay stub. Where's my overtime pay?*
- 4 c. *I need some legal advice.*
- 3 d. *The company doesn't pay time and a half for overtime.*
- 3 e. *I got the same pay for my regular hours and my overtime hours.*
- 2 f. *I'm not sure. Ask the supervisor.*

What do you know about workers' rights?

1. In most jobs your employer can require you to work 8 hours a day.	True
2. An employer does not have to give you weekends off.	True
3. Minimum wage for students under 18 years of age is less than minimum wage for most other workers.	True
4. Minimum wage for workers who serve alcohol is less than minimum wage for most other workers.	True
5. Your employer has to give you a statement of your wages on or before your payday.	True
6. Your employer can make deductions, such as income tax, from your pay.	True
7. Overtime pay is at least 1 ½ times your regular hourly pay.	True
8. In most jobs, you must get at least 30 minutes off after every 5 hours of work.	True
9. On public holidays, people in most jobs have the right to get the day off with holiday pay.	True
10. Most workers get at least 2 weeks' vacation after working 12 months for the same employer.	True
11. Your employer has the right to decide when you can take your vacation.	True
12. Vacation pay must be at least 4% of total wages.	True
13. Most workers have the right to join or organize a labour union.	True
14. You usually have 6 months to file a claim for unpaid wages with the Ministry of Labour.	True
15. In most cases, the maximum amount the Ministry of Labour can order an employer to pay a worker is \$10,000.	True

Getting help with a legal problem: Conversation strips

Diego	Where's my overtime pay?
Diego	Do we get overtime pay?
Co-worker	I'm not sure. Ask the supervisor.
Diego	I got the same pay for my regular hours and my overtime hours.
Supervisor	The company doesn't pay time and a half for overtime.
Diego	I need some legal help.