

Your Rights and Responsibilities at Work

Before the Job

Learn about your rights before you're hired

On the Job

Get answers about pay, time off, overtime and more

Leaving the Job

Find out about job-protected leaves

alis

Alberta
Government

Career Practitioners and Educators

This publication is for workers who want to know more about employment rules in the Alberta workplace. It discusses legislation covering workers, their rights before starting a job, their rights and responsibilities on the job, and leaving the job temporarily or permanently.

Inside you'll find answers to questions about

- health and safety on the job
- human rights
- workers' compensation
- pay and pay deductions (including for income tax, Employment Insurance and Canada Pension)
- types of long-term protected leaves
- types of short-term protected leaves
- vacations and holidays
- pay records and earnings statements
- rests and breaks while working

All photos in this booklet are for illustrative purposes only. They are not actual photos of any individuals mentioned.

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Phone toll-free in Alberta: 310-0000, then enter our 10-digit number
Email: info@alis.gov.ab.ca

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Information in this publication was accurate, to the best of our knowledge, at the time of printing. However, legislation, labour market information, websites and programs are subject to change, and we encourage you to confirm with additional sources of information when making career, education, employment and business decisions. **The material in this publication is intended for informational purposes and is not intended to be used as a source of legal advice.**

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WHO IS THIS PUBLICATION FOR?

This publication is particularly useful if you're new to the workplace. You could be a young person looking for your very first job. You could be an immigrant, an international student or a temporary foreign worker starting your first job in Alberta. Or you could be starting work again after being out of the job market for a while.

Whatever you do in the workplace, the laws of Alberta and Canada have rules that apply before you're hired, while you're on the job and when you leave a job or are fired or laid off. Think of these rules as workplace rights and responsibilities. Sometimes they cover you as a worker. Sometimes they apply to your employer. And sometimes they apply to both of you.

Temporary foreign workers

If you are a temporary foreign worker, you have the same workplace rights and responsibilities that apply to Canadian citizens and permanent Canadian residents. Alberta's Temporary Foreign Worker Advisory Office can help temporary foreign workers and international students (with work authorization) understand their rights and provide support to workers in situations involving unfair, unsafe or unhealthy working conditions. For more information, email the Temporary Foreign Worker Advisory Office at lbr.tfwao@gov.ab.ca or call the north location at 780-644-2584 and south location at 403-476-4540, or go to alberta.ca/temporary-foreign-worker-advisory-office.aspx.

Find out more

This book covers the most important laws and regulations about workplace rights and responsibilities. To know more, check the resources listed throughout this publication. See **Key Contacts and Resources** on page 29 for a summary of workplace resources listed by subject.

You can also contact the organizations listed in this publication to formally complain or appeal an employment decision. You don't have to give your name when calling for information.

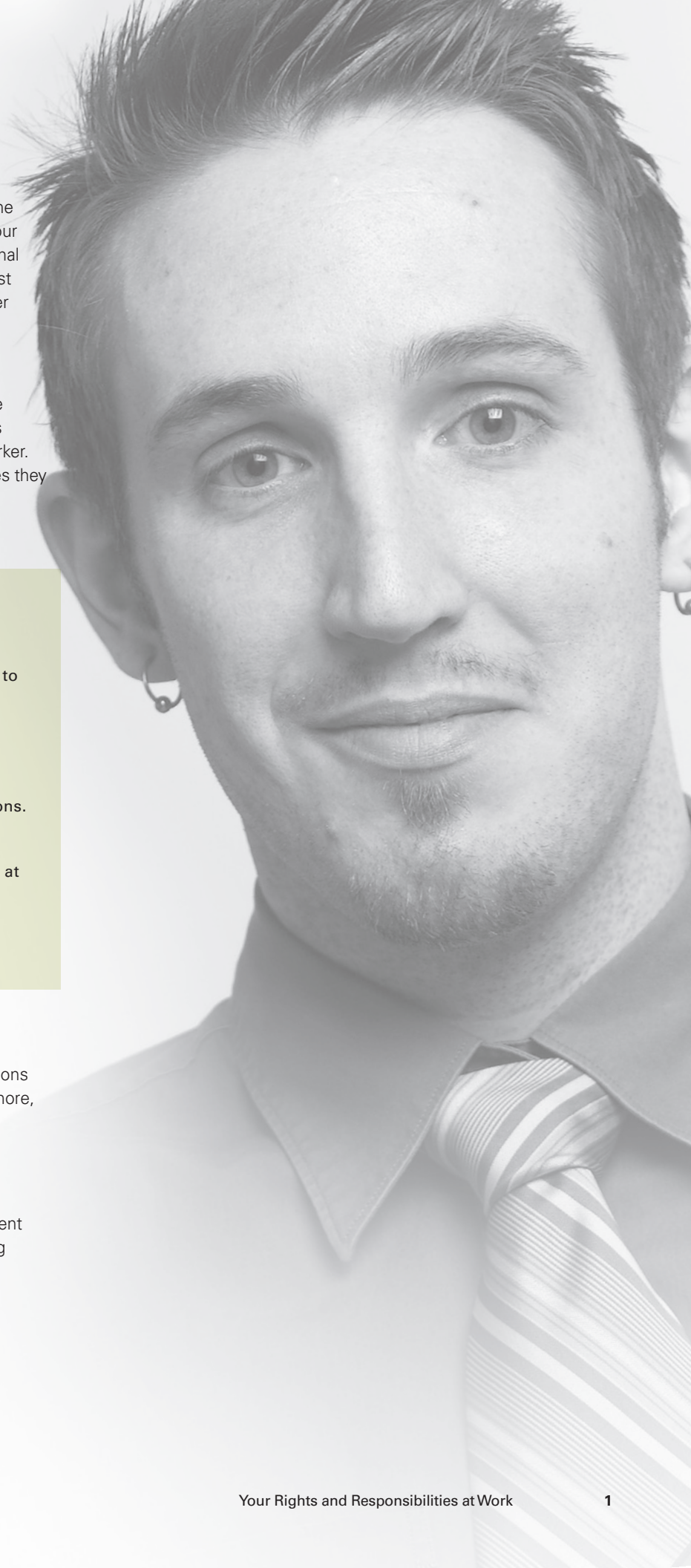




Table of Contents

The Rules: What is Covered	4		
Some exceptions			
Where the Canada Labour Code applies	4		
Before the Job Starts	6		
Your rights before you're hired			
Protecting your human rights	7		
Job-related skills testing	7		
Drug and alcohol testing	7		
Appearance and dress	8		
Social Insurance Numbers	8		
Young workers			
Rules for 12 years old and younger	8		
Rules for 13 to 14 years old	8		
Rules for 15 to 17 years old	8		
Rules for all young workers	8		
International students			
Rules for international students	9		
Rules for international post-grads	9		
On the Job	10		
Special needs and circumstances			
Duty to accommodate	11		
Appearance and dress	11		
Getting paid			
Minimum wage	12		
Regular pay	12		
Overtime and overtime pay	12		
Vacations and vacation pay	12		
General holiday pay	12		
Equal pay for similar work	13		
Deductions from pay			
Approved deductions	14		
Food and lodging deductions	15		
Pay records			
Statement of earnings	15		
Taking rests and breaks			
Hours of rest and work	16		
Knowing what counts as work	16		
Taking vacations	16		
Staying healthy and safe on the job			
Eliminating and controlling work site hazards	17		
Working alone	17		
Preventing violence in the workplace	18		
Preparing for workplace emergencies	18		
Receiving Workers' Compensation (WCB) coverage			
Who WCB covers	19		
Your duties if injured	19		
Your employer's duties	19		
Organizing and belonging to unions			
Forming a union	20		
Paying union dues	20		
Responding to other labour relations issues	20		
Protecting personal information and privacy			
Collecting and using your personal information	21		
Disclosing your personal information	21		
Leaving the Job	22		
Leaving your job temporarily			
Job-protected and unpaid leaves	23		
Layoffs and recalls	26		
Leaving your job permanently			
Written notice required	26		
Just cause	27		
Final pay on leaving	27		
Filing complaints	28		
Key Contacts and Resources	29		
Index	35		

The Rules: What is Covered

The Alberta Employment Standards Code sets minimum standards for earnings, minimum wage, hours of work, days of rest, overtime pay, vacation pay, general holiday pay, short-term and long-term types of job-protected leaves, and hiring workers under 18.

Besides rules relating to the Employment Standards Code, this book describes the workplace rights and responsibilities written in other Alberta laws and codes, such as the

- *Alberta Human Rights Act*
- *Occupational Health and Safety Act*, the Occupational Health and Safety Regulation and Code
- *Workers' Compensation Act*
- Labour Relations Code
- *Freedom of Information and Protection of Privacy Act*
- *Personal Information Protection Act*
- *Tobacco Reduction Act*
- *Apprenticeship and Industry Training Act*
- *Enhanced Protection for Farm and Ranch Workers Act*
- *Fair and Family-friendly Workplaces Act*

Entitlements and benefits

The basic requirements of the Employment Standards Code are **entitlements**. Entitlements are what your employer must give you. If your employer offers more than the basic entitlement—for example, more vacation time than required by the Code—you are getting a **benefit**.

Find out more about the
Employment Standards Code
from Employment Standards:

Edmonton: 780-427-3731
Toll-free: 1-877-427-3731

Deaf or hard of hearing callers with TTY call
780-427-9999 in Edmonton or 1-800-232-7215
toll-free in other Alberta locations.

Website: alberta.ca/employment-standards.aspx

SOME EXCEPTIONS

The Alberta Employment Standards Code applies to most Alberta employers and their workers. Even if it covers your workplace, parts of the Code might not apply to you. For example, construction workers have different rules for vacation and holiday pay, and for giving notice about a job ending. If you think different rules might apply to your workplace or industry, call Employment Standards.

Where the Canada Labour Code applies

Some Alberta workers and employers fall under the Canada Labour Code. That Code applies to you if you work directly for the federal government or if:

1. Your employer performs a function or duty on behalf of the Government of Canada, which includes most federal Crown corporations and federal special operating agencies.
2. Your employer is a federal undertaking or business, which includes
 - air transport, including airports, aerodromes and airlines
 - banks
 - fisheries protection
 - grain elevators, feed and seed mills
 - interprovincial pipelines, canals, tunnels and bridges
 - many First Nations activities
 - marine shipping, ferry and port services
 - phone, telegraph and cable systems
 - private businesses necessary to the operation of a federal act
 - radio and TV broadcasting
 - rail and road transport that crosses borders
 - uranium mining and processing

This publication does not discuss federal employment standards. For more information about the **Canada Labour Code**, contact:

Government of Canada – Labour Program
Toll-free: 1-800-641-4049

Website: canada.ca/labour-program
Select *Federal labour standards*.



Before the



IN THIS SECTION

Your rights before
you're hired

Young workers

International students

Job Starts

YOUR RIGHTS BEFORE YOU'RE HIRED

Protecting your human rights

The *Alberta Human Rights Act* makes it illegal to discriminate or treat people unfairly because of their

- race
- religious beliefs
- colour
- gender (including pregnancy and sexual harassment)
- gender expression
- gender identity
- physical disability
- mental disability
- age
- ancestry
- place of origin
- marital status
- source of income
- family status
- sexual orientation

These 15 types of discrimination are sometimes called *protected grounds*. The *Act* also protects individuals from discrimination in certain areas, such as employment.

The Alberta Human Rights Commission is an independent commission created by the Government of Alberta that

- fosters equality and reduces discrimination
- provides public information and education programs
- helps Albertans resolve human rights complaints

The *Alberta Human Rights Act* protects you from discrimination when you're applying or competing for a job. It requires that job advertisements, applications, competitions or notices be fair. That means an employer can't refuse your job application or deny you a job interview, for example, because you have a history of mental illness or you are pregnant. Similarly, your religious beliefs, your marital status or any of the other types of discrimination listed above can't be held against you when applying.

Employment age in the *Alberta Human Rights Act* is defined as "18 years or older". If you are 18 or older, you can't be told you are too young or too old for a job. Specific rules protect workers younger than 18 (see **Young Workers**, page 8). If you are under the age of 18, you can make a complaint of discrimination to the Alberta Human Rights Commission in the area of employment on all grounds listed above **except** age.

What employers can and can't ask

The *Alberta Human Rights Act* prevents employers from asking you questions about the 15 protected grounds during job interviews, on job application forms, when checking references or when using other ways of collecting information about you. You can refuse to answer such questions or just write "not applicable."

While employers can't ask your age, they can ask if you are at least 18 since specific rules apply if you're younger. Though employers can't ask about your ancestry, where you were born or what country you come from, they can ask if you are allowed to work in Canada. If you already have a Social Insurance Number (SIN) or can apply for one, it usually means that you can work in Canada. Rules on the use of SINs require you to provide the number to your employer once you're hired but not before.

Job-related skills testing

Some jobs require physical co-ordination, strength or the ability to handle stress. An employer can test you for job-related skills during the hiring process but must give the same tests to everyone being hired for similar work. Tests must relate to the job. So, if you're applying for a labour job, an employer can't test your keyboarding skills. If you're looking for office work, an employer can't test whether you can lift a certain weight.

Drug and alcohol testing

You can be tested for drugs and alcohol *after* hiring if your employer can show the test is reasonable, justifiable and doesn't violate your human rights.

Appearance and dress

Employers can't make appearance and dress a concern before you are hired. But, once you're hired, employers can set standards for safety and health in the workplace as long as it doesn't interfere with your religious practice or physical well-being.

For questions about **human rights** or to **make a complaint**, contact the confidential inquiry line at the Alberta Human Rights Commission:

North of Red Deer: 780-427-7661

Red Deer south: 403-297-6571

Toll-free: 310-0000 and enter the local area code and phone number

Deaf and hard of hearing callers with TTY call 780-427-1597 in Edmonton, 403-297-5639 in Calgary or 1-800-232-7215 toll-free in other Alberta locations.

Website: albertahumanrights.ab.ca

Because of confidentiality concerns, the Commission can't receive or reply to complaints of discrimination by email or through the Internet.

Security checks and bonding

Before starting a job, you may need to complete a security check through the local police service. A security check is especially required if you're working with children, persons with disabilities and the elderly, or if you're handling money or confidential information. For some jobs, where it's important to protect against fraud or theft, your employer may check if you are bondable (whether you can be insured through your employer to handle sums of money).

Social Insurance Numbers

You need a Social Insurance Number (SIN) to work in Canada or to access certain government programs and benefits, such as Employment Insurance (EI) or the Canada Pension Plan (CPP). You don't have to give out your SIN before you're hired. But once you're hired, your employer needs your SIN to record deductions taken from you and payments made for you by your employer for income tax, CPP and EI. If you don't have a SIN, visit a Service Canada office to apply.

For information about **Social Insurance Number**, contact **Service Canada**:

Phone: 1-800-206-7218 toll-free (option 3)

Deaf and hard of hearing persons with TTY call 1-800-529-3742 toll-free.

Website: canada.ca/social-insurance-number

YOUNG WORKERS

Rules for 12 years old and younger

If you're 12 years old or younger, you may only work in an artistic endeavour, such as:

- as an actor, dancer or musician
- in taped or live performances

Your employer must follow the terms in a permit issued by the Director of Employment Standards.

Rules for 13 to 14 years old

If you're 13 to 14 years old, you may only work without a permit in certain jobs that are approved by Employment Standards, such as some restaurant work or delivery jobs.

Examples of jobs that do not qualify for permits include but are not limited to

- construction
- heavy lifting jobs
- working around moving vehicles or equipment
- working with potentially hazardous equipment or tools.

There are also restrictions on the hours of work. During the school year, your work must not take place

- during school hours unless you are enrolled in an off-campus school program
- from 9 p.m. to 6 a.m.

Rules for 15 to 17 years old

If you're 15 to 17 years old, you may do any job without a permit. Parental or guardian consent and adult supervision is needed to work during restricted hours. If the youth is at an age required to attend school by the School Act (under 16), they can't work during school hours.

Rules for all young workers

No matter how old you are, your employer must follow the same standards of employment, unless you are part of an approved training course or work experience program.

Alberta's youth employment rules don't apply to farms and ranches. Youth who are not family members follow the same rules as other farm and ranch employees.

Young workers may be involved in work as independent contractors or be self-employed which is not covered under Employment Standards legislation. This includes work such as baby sitting, dog walking, cutting lawns and snow shoveling.

To learn more about youth employment laws, contact Employment Standards:

Edmonton: 780-427-3731
Toll-free: 1-877-427-3731

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: alberta.ca/youth-employment-laws.aspx

Articles on workplace topics

Working and workplace topics—including health and safety on the job and how to be a good employee are available at alis.alberta.ca/succeed-at-work.

INTERNATIONAL STUDENTS

Rules for international students

Your permit may not allow you to work if you are studying English or French as a second language or if you don't have a social insurance number (SIN).

If you are in secondary school, you can work 20 hours off campus. If you are studying part time because you are completing the last session of your program, or you are a graduate student who has finished your degree requirements, you may work up to 20 hours per week.

If you are in a co-op or internship program, you may be allowed to work full time as long as your work program is 50 percent or less of your total program of study.

Rules for international post-grads

If you're an international student who has recently completed a program of study that lasted at least eight months in Canada, you may apply and qualify for a Post-Graduate Work Permit. It lets you work full time in Canada for a period after graduation to gain work experience.

To find out more about employment rules for international students, contact Immigration and Citizenship:

Phone: 1-888-242-2100 (in Canada only)

For TTY service, call 1-888-576-8502 in Canada from 8 a.m. to 4 p.m. local time.

Website: canada.ca/immigration

Your first three months

During your first three months on the job, you or your employer may end employment without written notice or termination pay. Don't confuse this with working for free or a trial period before you're officially hired and on the payroll—something an employer can't request and you can't offer. Once hired, you must be paid during orientation and training. After training, you're entitled to pay and other Employment Standards Code entitlements. Employment Standards doesn't cover you if you're enrolled in officially recognized unpaid work experience programs, such as through a school board, but other rules apply to protect you.

On the Jo



IN THIS SECTION

Special needs and
circumstances

Getting paid

Deductions from
your pay records

Taking rests
and breaks

Staying healthy and
safe on the job

Receiving Workers'
Compensation coverage

Organizing and
belonging to unions

Protecting your personal
information and privacy



SPECIAL NEEDS AND CIRCUMSTANCES

Under Alberta’s human rights law, *both* you and your employer share responsibilities for helping make sure people of different abilities and backgrounds are respected and accepted where you work. You and your employer are partners in making sure human rights requirements, such as the ones listed below, are followed in your workplace.

Duty to accommodate

Employers have a legal duty to give all Albertans equal opportunity in the workplace by protecting human rights related to the 15 protected grounds listed under **Protecting your human rights** on page 7.

To protect your rights, your employer may have to modify

- rules
- standards
- policies
- practices
- workplace attitudes or cultures
- workplace environment

If you feel you require changes in these areas to meet your specific needs, talk to your employer.

Changes and adjustments could involve

- buying or modifying tools, equipment or aids
- altering the premises to make them more accessible
- altering some job duties
- providing flexible work schedules
- offering rehabilitation programs
- providing time off for recuperation
- approving a transfer to a different job
- hiring an assistant
- using temporary workers
- relaxing requirements to wear a uniform

Your employer may ask you to provide a medical certificate to show that you need accommodation because of your disability.

The human rights requirement to change workplaces in such ways is called the **duty to accommodate**. Employers have a duty to accommodate up to the point of undue hardship. Undue hardship occurs if meeting your particular needs would cause great difficulty for your employer, such as spending unreasonable amounts of money or seriously interfering with the business. Usually, your employer must provide some accommodation.

Disability Related Employment Supports

The Government of Alberta offers Disability Related Employment Supports (DRES) to help you if you have a disability. Types of DRES available for eligible workers and employers to help meet workplace needs include

- workplace supports, such as a job coach, work site modifications or assistive technology
- job search supports, such as a sign language interpreter so you can attend a job search workshop if you’re deaf or hard of hearing
- education supports, such as sign language interpreters, tutors, note takers or readers, if you’re taking post-secondary, upgrading, skills training courses or labour market programs

To learn more about DRES, call the Alberta Supports Contact Centre at 1-877-644-9992 toll-free in Alberta or 780-644-9992 in Edmonton. Deaf and hard of hearing callers with TTY can call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations. Or, go to alberta.ca/disability-related-employment-supports.aspx.

Appearance and dress

Provided they don’t interfere with your religious practice or physical well-being, your employer can set reasonable rules for appearance and dress. This can include meeting rules for neatness, grooming, safety and health.

.....
Find out more about the duty to accommodate or appearance and dress requirements from the Alberta Human Rights Commission:

North of Red Deer: 780-427-7661
Red Deer south: 403-297-6571
Toll-free: 310-0000 and enter the local area code and phone number

Deaf and hard of hearing callers with TTY call 780-427-1597 in Edmonton, 403-297-5639 in Calgary or 1-800-232-7215 toll-free in other Alberta locations.

Website: albertahumanrights.ab.ca

Because of confidentiality concerns, the Commission can’t receive or reply to complaints of discrimination by email or through the Internet.
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GETTING PAID

The Employment Standards Code sets the minimum wage you must be paid each hour, whether paid a salary, commission or wages. Whether you are full time, part time, casual, commissioned, salaried, or a student or pieceworker, the Code also states when and how you are to be paid regular pay, overtime pay, vacation pay and general holiday pay. When your workplace has a union, a collective agreement may set when and how you're paid.

Minimum wage

Alberta's minimum wages apply to most industries and workplaces. Minimum wage does not include tips, bonuses and allowances. For some industries, types of work, and students under 18, there are exceptions to the minimum wage rules. (See Employment Standards contact information on page 13 to find out more regarding exceptions and changes to minimum wage rules.)

Regular pay

Your employer can pay you daily, weekly, every second week, semi-monthly or monthly (the longest pay period allowed). You must be paid no later than 10 calendar days after the end of each pay period. You must be given a pay stub that demonstrates how your pay was calculated. Your employer can pay you

- in cash
- by money order
- by cheque
- by direct deposit into your bank account

For direct deposit, your employer may ask for

- the name of your bank or credit union
- your bank account number or a blank, unsigned cheque with the word VOID written across it

Overtime and overtime pay

You're entitled to time-and-a-half (1.5 times your regular pay) for overtime work, whether you work full time or part time. In most industries, you must work more than eight hours a day or more than 44 hours per work week before overtime applies. In certain industries or jobs—for example, if you're a manager or supervisor or work in oilwell servicing—there may be different rules. There are different overtime rules for employees working on salary or commission.

Sometimes, instead of paying overtime, your employer may give you time off instead of overtime pay. A written overtime banking agreement is required. Banked time must be accrued by at least the overtime hours worked, and can be more, depending on the agreement.

Employees must use banked time within six months of the pay period in which it was earned.

Vacations and vacation pay

If you are a salaried employee, paid hourly, weekly, or by commission, your employer must give you paid vacations. You need to work at least 12 months before you are entitled to take a paid vacation. After one year, you're entitled to two weeks' paid vacation per year. After five years, you're entitled to three weeks.

If you work in construction, your employer does not have to give you a paid vacation. However, you are entitled to six per cent vacation pay from the start of your employment.

Your vacation pay is not increased or decreased by

- overtime pay
- general holiday pay
- bonuses
- expense allowances
- unearned bonuses

Your employer can choose to provide your vacation pay with each pay period. They **must** pay it no later than the next payday after your vacation begins, or the day before your vacation, if you ask for it.

General holiday pay

Alberta's nine general or statutory (stat) holidays are:

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

Most workers are entitled to general holiday pay after they have worked for their employer at least 30 work days in the 12 months before the holiday.

Your employer may also decide to treat some other days, such as Easter Monday, Heritage Day (first Monday in August) and Boxing Day, as general holidays. The rules for salespeople are different, as are the rules for construction and farm/ranch workers. Contact Employment Standards for more information.

See the chart below for information on your pay eligibility in relation to working on a holiday.

You are **not** entitled to holiday pay if:

- you're scheduled to work on the holiday but you refuse to
- you miss work the day before or the day after the holiday without your employer's consent

When a general holiday falls during your annual vacation, your employer must extend your vacation by one day with pay or give you a paid day off before your next annual vacation starts. If your employer ends your employment with postponed holidays still not taken, they must pay you your average daily wage plus 1.5 times your regular pay. If you leave your job with holidays still not taken, they must pay you your average daily wage for each postponed holiday on your final pay.

More information about **holiday pay** is available from **Employment Standards**:

Edmonton: 780-427-3731
Toll-free: 1-877-427-3731

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: alberta.ca/general-holidays-pay.aspx

Working as a contractor

If you contract to work for a certain time or on a certain task, you may be considered self-employed. In this case, different rules for pay, hours of work, tax deductions, Employment Insurance, Canada Pension Plan and Workers' Compensation may apply. If a temporary employment agency hires you, you may be called a contract worker, but in that case you're usually an employee, not a self-employed contractor.

More information about **minimum wage exceptions and rules** is available from **Employment Standards**:

Edmonton: 780-427-3731
Toll-free: 1-877-427-3731

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: alberta.ca/minimum-wage.aspx

Equal pay for similar work

Under Alberta's human rights law, men and women working in the same place and doing the same or similar work must be paid at the same wage. Differences in pay must be based on experience, education or job performance, not on whether you're male or female.

Pay eligibility for working on a holiday

Is the holiday normally a workday?	Did you work on the holiday?	Pay entitlement
Yes	Yes	Option 1 = 1.5 times your regular wage for hours worked, plus your average daily wage.
		Option 2 = your regular wage for hours worked, plus a future day off work at your average daily wage
Yes	No	Average daily wage
No	Yes	1.5 times your regular wage for hours worked
No	No	Not eligible for general holiday pay



Keeping your own employment information

Keeping your own records, including your pay stubs, is helpful if you need to clarify something with your employer about pay for the hours you have worked or if you decide to file an official complaint.

DEDUCTIONS FROM YOUR PAY

Usually you will not be paid your total or gross pay, which is your pay before any deductions are made. Instead, you will be paid a net pay—the amount that is left once your employer has deducted your income tax, Canada Pension Plan contributions, payments (premiums) for Employment Insurance and any other deductions from your gross pay.

The Employment Standards Code limits what your employer can deduct from your pay. Some deductions are not allowed, even if you agree in writing. For example, your employer can't take deductions for faulty workmanship or for uniforms. They also can't deduct for cash shortages or loss of property if more than one person, such as your employer, co-workers or customers, has access to the cash or property.

This section outlines the limits to what your employer can deduct for food and lodging, and lists other deductions you may need to approve in writing.

Approved deductions

Most deductions depend on your earnings and may include

- **Income tax**—the amount your employer takes off for federal and provincial taxes depends partly on whether you are single or have dependants. Tell your employer if this changes.
- **Canada Pension Plan (CPP)**—the amount that you contribute toward your CPP if you're 18 years or older. You contribute every year until you retire—aged 60 at the earliest.
- **Employment Insurance (EI)**—the amount you contribute toward EI.
- **Garnishee deduction**—the amount deducted if there is a judgment or court order against part of your pay. (A person to whom you owe money obtains a court order and a specific amount of money is removed from your pay and sent to that person. Other sources of garnishees are the Canada Revenue Agency and Alberta's Maintenance Enforcement Program.)
- **Union dues**—the amount deducted if your workplace has a union and your employer has agreed to deduct your union membership fees from your pay.

Other deductions, which you must approve in writing, may include

- life insurance coverage
- extended health care plan payment
- disability insurance coverage
- dental plan payment
- parking fee
- contribution to charities
- social club membership
- pension plan contributions other than CPP

Deductions that are not allowed

Your employer cannot deduct from your pay for

- the cost of buying, renting, cleaning or repairing uniforms
- faulty work, such as making a mistake or accidentally breaking a tool
- a cash shortage, such as when a customer walks out without paying.

Food and lodging deductions

If authorized in writing by the employee, employers can deduct for meals or lodging. Deductions can be made for each day of lodging provided and/or for each meal consumed by the employee. Deductions can't be made for meals not consumed. These deductions may reduce the employee's wages below the minimum wage. However, there are limits to how far deductions can take employee's wages below the minimum wage. Contact Employment Standards to find out the current rules.

If you have questions about **deductions**, first talk to your supervisor or employer. If you need more information, contact Employment Standards:

Edmonton: 780-427-3731
Toll-free: 1-877-427-3731

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: alberta.ca/deductions-from-earnings.aspx

PAY RECORDS

Your employer must provide a **statement of earnings and deductions** (pay stub or pay slip). The pay stub is given to you with your paycheque or when a direct deposit is

made in your bank or credit union account. Your employer must also answer any questions you have about how your earnings are calculated.

Statement of earnings

Your pay stub must include:

- your name
- pay period covered by the statement
- wage rate and overtime rate
- regular hours worked and earnings from regular hours
- overtime hours worked and earnings from overtime hours
- time off earned and taken instead of overtime
- general holidays during pay period and pay from them
- time off deferred and taken instead of holidays
- amount set aside or paid by employer for vacation pay
- vacation time taken during pay period
- the amount of each deduction from earnings and reason for each deduction
- food and lodging, if applicable

Your employer may decide also to include the following information on your pay stub:

- Total earnings or gross pay—the total pay before deductions in the latest pay period.
- Net pay or net earnings—the amount you receive after deductions are taken from total earnings.

If you have questions about **pay records**, contact Employment Standards:

Edmonton: 780-427-3731
Toll-free: 1-877-427-3731

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: alberta.ca/payment-earnings.aspx

Completing TD1 forms

When you start a new job, even a part-time or summer job, your employer has you complete and sign both a *Personal Tax Credits Return Form (TD1)* and an *Alberta Personal Tax Credits Return (TD1AB)*. Your employer uses this to determine your deductions from your pay stub and record your name, address and Social Insurance Number (SIN). If your total yearly income from all of your employers is less than the total claim amount on these forms, your employer doesn't have to deduct tax from your earnings. In most cases, your employer has to deduct Employment Insurance (EI) and possibly Canada Pension Plan (CPP) from your pay even if you didn't earn enough to pay income tax. (See **Approved deductions**, page 14.) If your employer deducts too much EI or CPP, you can ask them to refund the overpayment to you. They can then request a refund of their overpayment from the government. Special deduction rules may apply for certain jobs, such as commissioned salespeople. If you're unsure about your deductions, check with the Canada Revenue Agency online at canada.ca/revenue-agency or by phone at 1-800-959-8281 toll-free.

TAKING RESTS AND BREAKS

Hours of rest and work

You need adequate breaks while at work and between shifts. See **Required breaks and rest periods** section.

Knowing what counts as work

You are working when providing a service for your employer, including time you spend

- in meetings or training, if your employer requires you to attend
- travelling between job locations
- performing work tasks the employer has requested on the way to or from work

Taking vacations

After working 12 months for an employer, you are entitled to vacation with pay. See **Vacations and vacation pay** on page 12. Keep in mind that

- your employer is required to give you paid vacation or vacation pay every year, and you are required to take it
- your employer has the final say on when you take vacation
- you can take vacations in one unbroken period or in shorter periods of not less than a day, if you request this and your employer agrees

STAYING HEALTHY AND SAFE ON THE JOB

There are three basic rights of workers in Alberta's legislation:

- **The right to refuse unsafe work** protects workers from any form of reprisal for exercising this right, including loss of compensation or benefits.
- **The right to know** ensures workers are informed about potential hazards and have access to basic health and safety information in the workplace.
- **The right to participate** ensures workers are involved in health and safety discussions, including participation in health and safety committees.

By working together, you and your employer can make your workplace healthy and safe. That's important throughout your working career but it's particularly important when you're a younger worker. If you are 15 to 24, you are one-third more likely than someone 25 or older to be injured at work. For this reason, it is especially important for young workers and their employers to pay attention to workplace health and safety.

If a workplace is unsafe, provincial Occupational Health and Safety officers can require changes, shut down equipment or stop work entirely. They can also impose Administrative Penalties and issue Tickets to parties who are not in compliance with OHS regulations.

Required breaks and rest periods

Time Period	Break or Rest Requirement
Less than 5 hours	No break entitlement
Every 5 hours	One 30-minute break or two breaks of at least 15 minutes each. Breaks do not have to be paid unless your employer limits what you can do on them.
12 hours	Maximum work period in a day, except in emergencies and in some industries, such as oilwell servicing.
8 hours	Minimum rest period between shifts. Only required if you are changing time slots, such as from afternoons to days.
24 hours	Minimum notice employer must provide you of a change in your shift's time slot. Must be in writing
1 day	Minimum rest period for each week.
24 consecutive days	Maximum consecutive days you can be required to work. This period must be followed by four days in a row of rest.

Minimum vacation entitlement

Length of Employment (with one employer)	Minimum Vacation
After 1, 2, 3 or 4 years	2 weeks
After 5 years	3 weeks

Eliminating and controlling work site hazards

Alberta's *Occupational Health and Safety Act* requires employers to eliminate or control hazards. Employers are required to perform a work site hazard assessment, to identify the current hazards and to eliminate or control them. Most workers are covered by this *Act*, but some workers are exempt (to find out more, see Occupational Health and Safety contact information on this page.)

Federal government workers and those who work in federally regulated industries are covered by the Canada Labour Code and other federal laws regarding worksite hazards (see **Where the Canada Labour Code applies** on page 4 for a reference of who is considered a federal worker, and contact information for further details on the federal Code.)

Looking for health and safety information?

X-treme Safety: Young Worker's Guide to Safety and Employment Rules provides workplace health and safety information, checklists and tips for those new to the workplace. View, download or order your copy at alis.alberta.ca/publications.

Your responsibilities

On the job, you must make sure you

- work safely and co-operate with your employer by following health and safety rules
- use appropriate safety and personal protective equipment
- take part in health and safety training
- report unsafe working conditions to your employer or supervisor
- help protect the health and safety of your co-workers
- operate equipment safely

Your employer's responsibilities

On the job, your employer must

- protect you and your co-workers' health and safety
- provide competent supervisors, training workers, and prevent violence and harassment
- work with the joint worksite health and safety committee or health and safety representative
- assess and control workplace hazards
- inform you of any hazards on the work site, and controls in place
- develop safe work practices and make sure they are followed
- make sure you have proper skills and training to do your job safely. The *OHS Act* also allows a worker to work under the direct supervision of a competent worker.

- keep equipment in safe working order and ensure it can safely perform the function it was designed for
- label and store hazardous chemicals properly
- monitor you if you are exposed to certain chemicals (and, in some cases, require health examinations)
- report workplace deaths and serious injuries to Alberta Occupational Health and Safety
- ensure you are aware of your health and safety responsibilities
- control your exposure to harmful substances within allowable limits

If you're concerned about health and safety issues in your workplace, talk to your supervisor. If your concerns aren't resolved, speak to who your supervisor reports to. If the situation still doesn't change or improve, call the Occupational Health and Safety Contact Centre.

Working alone

With some exceptions, it is legal in Alberta to work alone but your employer must take steps to keep you safe, such as assessing the hazards of not being accompanied when doing particular work. Your employer, supervisor or co-worker must keep in touch with you through appropriate, regular contact while you are working alone. You must also be given an effective means of communication, such as a cellphone, two-way radio or alarm, so that you can reach help.

Special rules on working alone apply to workers aged 15 to 17. (See **Young Workers**, page 8.)

For more information or to report concerns about workplace health and safety issues, including working alone, call the Alberta Occupational Health and Safety Contact Centre:

Edmonton: 780-415-8690
Toll-free: 1-866-415-8690

Deaf or hard of hearing callers with TTY call
780-427-9999 in Edmonton or 1-800-232-7215
toll-free in other Alberta locations.

Website: alberta.ca/occupational-health-safety.aspx

"Can I be fired for refusing to work in unhealthy or unsafe working conditions?"

No. You have the right to refuse dangerous work. If you refuse to do unsafe work, you will not lose your job. As a worker your rights and responsibilities are protected by law.

Preventing violence in the workplace

Workplace violence, whether threatened or carried out, is a workplace hazard.

Your role

As a worker, you can help prevent workplace violence by

- treating your co-workers, clients and the public with respect and dignity
- helping your employer develop policies and procedures to prevent violence
- taking part in education programs
- reporting workplace violence

Your employer's role

To prevent violence in the workplace, the *Occupational Health and Safety Act* requires employers to

- identify potential workplace violence in their hazard assessment
- develop policies and procedures to minimize or eliminate workplace violence as well as how it will be investigated, documented and reported
- teach workers how to recognize workplace violence and respond appropriately, including where to get help

Employers must ensure that workers who complain about workplace hazards, including violence, are not penalized.

The Alberta Human Rights Commission responds to complaints of workplace harassment related to any of the 15 grounds protected under Alberta's human rights law (see page 7 for the list of protected grounds.)

Workplace violence and harassment resources

To learn more about **workplace violence and harassment**, go to

- albertahumanrights.ab.ca (select Employment-Related)
- alberta.ca/occupational-health-safety.aspx
- alis.alberta.ca/succeed-at-work/learn-about-employment-laws-and-standards and alis.alberta.ca/succeed-at-work/manage-challenges

Preparing for workplace emergencies

It's best for everyone if injuries and emergencies in the workplace can be prevented, but sometimes they happen. When they do, it's important to be ready to respond.

Your employer's role

Employers need to have a plan for emergencies, such as fires, that may require rescue or evacuation. Your employer's emergency response plan must

- be in writing
- be shared with all affected workers
- be kept up-to-date and reflect current circumstances in the work site
- designate workers who will provide rescue services and supervise evacuation procedures in an emergency

Employers must provide designated rescue and evacuation workers with

- emergency response training
- appropriate personal protective clothing and equipment, if required
- regular ongoing exercise drills to competently carry out their duties
- a first aid plan

Your role

You can contribute to emergency preparation and response in your workplace by

- asking if your employer has an emergency response plan
- knowing where the plan is kept
- reading, reviewing and following the directions of the plan
- knowing your responsibilities in an emergency
- making sure you have proper training and equipment if your employer asks you to provide rescue services or supervise an evacuation
- suggesting improvements to the plan

If you have questions about emergencies in the workplace, contact Occupational Health and Safety:

Edmonton: 780-415-8690
Toll-free: 1-866-415-8690

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website:

alberta.ca/occupational-health-safety.aspx for information or to file a complaint online about an unsafe condition

RECEIVING WORKERS' COMPENSATION COVERAGE

Most Alberta industries are required to provide workers' compensation coverage. Regardless of your age, the Alberta Workers' Compensation Board (WCB) provides this no-fault liability and disability insurance for work-related injuries and illnesses. You may want to ask your supervisor or employer if you are covered by WCB.

Workers' Compensation

- pays you disability payments for lost wages (based on 90 per cent of your net earnings), up to a maximum
- pays your medical expenses whether or not you as a worker are responsible for the work-related injury or illness
- helps with your treatment program
- helps you, if injured, gradually return to your regular job through modified work programs
- provides lawsuit protection for both you and your employer
- pays funeral expenses and survivor benefits in case of workplace-related death

Who WCB covers

WCB covers you as a worker whether you are

- full time
- part time
- casual or temporary (including foreign workers)
- a contractor or subcontractor (unless you are operating through a corporation or you maintain your own WCB account)
- working on commission
- an apprentice
- a volunteer or unpaid worker (working for a for-profit employer operating in a compulsory industry)

Your duties if injured

If you are injured or require medical attention at work

- see a doctor immediately
- tell your employer what happened
- complete a WCB Worker Report of Injury or Occupational Disease form to start your claim

Your employer's duties

Your employer pays all of the contributions toward WCB—nothing is deducted from your wage or salary.

Your employer must

- tell you about your WCB coverage
- report any injuries to WCB, including reporting when you return to work after an injury
- keep records of WCB payments and claims information
- help you return to work following an injury (see **Duty to accommodate**, page 11)

For more information about **workers' compensation**, or to find out whether your industry is covered, contact the Workers' Compensation Board of Alberta:

Edmonton: 780-498-3999

Toll-free: 1-866-922-9221

Deaf or hard of hearing callers with TTY call 780-498-7895 in Edmonton or 1-866-922-9221 toll-free and enter 780-498-7895.

Website: wcb.ab.ca

"Is there a waiting period before WCB coverage begins?"

No. If your employer is in an industry that must have Workers' Compensation coverage, you are covered as soon as you start your job.

Occupational health and safety online

You can access health and safety e-learning programs, training, publications, video clips and other resources at alberta.ca/occupational-health-safety.aspx (select *OHS Education and Resources*).

ORGANIZING AND BELONGING TO UNIONS

Unions are organizations that act on behalf of workers for improved wages, benefits and working conditions. The Alberta Labour Relations Code, administered by the Alberta Labour Relations Board, oversees

- how unions are formed
- how a worker can join a union
- the rights of employers, workers and unions in unionized workplaces
- how you can access a grievance procedure if you feel your union's collective agreement or rights on the job have been violated

Under this Code, most Alberta workers have the right to form or join unions and collectively bargain with their employer. Some Alberta workers are not covered by this Code however—for example, separate labour laws cover federal and provincial workers and police officers, among others. (For a list of who is covered by the Alberta Labour Relations Code, refer to the Alberta Labour Relations Board contact information on this page.)

The Canada Labour Code addresses union participation for federal government workers and those who work in federally regulated industries (see **Where the Canada Labour Code applies** on page 4 for a reference of who is considered a federal worker, and contact information for further details on the federal Code.)

Depending on your job, you may have to join a union within a certain timeframe. For example, to work in “closed shops,” which are quite common in the construction industry, you must belong to that shop's union before you will be allowed to work there.

Forming or joining a union

Workers interested in working collectively for labour relations purposes can either create a new union or join an existing union. To create a new union, workers must prepare a constitution and bylaws and file them with the Labour Relations Board. The Labour Relations Code says how workers can ask for a democratic vote in their workplace to certify or remove a union as bargaining agent.

No employer or union can take action against you or other workers who try to join, form, certify or remove a union.

Paying union dues

Unions can collect dues from their members. If you agree in writing to have dues collected, the Code lets your employer collect them and pass them on to the union.

On religious grounds, you can ask the Labour Relations Board for permission not to belong to a union or to pay union dues (but you must pay an amount equal to the dues to a registered charity).

Responding to other labour relations issues

You can contact the Labour Relations Board about other labour relations issues, including

- unfair labour practices
- strikes and lockouts
- collective bargaining
- mediation to settle labour–management disputes

The Board publishes *A Guide to Alberta's Labour Relations Laws*, available at alrb.gov.ab.ca.

For more information on forming and belonging to unions, contact the Alberta Labour Relations Board:

Edmonton: 780-427-8547

Toll-free: 1-800-463-2572

Website: alrb.gov.ab.ca

“If I am on strike or locked out, am I still an employee? Can I get my job back once the strike or lockout is over?”

Yes. Although not entitled to pay, you can't be fired for being on strike or locked out by your employer. When the strike or lockout ends, you are entitled to get your job back.

PROTECTING WORKER'S PERSONAL INFORMATION AND PRIVACY

Alberta has two acts dealing with the collection, use and the release of personal information of workers. You're covered by the *Personal Information Protection Act (PIPA)* if you work in the private sector. You come under the *Freedom of Information and Protection of Privacy Act (FOIP)* if you work for the provincial government or for other agencies, such as school boards and hospitals.

Collecting and using your personal information

When collecting your personal information, your employer must tell you why it's needed and how it may be used or disclosed. Employers may only collect work-related information about you.

Although your employer will usually collect personal information directly from you, the law does allow your employer to collect information about you from others. For example, your employer may collect information about you from previous employers when checking references.

The most common types of personal information an employer collects about you are

- name, address, telephone number, date of birth
- Social Insurance Number
- resumé and references
- education history
- information about your dependants (for such things as health and life insurance)

Your employer normally uses personal information for

- employment, including recruiting, hiring and firing workers
- payroll and benefits, including hours worked and scheduling shifts
- performance evaluation
- training and development programs
- occupational health and safety programs

Disclosing your personal information

A few people at your work, such as your supervisor or those handling payroll, may have the authority to access your personal information to do their job.

Some provisions in privacy legislation do allow your employer to disclose your personal information. These include

- providing information to the Canada Revenue Agency for tax purposes
- sharing information with an insurer that provides employee benefits
- publishing your business contact information in a company phone book or website
- contacting family in an emergency
- co-operating with a law enforcement investigation
- passing along information to a third party when you make the request, such as confirming your salary for a bank
- disclosing information when required by law, such as during an investigation into a workplace accident
- if there is authorization by an Alberta or Canada enactment that authorizes or requires the disclosure

You have a right to

- request access to your own personal information and to receive an explanation for any information that is not given
- know how your personal information has been used or released
- ask for a correction if there are mistakes in your personal information

If you have a union-employer collective agreement, there may be additional work-related personal information allowed to be collected, used or disclosed. Employees can contact their union representative or review their collective agreement regarding what other work-related personal information may be collected.

For information on the **Personal Information Protection Act (PIPA)**, contact Service Alberta:

Edmonton: 780-644-7472

Toll-free: 310-0000 and enter 780-644-7472

Website: alberta.ca/personal-information-protection-act.aspx

To make a complaint about workplace privacy in the private sector, first talk to your employer, then contact the Office of the Information and Privacy Commissioner:

Calgary: 403-297-2728

Toll-free: 1-888-878-4044

Website: oipc.ab.ca

Deaf or hard of hearing callers with TTY can reach Alberta government offices at 780-427-9999 in Edmonton or 1-800-232-7215 in other Alberta locations.

For information on the **Freedom of Information and the Protection of Privacy Act (FOIP)**, contact Service Alberta:

Edmonton: 780-427-5848

Toll-free: 310-0000 and enter 780-427-5848

Website: foip.alberta.ca

To make a complaint about workplace privacy in the public sector, first contact your FOIP co-ordinator (to find your FOIP contact, go to foip.alberta.ca and choose *Find a FOIP Office*)

Edmonton: 780-422-6860

Toll-free: 1-888-878-4044

Website: oipc.ab.ca

Deaf or hard of hearing callers with TTY can reach Alberta government offices at 780-427-9999 in Edmonton or 1-800-232-7215 in other Alberta locations.

Leaving th



IN THIS SECTION

Leaving your
job temporarily

Leaving your job
permanently

Filing complaints

ne Job

LEAVING YOUR JOB TEMPORARILY

You may decide to take weeks, months or even years off work. If your employer agrees, you may return or be rehired later, but your employer doesn't have to rehire you.

Job-protected and unpaid leaves

There are ten legislated leaves when you're entitled to return and your employer must take you back. These include

- bereavement leave
- citizenship ceremony leave
- compassionate care leave
- critical illness leave
- death or disappearance of a child leave
- domestic violence leave
- long-term illness and injury leave
- maternity and parental leave
- personal and family responsibility leave
- reservist leave

To qualify for these types of leaves except reservist leave, you must have been employed for **at least 90 days** by the same employer. If you worked less than 90 days with the same employer, you may still be granted leave. However, your employer isn't required to grant you leave. For reservist leave, you must have been employed by the same employer for at least 26 weeks.

When you return from a qualified leave, you must be able to come back to your same job or a job that is equal to your same job.

Although details, such as length of leave and who is entitled, are different for many of the long-term leaves (compassionate care, critical illness, death or disappearance of a child, maternity and parental), some details are the same (except reservist leave).

For example, for all the long-term leaves except maternity and parental leave and reservist leave, you must give your employer

- at least one week's written notice that you intend to return to work
- at least two weeks' written notice that you intend to terminate your employment.

In the case of maternity, parental and reservist leave, you must give your employer four weeks' notice of either your intent to return to work, or your intent to terminate your employment.

In the case of a reservist leave longer than four weeks, if you don't give this notice, your employer may:

- postpone your return to work to four weeks from the date you provide notice of your intent to return to work
- consider you on reservist leave until you return to work

For all of the long leaves, if you have earned vacation prior to taking leave and your vacation time falls while you are on leave, you must either

- take your vacation time before returning to work
- get your employer's approval to take your vacation at a later date

For all job-protected leaves, you can't be terminated unless

- your employer ends their business
- your termination is unrelated to your leave.

If your employer ends or suspends the business while you are on leave, but starts it up again within 52 weeks after your leave ends, your employer must reinstate you to your former position at your former pay.

Some job-protected long leaves, such as maternity and parental leave, qualify for Employment Insurance (EI) benefits. Others, such as domestic violence leave, may qualify for other types of income assistance.

See the chart on pages 24 and 25 for important details on each of these ten types of leaves.

Job-Protected Leaves

Type of Leave	Length	Leave requirements
<p>Bereavement</p> <p>If you have a death in your family</p> <p><i>(for definition of "family" see link)</i></p>	Up to three days per year, unpaid	<ul style="list-style-type: none"> You may have three days total per year, not per incident Unused days cannot be carried into a new calendar year Provide reasonable notice to your employer You do not need to give a medical certificate or other documents Your employer may have their own policy about providing documents <p>For more information, go to alberta.ca/bereavement-leave.aspx</p>
<p>Citizenship ceremony</p> <p>You are receiving a Canadian citizenship certificate at a citizenship ceremony</p>	Half day, unpaid	<ul style="list-style-type: none"> Only allowed once Provide notice to your employer as soon as possible Only for you who will be receiving a Canadian citizenship certificate at the ceremony You are not entitled if it is a family member who is the recipient of a Canadian citizenship certificate <p>For more information, go to alberta.ca/citizenship-ceremony-leave.aspx</p>
<p>Compassionate care</p> <p>You are providing care to your family member who is at risk of dying</p> <p><i>(for definition of "family" see link)</i></p>	Up to 27 weeks, eligible for EI	<ul style="list-style-type: none"> Your leave can be broken up into multiple leave periods, but each must be at least one week long Leave ends when <ul style="list-style-type: none"> – person dies – your leave expires – you stop taking care of your family member Provide two weeks' notice to your employer, or as soon as possible Provide a medical certificate from licensed doctor or nurse practitioner stating either the family member is <ul style="list-style-type: none"> – at risk of dying within 26 weeks – gravely ill and requiring care If more care is required at end of leave, you can request another leave but must provide a new medical certificate <p>For more information, go to alberta.ca/compassionate-care-leave.aspx</p>
<p>Critical illness</p> <p>If you need to care for a critically ill family member</p> <p><i>(for definition of "family" see link)</i></p>	<p>Up to 36 weeks (to care for a child under 18)</p> <p>Up to 16 weeks (to care for an adult)</p> <p>Both eligible for EI</p>	<ul style="list-style-type: none"> Your leave can be broken up into multiple leave periods, but each must be at least one week long Your leave starts the day the family member needs care, unless you can provide notice of start date Leave ends when <ul style="list-style-type: none"> – last day of work week when person named on medical certificate dies – end of 36-week or 16-week period of leave – you stop taking care of your family member – last day of the work week when you stopped providing support Provide two weeks' notice of leave to your employer, or as soon as possible Provide a medical certificate from licensed doctor or nurse practitioner, stating <ul style="list-style-type: none"> – a child or adult family member is critically ill and requires care by family member – start and expected end dates of the leave, if possible If more care is required at end of leave, you can request another leave but must provide a new medical certificate <p>For more information, go to alberta.ca/critical-illness-leave.aspx</p>
<p>Death or disappearance of a child</p> <p>Your child has disappeared or died as a result of a probable crime</p>	<p>Up to 52 weeks for disappearance</p> <p>Up to 104 weeks for death</p> <p>Income assistance may be available through Government of Canada</p>	<ul style="list-style-type: none"> The event is likely the result of a Criminal Code offence You provide notice of intent to take leave as soon as possible If you are charged with causing death or disappearance <ul style="list-style-type: none"> – you are not eligible for the leave – you are on leave, it ends the day you are charged <p>For more information, go to alberta.ca/death-disappearance-of-child-leave.aspx</p> <p>Information on benefits from the Government of Canada may be available. For more information, go to canada.ca/en/services/benefits/publicpensions/cpp/cpp-death-benefit.html or canada.ca/en/employment-social-development/services/parents-murdered-missing-children.html</p>
<p>Domestic violence</p> <p>You or one of your dependents experience domestic violence</p>	<p>Up to 10 days per year, unpaid</p> <p>Income assistance may be available through Government of Alberta</p>	<ul style="list-style-type: none"> Your leave time can be broken into smaller leaves Unused days cannot be carried over into a new calendar year Provide notice to your employer as soon as possible Domestic violence includes <ul style="list-style-type: none"> – physical intimidation, harm or threats – mental or emotional abuse – forced confinement – unwanted or forced sexual contact – stalking

Type of Leave	Length	Leave requirements
Domestic violence <i>(continued from previous page)</i>		<ul style="list-style-type: none"> You can take this leave to <ul style="list-style-type: none"> – seek medical attention – get counselling – get help from victim services – get legal or law enforcement help – relocate (temporarily or permanently) <p>For more information, go to alberta.ca/domestic-violence-leave.aspx</p> <p>Albertans fleeing abusive situations may be eligible for income assistance. For more information, go to albertasupports.ca.</p>
Long-term illness and injury You have a long-term illness or injury, or have been quarantined	Up to 16 weeks per year, eligible for EI	<ul style="list-style-type: none"> Your leave time can be broken into smaller leaves Provide notice to your employer as soon as possible Medical certificate from licensed doctor or nurse practitioner stating estimated length of leave <p>For more information, go to alberta.ca/long-term-illness-injury-leave.aspx</p>
Maternity You are the birth mother	Up to 16 weeks, eligible for EI	<ul style="list-style-type: none"> Your leave begins up to 13 weeks before due date, and no later than the date of birth Your employer can require you to provide medical certificate from licensed doctor or nurse practitioner that confirms your pregnancy and estimated due date Six weeks' notice to your employer is required before taking your leave, or as soon as possible If your pregnancy interferes with work during 12 weeks prior to due date, your employer can notify you in writing to start your leave earlier If you do not provide notice for reasons related to birth or adoption, you may provide the medical certificate within two weeks of your last day of work If your pregnancy ends in other than a live birth, employee still entitled to maternity leave but not parental leave
Parental Parents (including the birth mother, other parent or adoptive parents)	Up to 62 weeks, eligible for EI	<ul style="list-style-type: none"> Your leave can begin any time after birth or adoption of child but must be completed within 78 weeks of baby's birth or placement date Six weeks' notice to your employer is required before taking your leave, or as soon as possible If you both work for the same employer, your employer is not required to give leave to both of you at the same time If you are the birth mother you need not give notice of switching from maternity leave to parental leave, unless it's a change in plans that you have told your employer If you intend to share parental leave you should notify employer as soon as possible Four weeks' notice required before <ul style="list-style-type: none"> – planned return-to-work – decision not to return to work <p>For more information, go to alberta.ca/maternity-parental-leave.aspx</p>
Personal and family responsibility You are attending to personal health issues, or meeting responsibilities related to a family member (for definition of "family" see link)	Up to five days per calendar year, unpaid	<ul style="list-style-type: none"> May be broken into half days if employer and you agree Leave must be necessary for either <ul style="list-style-type: none"> – your health – meeting a family responsibility Unused days cannot be carried over into a new calendar year Notice to your employer as soon as possible You do not need to give a medical certificate or other documents Your employer may have their own policy about providing documents <p>For more information, go to alberta.ca/personal-family-responsibility-leave.aspx</p>
Reservist You are a reservist in the Canadian forces and are, attending annual training or when called into service	Up to 20 days per calendar year for training As long as necessary, if called into service	<ul style="list-style-type: none"> You worked at least 26 consecutive weeks with same employer Leave time can be broken into smaller leaves Employers may request documents from your commanding officer that verifies <ul style="list-style-type: none"> – you are involved in training or service that qualifies for this leave – the start and expected end date of the leave Four weeks' notice required before taking leave, including exact return date after training leave or estimated date after deployment If deployment is urgent, notice in writing as soon as possible <p>For more information, go to alberta.ca/reservist-leave.aspx</p>

Collecting EI while on temporary leave

Eligible workers who leave work temporarily (more than seven days) may be able to collect Employment Insurance (EI). If you qualify, EI also provides temporary financial help for special benefits if you receive below 60 per cent of your usual pay and if you are

- pregnant or caring for a newborn or adopted child, or have recently given birth
- sick, injured, or in quarantine, and, if not for this condition, would otherwise be available for work
- providing compassionate care for a family member who is seriously ill with a significant risk of death within 26 weeks
- providing care to your child who is critically ill or injured
- an apprentice taking in-school technical training

To collect EI, you must have worked, paid into EI and earned the required insurable hours in the qualifying period.

When you leave your job temporarily, your employer must prepare and give you a Record of Employment (ROE) within five days of your last pay period. The ROE shows when you were employed, what you were paid and why you stopped work.

You need an ROE to collect EI benefits. The information provided on your ROE is used to decide how much EI you can collect and for how long. If your employer refuses to issue an ROE, contact EI.

For more information on **applying for Employment Insurance benefits while on temporary leave**, call Service Canada (1-800-206-7218 toll-free) or go to canada.ca/en/services/benefits/ei.html.

Layoffs and recalls

Your employer can temporarily lay you off for up to 60 days within a 120-day period without giving a termination notice. However, they must provide you with notice, in writing, stating the effective date of the layoff and including sections 62-64 of the Code.

You must receive notice

- one week before the layoff if you've been employed for two years or less
- two weeks in advance of the layoff if you've been employed for more than two years

If you do not receive proper notice, you may be entitled to termination notice and pay.

If you have not been recalled to work within 60 days, your employer must provide termination notice and pay, unless they agree to pay wages and/or benefits during your layoff. The 60-day rules do not apply if you work for the school system or drive a school bus. During your layoff, your employer may call you back to work with one week written notice. If you do not return to work within one week, you are not entitled to termination notice or termination pay.

If you still have questions about temporary lay off, contact Employment Standards:

Edmonton: 780-427-3731

Toll-free: 1-877-427-3731

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: alberta.ca/temporary-layoffs.aspx

LEAVING YOUR JOB PERMANENTLY

You may decide on your own to quit a job permanently to take other work, to study or for other reasons.

Your employer can only terminate your employment for certain reasons. For example, they can't terminate you on any of the 15 grounds protected under the *Alberta Human Rights Act*, or because you are on a job-protected leave.

Written notice required

If your employer terminates you because, for example, they're downsizing, then your employer must provide written notice. As the chart called **Required notice** shows, the longer you've worked for them, the more notice the employer must provide.

Also, once you give notice, your employer can't reduce your pay or any other conditions of your employment, such as hours, salary, status or benefits. Whether you give notice or your employer gives notice to you, they can't force you to use vacation pay, overtime, or general holidays during the notice period. These entitlements must be included in your final pay.

Once your employer gives you notice, they can ask you to stop working immediately or partway through a notice period instead of giving notice. But then your employer must pay you the wages you would have earned if you had worked during the remaining notice period.

Sometimes employers dismiss many employees at once, such as if they're downsizing. In that case, they must follow the same rules for giving notice as if they're laying off many employees at once.

Required termination notice

Length of Employment	Notice You Must Give	Notice Your Employer Must Give
90 days or less	No notice	No notice
More than 90 days but less than 2 years	1 week's notice	1 week's notice
More than 2 years but less than 4 years	2 weeks' notice	2 weeks' notice
More than 4 years but less than 6 years	2 weeks' notice	4 weeks' notice
More than 6 years but less than 8 years	2 weeks' notice	5 weeks' notice
More than 8 years but less than 10 years	2 weeks' notice	6 weeks' notice
10 years or more	2 weeks' notice	8 weeks' notice

No termination notice required

From You	From You or Your Employer	From Your Employer
If you stop work for personal health or safety reasons	If you have been employed three months or less	If you refuse the employer's offer of reasonable alternate work
If you leave because of reductions in <ul style="list-style-type: none"> wage rate overtime rate vacation general holiday or vacation pay 	If the layoff is temporary (less than 60 days)	If you are terminated for just cause
If you leave due to unpreventable circumstances	If work is unavailable because of strike or lockout	
	If work is <ul style="list-style-type: none"> in the construction industry of a fixed term or task of less than 12 months seasonal casual 	

Just cause

Your employer can ask you to leave your job with just cause without giving notice. It has to be shown or proven, for example, that you have

- falsified qualifications
- engaged in sexual harassment
- set up a competing interest such as a similar business
- failed to follow health and safety requirements

- engaged in theft, fraud or dishonesty
- demonstrated insolence (disrespectful behaviour) or insubordination (refusal to obey instructions)

When your employer lets you go for just cause, they must ensure your rights under the *Alberta Human Rights Act* are met. (See **Your Rights Before You're Hired**, page 7.) For most infractions, an employee must receive written warnings prior to being fired.

Final pay on leaving

When you leave a job permanently, you are entitled to receive your final pay within certain time periods. See **Payment time once notice is given**, below.

Your termination pay must equal at least the same amount you would have earned if you'd worked regular hours for the termination period.

If your pay varied from one pay period to another, your employer must use the weekly average of your regular wages for the 13 weeks in which you worked prior to the date of your termination, not just the 13 calendar weeks before your termination

More detailed information about pay when a job ends is available from Employment Standards:

Edmonton: 780-427-3731
Toll-free: 1-877-427-3731

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: alberta.ca/termination-pay.aspx

Payment time once notice is given

Notice Situation	When Pay is Due
Your employer gives notice or payment instead of notice	3 calendar days after your last day of work
No notice is required from your employer	10 calendar days after your last day of work
You give notice	3 calendar days after your last day of work
No notice is required from you	10 calendar days after your last day of work
You're required to give notice but don't	10 days after the date when notice would have ended if notice had been given

Applying for EI after leaving your job permanently

Eligible workers who are let go permanently from their job may be able to collect Employment Insurance (EI). To qualify, you must have worked a certain number of hours within the past year. Once you've been let go permanently from your job, to collect EI you must be available and looking for other work. For this reason or because you may not have worked enough insurable hours, usually you can't claim EI if you are a full-time student.

To apply for Employment Insurance when you leave your job permanently, your employer must prepare and give you a Record of Employment (ROE). The ROE says when you were employed, what you were paid and why you stopped work.

Your employer must give you an ROE five days after the end of the pay period when you had your first day without pay. Besides being necessary for you to be eligible to collect EI, the information on the ROE helps determine how much EI you can receive and for how long.

If your employer refuses to issue an ROE, contact Service Canada.

For more information on **applying for Employment Insurance after leaving your job permanently**, call Service Canada at 1-800-206-7218 toll-free or go to canada.ca/en/services/benefits/ei.html

FILING COMPLAINTS

The government agencies mentioned throughout this book make sure rules on employment rights and responsibilities apply in your workplace. If you feel you've been treated unfairly in your workplace, you can make formal, written complaints or appeals to these agencies within certain time limits. (See Complaint Deadlines, below). You can't be fired from your job for filing complaints or helping an investigation into a complaint.

Have an Employment Standards complaint?

Talking with your employer is always the first step before you submit a complaint. If your issue cannot be resolved, submit your complaint on-line at alberta.ca/file-employment-standards-complaint.aspx. If you need assistance, please call the Employment Standards Contact Centre at 780-427-3731 in Edmonton or 1-877-427-3731 toll-free in Alberta.

Complaint deadlines

To contact the following agencies, see **Key Contacts and Resources**.

Agency	Deadline for Filing Complaint
Workers' Compensation Board	Within 1 year of an entitlement decision
Alberta Human Rights Commission	Within 1 year from the date of the alleged incident of discrimination
Employment Standards	6 months after the date you are let go or terminated from your job
Privacy Commissioner	
<i>Alberta's Personal Information Protection Act</i>	30 days from the day you receive a decision about your access request
<i>Freedom of Information and Protection of Privacy Act</i>	60 days from the day you receive a decision about your access request
	Complaints about how your personal information is used, collected or disclosed can be made at any time.



Key Contacts and Resources

PROVINCIAL CONTACTS

For questions about

Contact

Employment Standards

- deductions from earnings
- filing complaints
- general holidays and holiday pay
- hours of work and rest
- leaves (short-term and long-term)
- minimum wage
- overtime and overtime pay
- payment of earnings
- pay records
- reservist leave
- termination and termination pay
- vacations and vacation pay
- workers under age 18

Employment Standards Contact Centre

Edmonton: 780-427-3731
Toll-free: 1-877-427-3731

Deaf or hard of hearing callers with TTY call
780-427-9999 in Edmonton or 1-800-232-7215
toll-free in other Alberta locations.

Website: alberta.ca/employment-standards.aspx

Human Rights

- appearance and dress codes
- employer's duty to accommodate
- employment testing, including testing for physical strength, psychological testing, physical and mental health medical exams, and results of drug and alcohol testing
- equal pay for same or similar work
- fairness in hiring
- fairness in job interviews
- inclusive workplaces
- leave for pregnancy, childbirth, adoption
- workplace harassment including sexual harassment
- religious beliefs
- respect in the workplace
- workplace discrimination
- confidentiality of employee medical information

Alberta Human Rights Commission

Northern Regional Office (north of Red Deer)
Suite 800, 10405 Jasper Avenue
Edmonton, Alberta T5J 4R7

Confidential Inquiry Line
Phone: 780-427-7661
Fax: 780-427-6013

Southern Regional Office (Red Deer south)
200 JJ Bowlen Building
Calgary, Alberta T2P 0Y8

Confidential Inquiry Line
Phone: 403-297-6571
Fax: 403-297-6567

Deaf or hard of hearing callers with TTY call
1-800-232-7215 toll-free in Alberta.

Website: albertahumanrights.ab.ca

Alberta Federation of Labour

- benefits of being unionized
- how to join a union
- how a union joins the Alberta Federation of Labour
- advantages of unions being affiliated with the Alberta Federation of Labour

Alberta Federation of Labour

Edmonton: 780-483-3021
Toll-free: 1-800-661-3995

Website: afl.org

For questions about

Contact

Labour Relations

- collective bargaining
- fair representation by unions
- forming, joining, changing or removing unions
- rights during a strike or a lockout
- settling labour-management disputes
- unfair labour practices by unionized employers
- union membership dues

Alberta Labour Relations Board

Edmonton: 780-427-8547

Toll-free: 1-800-463-2572

Email: alrb.info@gov.ab.ca

Website: alrb.gov.ab.ca

Legal Information

- inquiries related to matters such as filing court documents
- available programs and services
- referrals to external agencies

Resolution and Court Administration Services

Toll-free: 1-855-738-4747

Website: alberta.ca/rcas.aspx

Occupational Health and Safety

- emergency response and preparedness plans
- employment and industries not covered under the Occupational Health and Safety Code
- filing a complaint
- firing for reporting
- refusing unsafe work
- reporting an injury or fatality
- safety equipment
- safety training
- unsafe equipment
- working alone
- work site hazards and controls
- workplace violence and harassment

Occupational Health and Safety Contact Centre

Edmonton: 780-415-8690

Toll-free: 1-866-415-8690

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: alberta.ca/occupational-health-safety.aspx

Personal Information

Private Sector Workers

- accessing or correcting your personal information
- worker consent for release of information

Policy and Governance Branch, Service Alberta

Edmonton: 780-644-7472

Toll-free: 310-0000 and enter 780-644-7472

Email: pspinfo@gov.ab.ca

Website: alberta.ca/personal-information-protection-act.aspx

or

Office of the Information and Privacy Commissioner

Calgary: 403-297-2728

Toll-free: 1-888-878-4044

Email: generalinfo@opic.ab.ca

Website: oipc.ab.ca

For questions about

Contact

Personal Information

Public Agency Workers

(including government, school boards and hospitals)

- accessing or correcting your personal information
- worker consent for release of information

Service Alberta Access and Privacy Branch

Edmonton: 780-427-5848
Toll-free: 310-0000 and enter 780-427-5848

Email: foiphelpdesk@gov.ab.ca
Website: servicealberta.ca/foip

or

Office of the Information and Privacy Commissioner

Edmonton: 780-422-6860
Toll-free: 1-888-878-4044

Email: generalinfo@opic.ab.ca
Website: oipc.ab.ca

Deaf or hard of hearing callers with TTY can reach Alberta government offices at 780-427-9999 in Edmonton or 1-800-232-7215 in other Alberta locations.

Worker Health

- education for solving workplace health and safety problems
- information on ways to improve health and safety in the work place
- referrals to advocates and medical specialists
- referrals to enforcement and regulatory agencies

Alberta Workers' Health Centre

Edmonton: 780-486-9009
Toll-free: 1-888-729-4879

Email: info@workershealthcentre.ca
Website: workershealthcentre.ca

Workers' Compensation

- disability payments
- employees, employers and industries covered and not covered
- help returning to work
- medical expenses
- reporting injuries
- records and claims information
- subcontractors (as employees)

Workers' Compensation Board of Alberta

Edmonton: 780-498-3999
Toll-free: 1-866-922-9221

Deaf or hard of hearing callers with TTY call 780-498-7895 in Edmonton or 1-866-922-9221 toll-free and enter 780-498-7895.

Website: wcb.ab.ca

FEDERAL CONTACTS

For questions about

Employment Insurance (EI)

- eligibility requirements
- obtaining a Record of Employment (ROE)
- types of temporary EI leave

Social Insurance Numbers (SIN)

- applying for or replacing a SIN

Income Security Programs

- applying for Canada Pension Plan (CPP) or Old Age Security (OAS)

Contact

Service Canada

Phone: 1-800-206-7218 toll-free

Deaf and hard of hearing callers with TTY call 1-800-529-3742 toll-free.

Website: canada.ca/en/employment-social-development/corporate/portfolio/service-canada.html

Federal Workers

- employment standards
- labour legislation
- workplace health and safety

Federal Labour Program

Phone: 1-800-668-5155 toll-free

Website: labour.gc.ca

Income Tax

- personal tax credits, GST or other refundable or non-refundable tax credits
- overpayments such as EI or CPP deductions

Canada Revenue Agency

Phone: 1-800-959-8281 toll-free

Deaf or hard of hearing callers with TTY call 1-800-665-0354 toll-free.

Website: canada.ca/revenue-agency

Service Canada call centre

For information about federal government programs and services, or to be directed to a Canadian government office, call 1-800-O-Canada (1-800-622-6232). Deaf or hard of hearing callers with TTY call 1-800-465-7735 toll-free.

Help is available Monday to Friday from 8 a.m. to 5 p.m., your local time.

Website: canada.ca

RESOURCES

The Government of Alberta provides programs and services to support workplaces that are safe, healthy and fair.

Government of Alberta resources

Alis is Alberta's online source for career, education and workplace information. For easy-to-read information on career, learning and employment topics go to **alis.alberta.ca**.

Publications

The Government of Alberta has publications on workplace topics including

- *Employee or Contractor? Know the Difference*
- *Easy Reading: Work Laws and Your Pay Stub*
- *Let's Talk: A Guide to Resolving Workplace Conflicts*
- *X-treme Safety: Young Worker's Guide to Safety and Employment Rules*

You can order these, and other career, learning and employment publications by

- calling the Alberta Supports Contact Centre at 1-877-644-9992 toll-free or 780-644-9992 in Edmonton
- visiting alis.alberta.ca/publications to view, download or order
- visiting an Alberta Supports Centre. Go to **alberta.ca/alberta-supports.aspx** to find the centre nearest you.

e-Learning programs

The Government of Alberta has interactive, web-based programs to help Albertans learn about employment standards at **alberta.ca/employment-standards-elearning.aspx** and occupational health and safety at **alberta.ca/ohs-resources.aspx**.

Government of Alberta services

For information on other Alberta government programs and services, call 310-0000 toll-free in Alberta.

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Phone lines are open Monday to Friday from 8 a.m. to 6 p.m.

Website: **alberta.ca**

Disability Related Employment Supports (DRES)

DRES provides a variety of supports to workers with disabilities and employers accommodating the needs of workers with disabilities.

Website: **alberta.ca/disability-related-employment-supports.aspx**

Alberta Supports

Alberta Supports provides Albertans with easy and streamlined access to a broad range of government and community programs and services. Career, learning and employment information is available online, through the Alberta Supports Contact Centre phone line, or in-person.

Toll-free: 1-877-644-9992

Deaf or hard of hearing callers with TTY call 780-427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Phone lines are open Monday to Friday from 7:30 a.m. to 8 p.m.

Website: **alberta.ca/alberta-supports.aspx**

Contact Government of Alberta from your mobile phone.

When contacting the Province of Alberta phone directory from your mobile phone, certain providers have a shortcut with no long distance or airtime charges: call *310 (Rogers Wireless) or #310 (Bell or Telus) and wait for a prompt before entering the 10-digit number for the office you want.

Index

- access request for personal information, 20–21, 28, 31
- accommodate, duty to, 11–12, 24
- adoption leave, 23–25
- age of employee, as protected ground, 7, 11, 18, 26
- Alberta Federation of Labour, 30
- Alberta Human Rights Act*, 7, 24, 26
- Alberta Labour Relations Code, 20
- Alberta Supports Contact Centre, 11, 34
- alcohol and drug tests, 7
- alone, working, 9, 17
- ancestry, as protected ground, 7, 11, 18, 26
- appearance and dress codes, 8, 12
- applications for work permits, 8–9
- apprentices, 9, 19, 25

- background checks, 8
- Banked Overtime Agreement, 12
- benefits, definition of, 4
- benefits for parents with low income, 34
- bereavement leave, 24–25
- bonding of employees, 8
- breaks and work hours, 16
- bullying in the workplace, 18

- call centres for government offices, 33–34
- Canada Labour Code, 4, 17, 20
- Canada Pension Plan (CPP), 8, 14–15, 33
- Canada Revenue Agency, 15, 33
- career contacts and resources, 34
- child support payments (MEP), 14
- childbirth leave, 23–25
- citizenship ceremony leave, 24
- clothing and appearance codes, 8, 12
- collection of personal information, 21
- colour of skin, as protected ground, 7, 11, 18, 26
- commission, employees on, 12, 19
- compassionate care leave, 23–25
- complaints
 - about bullying and harassment, 18
 - about employment standards, 28
 - about health and safety, 17–18, 32
 - about human rights, 7–8, 18, 28, 30
 - about information privacy, 21, 28, 31
 - about Workers' Compensation Board, 19, 28, 32
 - deadlines and how to file, 28
- construction workers, 4, 12, 16, 26
- constructive dismissal, 26
- contacts and resources, 30–34
- contract workers, 13, 19
- country of origin, as protected ground, 7, 11, 18, 26
- critical illness leave, 24

- date of birth (age), as protected ground, 7, 11, 18, 26
- death or disappearance of a child leave, 24
- disappearance of a child leave, 24
- deductions from pay, 14–15, 20
- disabilities, as protected ground, 7, 11, 18, 26
- disability insurance, WCB, 19
- Disability Related Employment Supports (DRES), 11, 34
- discrimination, protected grounds against, 7, 11, 18, 26
- dismissal, 26
- domestic violence leave, 24, 25
- dress and appearance codes, 8, 12
- drug and alcohol tests, 7
- duty to accommodate, 11–12, 24

- e-Learning programs, contacts and resources, 34
- earnings statements, 14–15
- emergencies in the workplace, 18
- Employee or Contractor? Know the Difference*, 13, 34
- employee records, 14–15
- employment agencies, workers from, 13
- Employment Insurance (EI)
 - benefits, 8, 23–25, 28
 - contacts and resources, 33
 - deductions, 14–15
- employment law, overview of, 4
- Employment Standards Code, 4, 14, 23–24
- Employment Standards, contacts and resources, 4, 28
- entitlements, definition of, 4
- equal pay for similar work, 13
- evacuation and emergency plans, 18

- family leave, 23–25
- family responsibility leave, 25
- family status, as protected ground, 7, 11, 18, 26
- farm and ranch workers, 8, 13
- faulty work, 15
- federal government
 - contacts and resources, 9, 33
 - employees under federal legislation, 4, 17
 - Social Insurance Numbers (SIN), 7–8, 33
 - tax deductions, 14–15, 33
 - See also* Employment Insurance (EI)
- firing. *See* termination
- foreign students, 9
- foreign workers, temporary, 1, 19
- Freedom of Information and Protection of Privacy Act* (FOIP), 20–21, 28

- garnishee deductions, 14–15
- gender, as protected ground, 7, 11, 18, 26

- general holidays, 13
- government departments, contacts and resources, 30–34

- harassment in the workplace, 18
- hazards, workplace, 17–18
- health and safety
 - breaks and rest periods, 16
 - complaints about, 17
 - contacts and resources, 17, 18, 32, 34
 - emergency preparedness, 18
 - employers' safety checklists for young workers, 8
 - resources on, 9, 17, 19, 34
 - responsibility for, 17–18
 - termination due to violations of, 26
 - unsafe working conditions, 16–17
 - violence and abuse, 18
 - working alone, 9, 17
 - young workers, 8–9, 16
 - See also* Workers' Compensation Board (WCB)
- health benefits for parents with low income, 34
- holidays, 13
- hours
 - for young workers, 8–9
 - minimum hours, pay for, 12
 - of work and rest, 16
 - overtime, 12
 - records of, 14–15
- Human Rights Commission, 7–8, 12, 18, 28
- human rights, contacts and resources, 8, 12, 28
- human rights, protected grounds, 7, 11, 18, 26

- illness, leave for, 24–25
- Immigration, Refugees and Citizenship Canada, 9
- income source, as protected ground, 7, 11, 18, 26
- income tax deductions, 14–15, 33
- Information and Privacy Commissioner, 21, 28, 31
- information privacy, 20–21, 28
- injured workers, 17, 19
- injury leave, 23–24
- international students, 9
- international workers, temporary, 1, 19

- job applications, protected grounds for, 7, 11
- job loss. *See* termination
- job-related tests, 7

- Know Your Rights in the Workplace*, 1

labour law, federal, 4, 7, 20

labour relations, provincial, 20, 30

labour union membership and dues, 14, 20

layoffs and recalls, 25

leaves

- bereavement, 24
- citizenship ceremony, 24
- compassionate care, 24
- critical illness, 24
- death or disappearance of a child, 24
- domestic violence leave, 24, 25
- long-term illness and injury, 25
- maternity, 25
- parental, 25
- personal and family responsibility, 25
- reservist, 25

leave, permanent. *See* termination

leave, temporary, 23–25

legal information, contacts and resources, 1, 31

legislation, overview of employment, 4

lockouts and strikes, 20, 26

lodging deductions, 15

long-term illness and injury leave, 25

low income families, health benefits for, 34

Maintenance Enforcement Program, 14–15

marital status, as protected ground, 7, 11, 18, 26

maternity leave, 23–25

meals and lodging deductions, 15

mental disability, as protected ground, 7, 11, 18, 26

military reservist leave, 23–24

minimum pay (salary, wage, commission), 12

minimum vacation entitlement, 16

minimum wage, 12–13

notices

- during first three months on job, 9
- layoffs and recalls, 25
- maternity or parental leave, 24
- reservist leave, 24
- return to work, 24
- termination by you or employer, 26–27
- vacation period, 16

Occupational Health and Safety Code, 17–18, 32

Occupational Health and Safety Contact Centre, 18, 32

Off-Campus Work Permit, 9

online resources and contacts, 30–34

orientation and training pay, 9

overpayments on CPP or EI, 15, 33

overtime and overtime pay, 12

overtime records, 14–15

parental leave, 23–25

parents with low income, benefits for, 34

pay

- after termination notice, 26–27
- contacts and resources, 13, 30, 33
- deductions, 14–15, 20
- disability or sick pay, 24
- equal pay for similar work, 13
- holiday pay, 13
- method of payment, 12
- minimum pay for shifts, 12
- minimum wage, 12–13
- net pay, 14
- orientation and training pay, 9
- overtime pay, 12
- pay periods, 12
- records, 14–15
- travel time as work hours, 16
- vacation pay, 12, 15

pension plan contributions, 15

permits, work, 1, 8–9

personal and family responsibility leave, 25

personal information protection, 20–21, 28, 31

Personal Information Protection Act (PIPA), 20–21, 28

physical disability, as protected ground, 7, 11, 18, 26

place of origin, as protected ground, 7, 11, 18, 26

pregnancy leave, 23–25

pregnancy, as protected ground, 7, 11, 18, 26

Privacy Commissioner, Information and, 21, 28, 31

privacy of personal information, 20–21, 28

protected grounds (against discrimination), 7, 11, 18, 26

provincial employment law, overview of, 4

provincial government, contacts and resources, 30–32, 34

provincial tax deductions, 14–15

quitting a job. *See* termination

race, as protected ground, 7, 11, 18, 26

recalls after layoffs, 25

Record of Employment (ROE), 25, 28

records, employment, 14–15

religious beliefs, as protected ground, 7, 11, 18, 26

reservist leave, 23–24

resources and contacts, 30–34

rest periods, 16

room and board deductions, 15

safety. *See* health and safety

school programs, 8–9

security background checks, 8

self-employed workers, 13

Service Alberta, contacts and resources, 31

Service Canada, contacts and resources, 8, 25, 33

sexual harassment, as just cause for firing, 26

sexual orientation, as protected ground, 7, 11, 18, 26

shift work, minimum pay for, 12

shortages, cash, 14

sick leave, 24–25

Social Insurance Numbers (SIN), 7, 8, 33

source of income, as protected ground, 7, 11, 18, 26

special needs, as protected ground, 7, 11, 18, 26

special needs, duty to accommodate, 11–12

statement of earnings and deductions, 15

statutory holidays, 13

strikes and lockouts, 20, 26

students, 8–9

substance abuse tests, 7

support, deductions for child, 14–15

tax deductions and tax forms, 14–15, 33

technology, disability related, 11

telephone call centres, provincial and federal, 33–34

temporary foreign workers, 1, 19

temporary leaves for employees, 23–25

termination

- collecting Employment Insurance after, 28
- deadlines for filing complaints about, 28
- during first three months, 9
- during strikes and lockouts, 20
- for filing complaints, 28
- for refusing unsafe work, 17
- just causes for, 26
- protected grounds and, 26
- required notice for, 26
- termination pay, 27

tests, drug and alcohol, 7

tests, employment, 7

tips and minimum wage, 12–13

trade unions and dues, 14, 20

training periods and pay, 9, 16

travel time as work hours, 16

uniforms, deductions for, 15

unions, labour, 14, 20

vacations, 12–13, 15–16

violence in the workplace, 18

work experience students, 9

work permits, 1, 8–9

work, what counts as, 16

Workers' Compensation Board (WCB), 19, 28, 32

Workers' Health Centre, 32

working alone, 9, 17

workplace modifications, 11–12

workplace supports, disability related, 11, 34

wrongful dismissal, 26

X-treme Safety, 17, 34

young workers

- rules for all young workers, 8
- rules for older adolescents, 8
- rules for young adolescents, 8
- rules for youth, 9



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