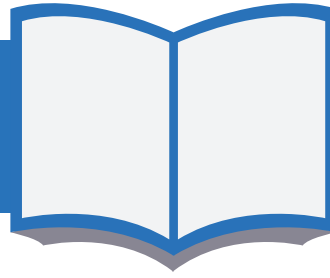




Participant Handouts

Scenarios



Scenario 1 Worksheet: Demonstration

My boss told me that I need to work on Good Friday. He said that because I don't celebrate Easter, he doesn't have to give me holiday pay like the other staff. This doesn't seem fair.

Start on the Steps to Justice topic, "Getting Paid" with the question, "Does my employer have to pay me for public holidays?"

- In general can employers force their employees to work on public holidays?
- How much is "holiday pay"?
- What is the name of the law that covers most jobs in Ontario?
- What are some jobs that are not covered by this law?
- Is there a human rights issue in this scenario?



Scenario 2 Worksheet

I slipped on some water on the floor at work and twisted my ankle. My boss sent me home for a week of sick leave. She says I don't need to file a claim for workers' compensation because the sick pay will cover my time off, but my friend said that was wrong. What should I do?

Start on the Steps to Justice topic, "Injured at work" with the question, "What if my employer wants me to take wages or sick pay instead of making a workers' compensation claim?"

- What are workers' compensation benefits?
- How can you find out if you are eligible for workers' compensation?
- What can workers' compensation benefits help pay for?
- What is the first step in making a claim for benefits through worker' compensation?
- Do you think the worker in this scenario should just take sick pay, like their boss wants them to? Why or why not?



Scenario 3 Worksheet

I run a small retail business and sometimes I need employees to work overtime. When I do, I pay them their hourly rate in cash, so they don't pay taxes and it ends up being a little more money for them. It's great for me too, because it's still less than I would pay in normal overtime wages.

Is that okay?

Start on the Steps to Justice topic, "Getting Paid" with the question, "Does my employer have to pay me overtime?"

- For most jobs, how many hours can you work in a week before you qualify for overtime pay?
- For most jobs, how much should you get paid for overtime hours?
- Some jobs and industries are not covered by the *Employment Standards Act* and so they don't have these rules about overtime pay. Find a list of these jobs, and name three of them.
- Looking at the list of jobs in the previous question, does it seem likely that this employer is exempt from paying overtime?
- Should I keep track of the hours I work? Why?



Scenario 4 Worksheet

I recently applied for a job teaching dance classes for kids. The hiring manager was really enthusiastic on the phone and said he loved my demo video. But I am pregnant, and when I came in for an interview and we met in person, his attitude was totally different. Later that day, I got a voicemail saying I did not get the job. I think it was discrimination. Is there anything I can do?

Start on the Steps to Justice topic, “Getting Hired” with the question, “What if I’m not hired because an employer discriminates against me?”

- In your opinion, why might an employer not want to hire someone who is pregnant?
- Which law would apply in this situation - the *Ontario Human Rights Code* or the *Canada Labour Code*?
- Do you think the person in this scenario has a reason to make a human rights claim? Why?
- Look for the Human Rights Legal Support Centre’s (HRLSC) online tool, called “Can We Help You?” Use it to find out whether or not the HRLSC would help this person to make a human rights claim.
- If the Ontario Human Rights Tribunal decides that the employer violated human rights laws in hiring, what can they do?
- What basic information do you need to give in a human rights application?



Scenario 5 Worksheet

I work as a server at a restaurant. My boss says that because we serve alcohol and get tips, my minimum wage is lower. She pays me \$11 per hour. She also makes all the servers pool our tips together and average them out between us. I don't think that's fair, because I know I pull in more tips from my tables than some other people. Can she do this stuff?

Start on the Steps to Justice topic, "Getting Paid" with the question, "How much does my employer have to pay me?"

- Is it legal to pay this person \$11 per hour? What does the law require?
- Find the link for the Ontario Ministry of Labour's rules about the minimum wage.
 - Write down two or three different minimum wages for different kinds of workers in Ontario.
 - Why would there be lower minimum wages for students?
- Is this boss allowed to pool tips?
- What can this worker do if their employer hasn't paid the correct minimum wage?
- How long can you wait if you want to make a claim for unpaid wages? How long will it take to process your claim?