

Employment laws protect Alberta workers



In this issue

You are going to read about the Employment Standards Code. The code has laws (rules) about working in Alberta.

The laws are about different things. For example:

- wages (pay)
- days off
- overtime (extra hours)
- general holidays (stat holidays)

Note: These 4 pages give you basic information about some of the laws in the code. There is other important information in the code.

You can get more information from the Alberta government. Look on page D.

This information applies to jobs that are under the Alberta Employment Standards Code.

1 Wages

✓ Alberta has a minimum wage. It is \$7 per hour. A worker must earn at least \$7 per hour.

The minimum wage is the same for adults, students and youth.

Example

✎ Darjeet is a clerk in a store. She makes \$7 per hour.

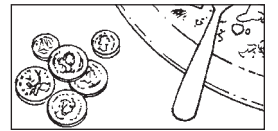


✓ Many employers pay more than the minimum wage.

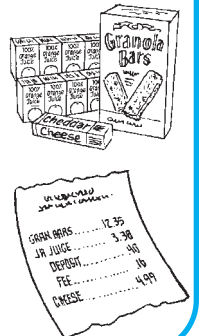
✓ Wages do not include some things. For example: tips and expense money.

Examples

✎ Van works in a restaurant. His wage is \$8 per hour. Customers leave tips for him too. He gets his wages plus tips.



✎ Cora works in a day care centre. Sometimes she buys snacks for the children. Her boss pays her back for these expenses.



Who is an employer?

An employer (boss) is someone who has employees (workers). For example, an employer might own:

- a restaurant
- a gas station
- a house-painting company



Who is an employee?

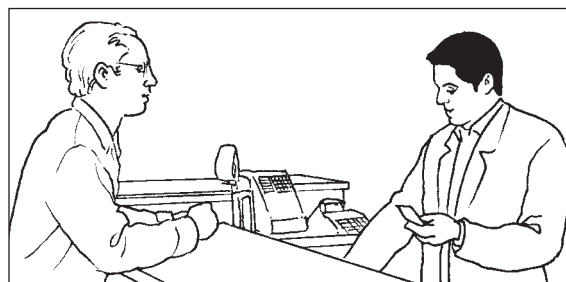
An employee (worker) is someone who works for an employer. For example, an employee might be:

- a cook in a restaurant
- a gas station attendant
- a painter



2 Three-hour minimum

✓ There is a 3-hour minimum for pay. Workers must earn at least \$21 if they go to work. The \$21 is equal to 3 hours at the minimum wage.



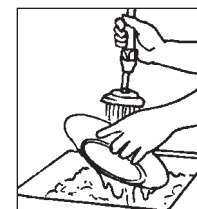
Example

✎ Adam works in a hotel. His pay is \$9 per hour. One day, Adam went to work. Two hours later, his boss told him to go home. The hotel was not busy. Adam only worked 2 hours. But his boss had to pay him \$21.

3 Rest breaks

✓ If workers work more than 5 hours, they must have 30 minutes or more to rest during that shift.

✓ Some employers pay for rest breaks. But some do not.



Example

✎ Lee is a dishwasher. He works an 8-hour shift. His boss tells him to take a 20-minute break at lunchtime and a 10-minute break in the afternoon. Lee's boss pays Lee for rest breaks.

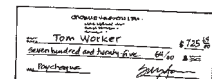
4 Payday

✓ Employers and workers agree on a rate of pay. The rate must be at least \$7 per hour.

✓ Employers decide when to pay their workers. For example, a pay period might be weekly, twice a month or once a month. Workers must get paid at least once a month.

✓ Employers pay workers in different ways. For example:

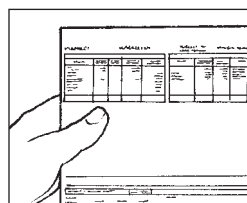
- in cash
- by cheque
- by direct deposit into a worker's bank account



5 Pay stub

✓ Employers **must** give workers a pay stub after each pay period. The pay stub shows many things.

Note: A pay stub is also called a pay slip or a statement of earnings and deductions.

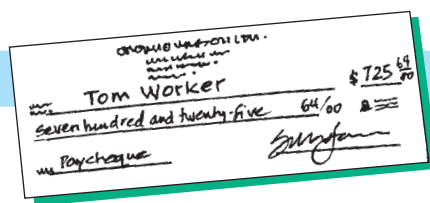


Example

☞ Tom works in a convenience store. He makes \$9 per hour.

Tom gets paid every 2 weeks. He gets a cheque from his employer. Tom gets a pay stub with his cheque.

☞ Here is one of Tom's pay stubs.



Sun.	Mon.	Tues.	Wed.	Thur.	Fri.	Sat.
Jan. 1 Holiday off	Jan. 2 8 hrs.	Jan. 3 8 hrs.	Jan. 4 8 hrs.	Jan. 5 8 hrs.	Jan. 6 8 hrs.	Jan. 7 off
Jan. 8 8 hrs.	Jan. 9 8 hrs.	Jan. 10 8 hrs.	Jan. 11 8 hrs.	Jan. 12 (8+4) 12 hrs.	Jan. 13 off	Jan. 14 off

Name: Tom Worker

Pay period: January 1 to 14, 2006

Wage rate: \$9.00 per hour

Overtime rate: \$13.50 per hour

Earnings	Hours	Earnings
Regular hours	80	\$720.00
Overtime	4	\$54.00
Time off in lieu	0	
Vacation pay paid (4% of regular wages)		\$28.80
General holiday paid (New Year's Day)	8	\$72.00
Total hours	92	
Total earnings (gross pay)		\$874.80
Deductions		
Income tax	\$96.15	
Federal	\$71.15	
Alberta	\$25.00	
EI	\$16.37	
CPP	\$36.64	
Total deductions	\$149.16	-\$149.16
Net pay (take-home pay)		\$725.64

Net pay = total earnings – deductions

Find the answers

1. What was the pay period for Tom's pay stub?

2. What is his regular wage rate?

3. How many regular hours did Tom work?

4. How many overtime hours (extra hours) did he work?

5. What is Tom's overtime rate?

6. Did he get paid for any general holidays?

7. How much was his net pay?

☞ **Answers on page D**

Deductions

✓ Employers must deduct some money from workers' pay. This money is called source deductions. For example:

- deductions for income tax
- deductions for Employment Insurance (EI)
- deductions for Canada Pension Plan (CPP)

What deductions can you find on Tom's pay stub?

✓ Employers cannot take deductions for some things.

Examples

☞ Grace is a cashier. Other employees use her cash register when she is on a break.

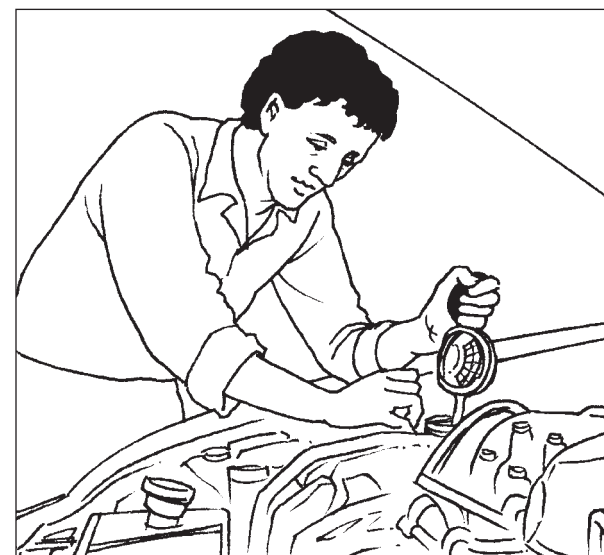
She has to count her cash at the end of the day. Sometimes her total is less than the computer's total. This difference is called a shortage.

Grace's boss cannot take the shortage from her pay.



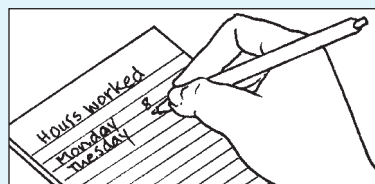
☞ Ahmed made a mistake at work. He broke a tool. His boss told him to be more careful.

Ahmed's boss cannot take the cost of the tool from Ahmed's pay.



Tips

☞ Always write down your work schedules. Keep track of the hours that you work.



☞ Read your pay stubs very carefully. Make sure you get paid correctly. Talk to your boss if you have questions.

☞ It is a good idea to keep your pay stubs for a few years. You might need them in the future.

For example, your employer might go out of business and owe you money. You can complain to Employment Standards. They will need your pay stubs to help you get your money.



6 Days off

✓ Workers must get days off. For example:

■ 1 day of rest in each work week

Sun.	Mon.	Tues.	Wed.	Thur.	Fri.	Sat.
Mar. 6	Mar. 7	Mar. 8	Mar. 9	Mar. 10	Mar. 11	Mar. 12
work	work	work	work	work	work	off

■ Or 2 days of rest in a row in each 2 work weeks in a row

Sun.	Mon.	Tues.	Wed.	Thur.	Fri.	Sat.
Mar. 6	Mar. 7	Mar. 8	Mar. 9	Mar. 10	Mar. 11	Mar. 12
work	work	work	work	work	work	work
Mar. 13	Mar. 14	Mar. 15	Mar. 16	Mar. 17	Mar. 18	Mar. 19
work	work	work	work	work	off	off

Example

Amal works Tuesday to Sunday at a flower shop. She gets Mondays off.



Sometimes her boss asks her to work on Monday too. If Amal works for 12 days in a row, she must get 2 days off. The 2 days must be in a row. For example: Monday and Tuesday.

MON 4	TUE 5
Groceries	Visit School
MON 11	TUE 12

✓ Many employers give workers 2 days off in each 7-day work week.

7 Overtime (extra hours)

✓ Sometimes employers ask workers to work overtime. Employers decide how to pay for overtime. They must give overtime pay **or** time off with pay.

✓ Most workers get overtime if they work more than 8 hours a day **or** 44 hours in a week. Overtime has many rules. Employers use daily and weekly hours to figure out (calculate) overtime.

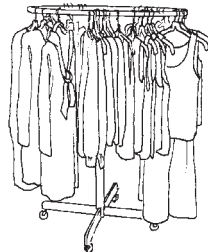
We're really busy. Can you stay and work some overtime hours?



Examples

Overtime pay

Keiko works in a clothing store. She earns \$8 per hour. She usually works an 8-hour shift.

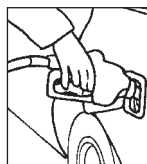


Last Monday, Keiko worked 10 hours. She must get 2 hours of overtime pay. It is 1½ times her regular pay or \$12 per hour. Keiko's overtime pay is \$24.

In that week, Keiko had 40 hours at \$8 and 2 hours at \$12.

Sun.	Mon.	Tues.	Wed.	Thur.	Fri.	Sat.
off	(8+2) 10 hrs.	8 hrs.	8 hrs.	8 hrs.	8 hrs.	off

Mike is a gas station attendant. He usually works a 6-hour shift.



Last Tuesday, Mike's boss asked him to work 8 hours. Mike did not get overtime pay. He got regular pay for Monday because he did not work more than 8 hours that day **or** more than 44 hours that week.

Sun.	Mon.	Tues.	Wed.	Thur.	Fri.	Sat.
off	8 hrs.	6 hrs.	6 hrs.	6 hrs.	6 hrs.	off

Time off with pay

Gina works in a warehouse. She signed an overtime agreement with her boss.

Under this agreement, Gina gets time off with pay **instead of** overtime pay. (People also say **in lieu of** overtime pay.) Gina can save her overtime hours and use them later.

Last week, Gina worked 44 regular hours and 4 hours of overtime. She will save the 4 overtime hours.

Next month, Gina will take the 4 hours off and volunteer at her son's school. She will get 4 hours off with pay. The pay will be her regular rate of pay.

Sun.	Mon.	Tues.	Wed.	Thur.	Fri.	Sat.
off	8 hrs.	8 hrs.	8 hrs.	8 hrs.	8 hrs.	(4+4) 8



8 Vacations

✓ Workers must take vacations. They need a rest from work.



Workers must get a vacation after they have worked for 1 employer for 12 months. They must get vacation pay too.

years worked	minimum vacation	minimum vacation pay
after 1, 2, 3 or 4 years	2 weeks	4% of regular pay
after 5 years	3 weeks	6% of regular pay

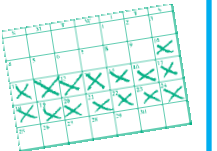
Note: Construction workers get 6% vacation pay.

✓ Workers earn their vacation during the year. Then they take their vacation sometime in the next year.

✓ Workers get vacation pay in different ways. For example:

■ Some workers get vacation pay on every paycheque.

■ Some workers get all their vacation pay just before they take a vacation.

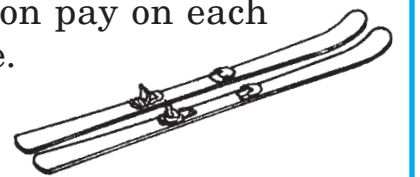


Examples

Tanya works full time. She gets \$10 per hour at a clothing store. She gets vacation pay on each paycheque.

Tanya has worked for the store for 1 year. So she has earned a vacation. She must get at least 2 weeks off.

Tanya won't get paid during her vacation because she got her vacation pay on each paycheque.



Abi works part time in a hotel. He is paid hourly. He does not get his vacation pay on each paycheque.

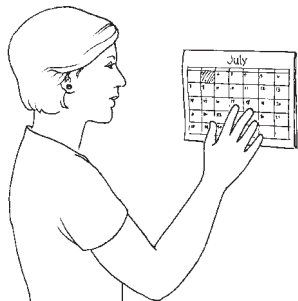
Abi has worked for the hotel for 1 year. So he has earned a vacation. He must get at least 2 weeks off. At the same time, he will get 4% of his previous year's wages.



Miguel gets a monthly salary. He has worked at his job for 1 year. So he has earned a vacation. He must get at least 2 weeks off. He will also get his regular salary for those 2 weeks.

Questions and answers

Q Will my boss pay me for Canada Day and other general holidays?



A There are 9 general holidays in Alberta. Many people call them stat holidays.

- New Year's Day
- Alberta Family Day
- Good Friday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day



Some people do not get a day off on these holidays. If you work on a general holiday, you might get extra pay.

Ask your employer how you will get paid.

Note: Construction workers always get general holiday pay. They might get the holiday off.

Q My wife is pregnant. She has worked at a day care centre for 16 months. How much time can she take off from her job?

I have been at my job for 2 years. Can I take time off from my job too?



A Your wife has worked for 1 employer for more than 12 months. This means that she can take up to 52 weeks off.

The 52 weeks include 15 weeks of maternity leave and 37 weeks of parental leave. She will have a job at the day care centre when she finishes her leave.

You have also worked more than 12 months. So your wife can share the 37 weeks of parental leave with you.

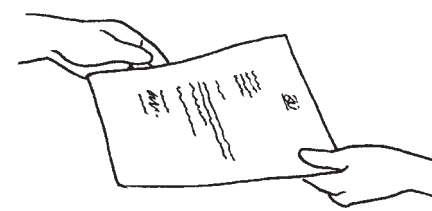
You and your wife might get Employment Insurance (EI) while you are on leave. Talk to your employers. Or ask about EI at a Canada Employment Insurance office or a Canada-Alberta Service Centre.

Q I have been at my job for 6 months. Now I want to quit. What do I need to do?

A You must give written notice to your boss. Your letter must say the date of your last day of work.

This chart shows how much notice workers must give.

months or years worked	notice to boss
less than 3 months	no notice
over 3 months but less than 2 years	1 week's notice
2 years or more	2 weeks' notice



Q I just lost my job. My boss said I could not work there anymore because I was late for work. I think it is unfair.

A There are many rules about losing your job. Your boss must follow the rules.

Get more information right away. See the box below.

Watch for changes

In this issue, you read about employment laws in Alberta. These laws might change in the future. If the laws change, the Alberta government will announce the changes. Then employers and workers will learn about the new laws.

Answers: 1. January 1 to 14 2. \$9 per hour 3. 80 4. 4 5. \$13.50 per hour 6. Yes 7. \$725.64

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Call the Alberta Career Information Hotline at 1-800-661-3753 or ask for copies at an Alberta Human Resources and Employment service centre.

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Where to get help

✓ You can get more information from the Employment Standards helpline. It is part of the Alberta government.

You do not have to give your name or your employer's name when you call. Your call is confidential.


 **Edmonton:** 780-427-3731
Outside Edmonton (free): call 310-0000, then enter 780-427-3731


Deaf or hard of hearing with TTY: call 780-427-9999 in Edmonton or 1-800-232-7215 (free)

 **Website:** www3.gov.ab.ca/hre/employmentstandards

✓ You can ask for help from other people too. For example: a teacher or a settlement worker at an immigrant serving agency.

✓ You can get employment and career information at an Alberta Labour Market Information Centre (LMIC). Call or e-mail the Career Information Hotline to find an office near you.

 **Edmonton:** 780-422-4266
Outside Edmonton (free): 1-800-661-3753

 **E-mail:** hotline@alis.gov.ab.ca

Order free booklets

A Guide to Rights and Responsibilities in Alberta Workplaces

Call or e-mail the Career Information Hotline.



Becoming a Parent in Alberta

Call the Employment Standards helpline.