



**CLEO**

Community Legal Education Ontario  
Éducation juridique communautaire Ontario

# INTRODUCTION: YOUR RIGHTS AS A WORKER

CANADIAN LANGUAGE BENCHMARK 6+

This activity kit, designed to teach newcomers to Ontario in Adult ESL and LINC classes about their legal rights and responsibilities, includes:

<u>Introductory notes for instructors</u>	<u>1</u>
<u>Activities for learners</u>	<u>2-6</u>
<u>Teaching notes with answer keys and suggestions for using the kit</u>	<u>7-13</u>

Visit [cleoconnect.ca](https://cleoconnect.ca) to download these pages and to find other legal information.

Visit [stepstojustice.ca](https://stepstojustice.ca) for step-by-step information about common legal problems, including employment law issues.

# INTRODUCTION: YOUR RIGHTS AS A WORKER

## INTRODUCTORY NOTES

### Context outcomes

Understand that workers have rights regardless of immigration status.

Get an overview of the different kinds of laws about workers' rights.

Learn about kinds of discrimination, and learn about employers' duties to accommodate.

### CLB outcomes

👂 Identify main ideas, supporting details, statements and examples in a descriptive presentation.

### Activities

Your rights as a worker: Before you listen

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While you listen: Listen for the main ideas; Listen for details

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After you listen: Questions for discussion

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### Free companion resource *Your rights as a worker*

The information in this activity kit is based on the fact sheet [Your rights as a worker](#). You can find it on CLEO's website at [www.cleo.on.ca](http://www.cleo.on.ca). A copy, adapted for your use, is included with this kit. Please read the Teaching Notes starting on page 7. This kit includes listening activities and you will need to read or make a recording of the fact sheet.

### Please take note

Ontario's *Employment Standards Act (ESA)* is a law that outlines the rights of employees and the responsibilities of employers. The *ESA* sets minimum standards for working conditions. Many employers offer better.

The information in these activities applies to most but not all workers. Not all jobs are covered by the *ESA*, and in some cases only parts of the *ESA* apply. Some industries, such as banks, airlines, trucking, and broadcasting, are regulated by the federal government.

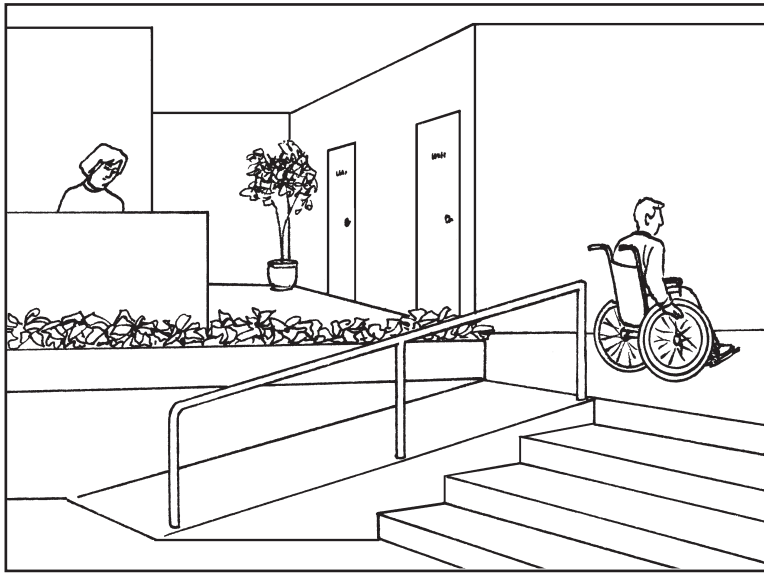
Immigration status does not matter. You do not need to be a Canadian citizen, permanent resident, or holder of a work permit to be covered by the *ESA*.

The information in these activities is not a substitute for legal advice. Every situation is different so learners with concerns should get legal help. They can contact their local community legal clinic. To find the nearest community legal clinic, go to Legal Aid Ontario's website at [legalaid.on.ca/legal-clinics](http://legalaid.on.ca/legal-clinics) or call Legal Aid Ontario toll-free at 1-800-668-8258.

## Your rights as a worker: Before you listen

Discuss these questions.

1. What do you already know about workers' rights?
2. Describe what you see in each drawing. What issues about workers' rights do these drawings raise?
3. Why do you think it's important to be informed about your rights as a worker?



## Your rights as a worker: While you listen

### Listen for the main ideas

#### A. Listen and check off the main ideas as you hear them.

- a. All workers have rights, including workers who are new to Canada.
- b. There are laws about workers' rights in Ontario.
- c. There are human rights laws against discrimination in the workplace.
- d. Employers have to try to remove barriers that discriminate against workers.
- e. Workers may need to get legal help if their employer or a co-worker treats them unfairly or doesn't respect their rights.
- f. Unemployed workers may be able to get Employment Insurance benefits.
- g. Workers' rights may vary in different provinces and territories in Canada.

#### B. Check your answers with another student. Were there any ideas you didn't hear addressed? What ideas did you hear that you want to know more about?

### Listen for details

#### A. Listen to the first section

Apply the information in the talk to the following situations. Do these workers have rights? How do you know?

1. Abel just started his job two weeks ago. \_\_\_\_\_
2. Wen is not a Canadian citizen. \_\_\_\_\_
3. Zhiling is not a permanent resident. \_\_\_\_\_
4. Anissa lives with a family and works as their nanny. \_\_\_\_\_
5. Noureen works part-time. \_\_\_\_\_

**B. Listen to the second section**

1. What kinds of workers' rights laws are there in Ontario? Number the items listed below in the order in which you hear them. Not all of the items in the list will be mentioned.

\_\_\_ minimum wage

\_\_\_ the kinds of questions an employer can ask you before they hire you

\_\_\_ what you can do if you're fired or treated so badly that you are forced to quit

\_\_\_ what to wear to an interview

\_\_\_ time off from work

\_\_\_ vacation pay

\_\_\_ hours of work

\_\_\_ holiday pay

\_\_\_ how to get a raise

\_\_\_ health and safety in the workplace

2. Are the laws the same for every kind of job? Circle the correct answer.

- a. Yes
- b. No
- c. The speaker doesn't say.
- d. It's not important.

3. Where might you be able to get help to find out about your rights? Circle the correct answer.

- a. unions
- b. community agencies
- c. legal clinics
- d. all of the above

### C. Listen to the third section

What reasons for discrimination are mentioned? Fill in the ones that are missing from the list.

- race or ethnic background
- \_\_\_\_\_
- age
- disability
- \_\_\_\_\_
- sexual orientation
- pregnancy or because you have \_\_\_\_\_

### D. Listen to the fourth section

This section gives examples of ways that employers must try to remove barriers that discriminate against workers. Which of the following is not included as an example? Circle it.

1. You have the right to come back to your job, or a similar job, after a pregnancy leave.
2. If you need to celebrate a religious holiday, your employer might have to let you take time off.
3. If you have a vision disability, your employer might have to provide you with reading materials in an alternative format.
4. Because of your health, your employer might need to let you sit while you work.

**E. Listen to the fifth section**

Write two pieces of advice from this section of the talk.

1. \_\_\_\_\_
2. \_\_\_\_\_

**F. Listen to the sixth section**

1. How do you know if you're protected by a union? \_\_\_\_\_  
\_\_\_\_\_
2. Where can you get help if you don't have a union? Provide details. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Where can you download further information? \_\_\_\_\_

**After you listen: Questions for discussion**

**Discuss with other students.**

1. The speaker says that even if you signed a contract saying you are an "independent contractor" you still might have rights as a worker. Can you think of possible reasons an employer might want to call a worker an "independent contractor" instead of an "employee"?
2. The speaker mentions various kinds of discrimination. Can you think of other possible kinds of discrimination?
3. The speaker gives examples of ways that employers must try to remove barriers that discriminate against workers. Can you think of other examples?
4. Share ideas about your system for keeping records of your work. What approach do you use? What works for you? What has worked for you in the past? Share your ideas with the others in your group.
5. Brainstorm questions you have about workers' rights.

## TEACHING NOTES

### Curriculum connections

#### LINC/Adult ESL:

Theme: Employment

Topic: Working in Canada

Theme: Canadian Law

Topic: Employment Law

Theme: Community & Government Services

Topic: Counselling & Advocacy

#### LINC 5-7:

Unit: Notetaking and Study Skills

Unit: Workplace Teams and Reporting Relationships

Unit: Resolving Conflicts

Unit: Policies, Procedures and Legislation

**Note:** This activity kit works well as an introduction to the topic of workers' rights and would be followed well by two other ESL activity kits:

- [Overview: Your rights at work CLB 5+](#)  
(based on the CLEO booklet [Your rights at work](#)) and
- [Have you been fired or laid off? CLB 5+](#)  
(based on the CLEO booklet [Have you been fired or laid off?](#)).

On the other hand, depending on the listening skills level of your class, you could consider using the activities in this kit as a follow-up to one or both of the other two activity kits. That way the activities in this kit would serve as a review, and at the same time introduce some additional material not included in the booklets.

### Your rights as a worker: Before you listen (page 2)

This pre-listening activity allows learners to anticipate the kinds of information they'll hear when they listen to a reading or recording of the fact sheet. In pairs or small groups, learners can look at the pictures and discuss the questions provided. You may wish to make one copy per small group. In addition to answering the questions provided, learners can relate the pictures to their own experiences and discuss. They can try to come up with captions that capture key issues in the drawings. In the case of the second drawing, learners can guess the situation and imagine the conversation between the two people. They can speculate as to what the woman can and should do next. You may wish to ask them to role play conversations based on one or both of the drawings.



**Your rights as a worker:  
While you listen  
(pages 3-6)**

**Note:** This listening activity is based on the fact sheet, *Your rights as a worker*. A copy of the fact sheet, adapted for use with this kit, is included. You can read or make a recording of it. Note that the fact sheet is divided into six sections, and make sure your recording includes pauses between sections.

It is recommended that you go over the questions as a class ahead of time, to deal with unfamiliar vocabulary and make sure instructions are clear. Then, after learners have had the opportunity to listen and answer, take up answers as a class to ensure accuracy. You can also distribute the fact sheet as a way of allowing learners to check their own answers.

**Listen for the  
main ideas  
(page 3)**

Allow learners to listen to the whole fact sheet at least twice. Give learners the opportunity to check their answers with a partner or in small groups. The last two topics are not covered in the fact sheet.

**Note:** There is an alternate version of this activity on page 11, designed for learners who would benefit from a more challenging listening activity. The main ideas are not listed in the order in which they are heard. In a multilevel class, both versions of the activity could be distributed as appropriate.

**Answers:**

*Learners should check a, b, c, e, and f; d and g are not covered in the fact sheet.*

**Answers for alternate version (page 11):**

- 4 a. Employers have to try to remove barriers that discriminate against workers.
- 1 b. All workers have rights, including workers who are new to Canada.
- 5 c. Workers may need to get legal help if their employer or a co-worker treats them unfairly or doesn't respect their rights.
- not covered d. Workers' rights may be different in different provinces and territories in Canada.
- 2 e. There are laws about workers' rights in Ontario.
- 3 f. There are human rights laws against discrimination in the workplace.
- not covered g. Unemployed workers may be able to get Employment Insurance benefits.

**Listen for details**  
(pages 3-6)

You may want to choose one or two sections for focused practice instead of doing all of them, depending on time constraints, the listening skills levels of the learners in your class, and interest level in the material.

**Suggested procedure:**

Read or play a recording of the fact sheet, one section at a time, and take up the answers section by section. Give learners time to read the questions before listening. It is recommended that you give learners the opportunity to listen to each section at least twice. The first time they hear the section, they should just listen. The second time, they can write their answers. A third listening would give learners an opportunity to check their answers.

**Answers:**

A. *Yes, they all have rights.*

1. *Even if you are...new to your job, you have rights.*
2. *You have rights even if you are not a Canadian citizen.*
3. *You have rights even if...you are not a permanent resident.*
4. *You have rights if...you live in someone else's home and work for them.*
5. *It doesn't matter whether your job is full-time, part-time, or temporary.*

B. 1.

3 *minimum wage*

1 *the kinds of questions an employer can ask you before they hire you*

8 *what you can do if you're fired or treated so badly that you are forced to quit*

not mentioned *what to wear to an interview*

6 *time off from work*

4 *vacation pay*

2 *hours of work*

5 *holiday pay*

not mentioned *how to get a raise*

7 *health and safety in the workplace*

2. *b Different kinds of work, for example farm work, have different laws.*

3. *d Unions, some community agencies, and legal clinics may be able to help you.*

C.

- *race or ethnic background,*
- *religion,*
- *age,*
- *disability,*
- *sex,*
- *sexual orientation,*
- *pregnancy or because you have children.*

D.

3. *is not included as an example in the fact sheet. It is a possible example of a way an employer might have to remove a barrier that discriminates against a worker.*

E. *(Possible answers)*

*You should get legal advice.*

*You should make notes about the situation: who, when, where, and what happened.*

*You should keep track of your hours of work and documents such as pay stubs.*

F.

1. *Usually, union dues are taken off your pay cheque when you're protected by a union.*
2. *211 Ontario is an information and referral hotline that gives help in many languages, 24 hours a day, 7 days a week. [www.211ontario.ca](http://www.211ontario.ca).*
3. *[www.cleo.on.ca](http://www.cleo.on.ca); [www.stepstojustice.ca](http://www.stepstojustice.ca).*

**After you listen:  
Questions for  
discussion  
(page 6)**

Learners can use the brainstorming session to identify areas about which they want more information. Following the discussion, learners can write their questions about workers' rights. If you're planning to use the ESL activity kit *Overview: Your rights at work CLB 5+*, learners can see which of their questions are answered at that time. Otherwise, you can direct them to the CLEO booklets *Your rights at work*, and *Have you been fired or laid off?* to do their own research.

CLEO's **Steps to Justice** is a website that gives step-by-step information about common legal problems, including employment law issues. Steps to Justice has practical tools like forms and checklists, and referral information for legal and social services. Visit [stepstojustice.ca](http://stepstojustice.ca) and see the information in the Employment and Work section.

## Your rights as a worker: While you listen

### Listen for the main ideas

**A. Listen and number the main ideas below in the order in which you hear them. Not all of the ideas will be mentioned.**

- \_\_\_ a. Employers have to try to remove barriers that discriminate against workers.
- \_\_\_ b. All workers have rights, including workers who are new to Canada.
- \_\_\_ c. Workers may need to get legal help if their employer or a co-worker treats them unfairly or doesn't respect their rights.
- \_\_\_ d. Workers' rights may be different in different provinces and territories in Canada.
- \_\_\_ e. There are laws about workers' rights in Ontario.
- \_\_\_ f. There are human rights laws against discrimination in the workplace.
- \_\_\_ g. Unemployed workers may be able to get Employment Insurance benefits.

**B. Check your answers with another student. Were there any ideas you didn't hear addressed? What ideas did you hear that you want to know more about?**