

How to make sure your employer doesn't beat you

Have you ever been on a job in which you thought your employer was working you illegally? Maybe it seemed that you were being paid less than the legal minimum or that you were working extra hours without receiving the overtime pay you deserved. The people who wrote this pamphlet, members of the Committee for Fair Employment, have been in this situation; so we decided to find out what the Employment Standards Act of Ontario provided as the legal rights of employees. In order to make it possible for everyone to know their rights we have tried to put the essential parts of these laws into plain language. If you find that your employer is breaking any of these laws, there is the Employment Standards Branch of Ontario, which is there to protect you. But this body can only know that an employer is breaking the law if one of the employees of that business complains. It's up to you to protect your rights!

Regular hours of work

The Act specifies that under regular conditions, an employee can work up to an eight hour day and a 48 hour week. The employer can apply to have his workers stay on for a ten hour day, for example but only as long as they don't work over 48 hours per week.

Now, as well as this, of course, there is overtime. Overtime for certain jobs such as firemen, stationary engineers, receivers, shippers, watchmen and delivery truck drivers are restricted and must be kept down to 12 overtime hours per week or a maximum of 60 hours in any one week. In any other job, at all the overtime hours can't go over 100 hours in a year. This means that if you work a full year of 52 hours per week you will have approximately 200 overtime hours. This is illegal and both you and your employer can be charged. Overtime hours exceeding 100 per year can only be approved by the Director in charge of Employment Standards, not you and not your boss and this type of permit can only be issued under extenuating circumstances such as accidents or spoilage of goods. If your boss does get a permit of this type, he still cannot obligate you to work the extra time. The permit only gives him this right with your consent.

Agreement required

Unless you agree to some other arrangement, overtime is always to be calculated on a weekly (7-day week) basis. For example, if you work 62 hours in one week and only 34 the next, you must be paid the overtime rate for the 14 hours overtime you worked the first week. The total of 96 hours can't be spread out to make it look like 48 hours per week.

If you are a girl under the age of eighteen, the most overtime hours you can work in one week is six. You are not allowed to work more than this and no boss is allowed to make you work more than this. You also can't work between 12:00 a.m. and 6:00 a.m. If you are a woman of age eighteen or over, and your work ends between 12:00 a.m. and 6:00 a.m., or if your work starts during this period, you must be provided with free transportation to or from work during this time.

Your employer is required to give you an eating period of half an hour in such a way that you never work five consecutive hours or more without such a break but the break can be less than half an hour in some circumstances.

Students minimum wage

Some people believe that there is one minimum wage for all workers and they usually quote figures between \$1.00 and \$1.65 per hour. Unfortunately it's not that simple; minimum wage rates vary from job to job.

In some cases, first of all minimum wages do not apply: students employed in recreational programmes operated by (1) charities, (2) schools, (3) municipalities (if they are working directly on the project) are not covered by a minimum rate. There is also no minimum wage for students working at a summer camp unless they are over 18 years of age and working as a supervisor or full counsellor.

For general industry (and this category includes hotel, motel restaurant and resort workers), the minimum wage between October 1, 1970 and April 1, 1971 is \$1.50 per hour. After April 1, 1971, the rate will be \$1.65 per hour. (This is only in effect if you are not a student.) This is for full and part-time workers. If you are classed as a "learner" (in all industries) your hourly wage can be ten cents under the minimum for general industry for one month only. After this time, your hourly rate must go up at least ten cents. Look around! No more than 20 per cent or 1 in 5 employees in a business can be classed as learners at any one time. If you have previous experience with another company in a job, you can't be classified as a learner. The minimum wage rate for learners is \$1.40 per hour before April 1, 1971 and will be \$1.55 after that date.

If you are under 18 years of age, and working as a messenger, a delivery boy, a news vendor, a bowling pin setter, shoeshine boy, golf club caddy, worker at a refreshment booth at an agricultural fair, or a Public Library employee, you must be paid \$1.10 per hour before April 1, 1971 and \$1.25 per hour after that date.

If you are a student attending a learn-

ing institution and work less than 28 hours per week or are employed between May 15 and September 15 or during Christmas and Easter school vacations, the minimum wages, (whether you are under or over the age of eighteen) is \$1.15 per hour before April 1, 1971 and \$1.30 per hour after that date. That rate applies to all students but you cannot be both a student and a learner.

If you are employed in the construction industry, whether you are working full or part-time, whether you are a student or not, the minimum rate is \$1.75 per hour before April 1, 1971 and \$1.90 per hour after that date.

If you are a taxi driver (or a driver for any livery service) the minimum rate up until April 1, 1971 is \$1.50 per hour or not less than 35 per cent of total fares. After April 1, 1971, the rate will be \$1.65 per hour or 35 per cent of total fares.

If you are receiving meals or accommodation from your employer and you are being paid the minimum wage, deductions can be made for your room up to \$6.50 per week and up to 65 cents per meal (\$13.50 per week). Thus, the most your employer can deduct from your pay, if you are being paid the minimum is \$20.00 per week. Furthermore, if you are receiving the minimum rate, your employer cannot charge you for your laundry or uniform or for breakage of material.

Holidays

There are seven holidays throughout the year (civic holidays don't count) and if you work on any of these days, you must be paid at least one and a half times your regular hourly rate. There used to be a law saying you had to work at least 12 out of the preceding 30 days to qualify for this but that's no longer true. If you worked overtime in the same week as a holiday, you must be paid for the overtime and the holiday. If your overtime (i.e. after 48 hours in the week) falls on the holiday then you must be paid double time and a half. (For example, \$1.30 per hour x 2-1/2 equals \$3.35 per hour.) The holidays are New Year's Day, Good Friday, Victoria Day, Labour Day, Thanksgiving and Christmas Day.

If you work anywhere, even for only a day, you must receive at least a minimum "vacation pay" of 2 per cent of your gross income. You must receive this money no more than a week after your employment has ended. If you have been working for the same employer for one year or more, whether full or part-time (this doesn't apply to seasonal work), the rate of vacation pay is 4 per cent of your gross income. These payments are all substitutes for a paid vacation which are

one week in length after a year's employment.

Those deductions

The approved deductions are (i) Income Tax, (ii) Canada Pension Plan, (iii) Unemployment Insurance (UIC), (iv) any deductions which you agree to in writing such as compulsory savings, Christmas Club, Credit Union and (v) any deductions made as a result of a judgment by the courts. Deductions can't be made from your paycheck for such things as cash shortages, incompetence, real or personal damage, etc.

Wage Protection — With every cheque or monies you receive from your employer, you must receive a slip stating all the details of the payment. If the pay is incorrect, up to \$2,000 of it can be collected for you.

If you get fired

If you are being fired, you must be served with a week's notice if you have worked at least three months. The longer you have worked, the more notice you are entitled to. You must be paid all wages which have not yet been paid at the end of your notice. Your rate of pay can't be lowered once you have been notified of your dismissal.

The laws we have summarised here are by no means the complete Employment Standards Act. If you have any questions at all, get in touch with the Employment Standards Branch at 74 Victoria Street or call the Committee for Fair Employment.

Rm. NH103

Do not be afraid to complain

Don't ever be afraid to complain! You cannot legally be penalized in any way for seeking the assistance of this Act. In most cases, people who are being unjustly worked do not complain for fear they will be fired. Plain and simply, you cannot be fired for just complaining. If you find that your right to fair employment according to the Employment Standards Act of Ontario is not being protected, call the Committee for Fair Employment and they will do what they can to help you.

THEY MAKE LOVE TO THE ROAD.

SPECIAL CARS FOR SPECIAL PEOPLE

The all new 304 and more powerful new 504 sedans give you incomparable value and performance.

Compare these features:

- Power assist disc brakes
- Radial ply tires
- Independent suspension at all 4 wheels
- Choice of front wheel drive or standard
- All synchro 4-on-the-floor in 304
- Optional 3 speed automatic in 504
- Electrophoresis rustproofing
- Deep padded luxury interiors
- Sliding sunroof on 504
- Stainless steel bumpers and trim and much more — see for yourself



PEUGEOT 304 and 504 SEDANS

raymond's
european car service centre ltd.

41 EDDYSTONE ROAD
JANE STREET SOUTH OF FINCH AVE.
TURN AT THE GULF SERVICE STATION
TELEPHONE 743-6845

PEUGEOT
OVERSEAS DELIVERY AVAILABLE
504
304

R TYPEWRITERS
E ADDING MACHINES
N TV'S
T STEREO TAPE RECORDERS
A STEREO RECORD PLAYERS
L
S 698-2589
DANFORTH TYPEWRITER
2940 DANFORTH AVE.
FREE DELIVERY