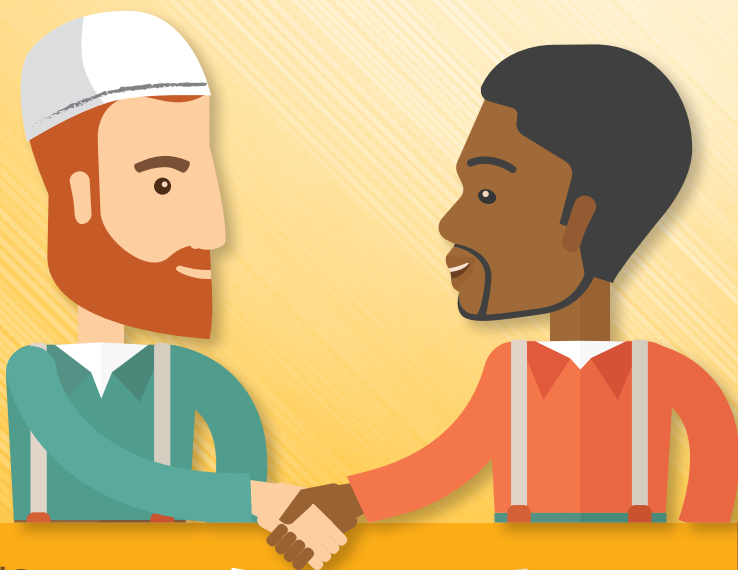


## “ Do You know what your rights are? ”



### WHAT ARE EMPLOYMENT STANDARDS?

In Ontario, the *Employment Standards Act (ESA)* sets out **YOUR MINIMUM LEGAL RIGHTS AND ENTITLEMENTS** as a worker.

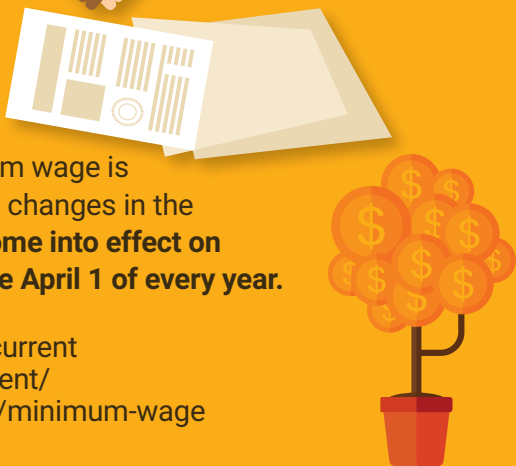
### WHO IS COVERED BY THE ESA?

**IF YOU ARE** working in Ontario, whether unionized or not, you **MAY** be covered by the ESA.

### ONTARIO'S MINIMUM WAGES

Most employees are entitled to be paid **at least** the minimum wage. The minimum wage is adjusted annually by a formula based on changes in the Consumer Price Index. **The new rates come into effect on October 1 and are published on or before April 1 of every year.**

For more information, and to check the current minimum wage: [www.ontario.ca/document/your-guide-employment-standards-act-0/minimum-wage](http://www.ontario.ca/document/your-guide-employment-standards-act-0/minimum-wage)



### HOURS OF WORK

#### DAILY LIMIT

**8 HRS**

is the maximum number of hours in a workday, unless the employer establishes a regular workday of more than 8 hours, in which case **THAT** amount will become the maximum hours.

#### WEEKLY LIMIT

**48 HRS**

is the maximum number of hours you can be required to work in a week.

#### BREAKS

**30 MINS**

is your entitlement for a paid eating period (after no more than 5 hours of work). You can agree with your employer to split it into 2 shorter breaks.

### PAYMENTS IN ADDITION TO WAGES

#### OVERTIME PAY

- » It's calculated depending on the payment arrangement agreed upon between the employee and employer.
- » Unless otherwise specified, all hours worked surpassing **44 HOURS** must be paid **1.5 TIMES** your regular wage ("time and a half").
- » Depending on the circumstances, there are varying rules regarding entitlement to and the payment of overtime.

#### PUBLIC HOLIDAY PAY

- » Public Holidays are days that **MOST EMPLOYEES** are entitled to have off work with pay.
- » While most employees are eligible for the public holiday entitlement, **SOME EMPLOYEES** work in jobs that are **NOT COVERED** by the public holiday provisions of the ESA.

#### VACATION PAY

- » You are entitled to an annual vacation of **2 WEEKS** with vacation pay equal to **4%** of your annual earnings, including overtime.
- » After **5 YEARS** with the same employer, you are entitled to **3 WEEKS** of paid vacation equal to **6%** of your annual earnings, including overtime.



### WAGE DEDUCTIONS

An employer has the legal right to deduct your wages under 3 circumstances:

**01**

#### STATUTORY DEDUCTIONS

These are the deductions that employers must make due to federal and provincial laws.

**02**

#### WRITTEN AUTHORIZATION

An employer can make deductions to your pay if you provide written consent.

**03**

#### COURT ORDERS

A court may determine that an employee owes the employer money.



### FAMILY RESPONSIBILITY LEAVE

Under a 2018 amendment to the Act, Ontario — workers who have been employed by an employer for two consecutive weeks — are entitled to a leave of absence **without pay**, to a total limit of three days each calendar year. Family Responsibility Leave can be used for illness, injury, medical emergency or urgent matters.

### TERMINATION

In Ontario, you are considered terminated if the employer:

- » **DISMISSES YOU** or **STOPS EMPLOYING YOU**, including when you are no longer employed due to employer bankruptcy or insolvency;
- » **CONSTRUCTIVELY DISMISSES YOU AND YOU RESIGN**, in response, within a reasonable time; and/or
- » You are **LAI D OFF** for a period that is longer than a temporary lay-off.

### RESOURCES

EMPLOYMENT STANDARDS ACT (ESA):  
[www.ontario.ca/laws/statute/00e41](http://www.ontario.ca/laws/statute/00e41)

EMPLOYMENT STANDARDS FAQS:  
[www.labour.gov.on.ca/english/es/faqs/general.php](http://www.labour.gov.on.ca/english/es/faqs/general.php)