

✓ Easy Reading

# Work Laws and Your Pay Stub

## Help for Advisors

This item has been either discontinued or is out of date. It is provided for informational and research purposes



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## Advisors and Tutors

*Easy Reading Work Laws and Your Pay Stub* outlines the terms and laws related to pay stubs for adults with low literacy skills or English as a second language. These adults are encouraged to seek the support of an advisor, such as a tutor, to help them understand their workplace rights and responsibilities.

Readers of *Easy Reading Work Laws and Your Pay Stub* will learn about

- the Employment Standards Code
- getting paid
- pay stubs
- time off
- leaving the job
- where to get help about employment standards

*Easy Reading Work Laws and Your Pay Stub: Help for Advisors* is a complementary online guide for advisors and tutors to help and support clients. It includes teaching notes and links to readily available resources.

Other *Easy Reading* products that may be of interest are

- *Easy Reading Job Profiles*
- *Easy Reading Job Profiles: Help for Career Advisors*
- *Easy Reading Work and You Book 1: Make Some Job Choices*

- *Easy Reading Work and You Book 2: Decide on a Job*
- *Easy Reading Work and You: Help for Career Advisors*
- *Easy Reading Training for Work*
- *Easy Reading Training for Work: Help for Career Advisors*
- *Easy Reading Find a Job*
- *Easy Reading Find a Job: Help for Career Advisors*
- *Easy Reading Keep Your Job*
- *Easy Reading Keep Your Job: Help for Career Advisors*
- *Easy Reading Dictionary*

You can find these products at [alis.alberta.ca/ERadvisors](https://alis.alberta.ca/ERadvisors).

Check out these related resources on the alis website:

### [alis.alberta.ca/careerinsite](https://alis.alberta.ca/careerinsite)

CAREERinsite is a free, interactive career-planning tool that allows users to explore career options based on their skills, abilities and interests:

### [alis.alberta.ca/occinfo](https://alis.alberta.ca/occinfo)

OCCinfo provides information on Alberta occupations and educational programs, including

- duties and working conditions
- educational and certification requirements
- employment outlook and advancement opportunities
- wage and salary ranges

This publication is available to download at [alis.alberta.ca/publications](https://alis.alberta.ca/publications).

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# Introduction

## About this guide and its companion book

*Easy Reading Work Laws and Your Pay Stub: Help for Advisors* is an online companion guide for *Easy Reading Work Laws and Your Pay Stub*, which was developed for adult clients who read at a Grade 4 level. The publication encourages English language learners or adults with low literacy skills to seek the support of an advisor or tutor to help them understand the information that is presented.

*Easy Reading Work Laws and Your Pay Stub* outlines the Alberta laws and terms related to pay stubs for adults with low literacy skills. Readers will learn about

- the Employment Standards Code
- getting paid
- pay stubs
- time off
- leaving the job
- where to get help about employment standards

## Who this guide is for

*Easy Reading Work Laws and Your Pay Stub: Help for Advisors* is designed to help advisors and tutors support their clients as they learn about their pay stubs. The content of this guide is applicable to anyone helping adults with low literacy skills understand the laws and terms relating to a pay stub.

**Note:** The resources mentioned in this guide are not designed as easy reading material. However, they may contain useful information for your clients. You can order or download some of these resources at [alis.alberta.ca/publications](https://alis.alberta.ca/publications) or pick up copies at any Alberta Works/Alberta Supports Centre. To find a centre near you, go to [alis.alberta.ca/awc](https://alis.alberta.ca/awc).

## Definitions and icons



**Definitions** explain terms that may be unfamiliar to clients.

Terms that are specific to *Easy Reading Work Laws and Your Pay Stub* are identified in **bold** and in **colour**. They are also defined in the online Easy Reading Dictionary.

Terms in bold and in black were defined previously in this or other Easy Reading publications. These terms can also be found in the online Easy Reading Dictionary available at [alis.alberta.ca/ERdictionary](http://alis.alberta.ca/ERdictionary). Show your clients how to access this dictionary.

## Exercises and answers

Exercises encourage clients to answer questions and think about pay information and how employment laws can affect pay.

While *Easy Reading Work Laws and Your Pay Stub* is not designed as an exercise book, several sections have questions to reinforce concepts. The answers are at the back of the book.

Note that some answers aren't given, because they are dependent on the current minimum wage rate. You may need to assist your clients in calculating and checking the answers to these questions.

# Work laws about your pay

Alberta's employees and employers are protected by the Employment Standards Code and must comply with these laws. You may wish to discuss the notion of rights and responsibilities with your clients. The Code defines all the terms on the pay stub of an Alberta employee and explains any exceptions.

In addition to Alberta's work laws, employees in certain occupations may be federally regulated. These workers may fall under the Canada Labour Code. Different rules—for certain types of leave, for example—may apply to these employees.

To read the Employment Standards Code, go to [work.alberta.ca/employment-standards-interpretation-guidelines](http://work.alberta.ca/employment-standards-interpretation-guidelines).

To learn about

- the Employment Standards Code, go to [work.alberta.ca/documents/employment-standards-guide.pdf](http://work.alberta.ca/documents/employment-standards-guide.pdf)
- the Employment Standards Code in detail, go to [work.alberta.ca/es](http://work.alberta.ca/es)
- the Employment Standards Code in video format, go to [work.alberta.ca/esvideos](http://work.alberta.ca/esvideos) and click on Module 1

- whether young workers have special rights, go to [workright.alberta.ca](http://workright.alberta.ca)
- your rights and responsibilities at work, go to [alis.alberta.ca/yrraw](http://alis.alberta.ca/yrraw)
- what you need to know about employment standards, go to [alis.alberta.ca/need-to-know-es](http://alis.alberta.ca/need-to-know-es)
- your rights as a worker, go to [https://www.jobsetc.gc.ca/categories.jsp?category\\_id=8&crumb=7](https://www.jobsetc.gc.ca/categories.jsp?category_id=8&crumb=7)
- the Canada Labour Code, go to [canada.ca/en/employment-social-development/services/labour-standards/reports.html](http://canada.ca/en/employment-social-development/services/labour-standards/reports.html) and choose a topic from the Publications list

Explain to your client that an employer can be a person, but it also can be a large company. The person doing the pay stubs may not work in the same location as the client. If they have questions about their pay stub, they may have to contact someone in a payroll department.

# How you get paid

This chapter describes types of pay, minimum wage, and pay periods. The pay period involves a time period over which the pay is calculated.

Some clients may have no experience with direct deposit payments. You may have to explain digital banking to them.

## What ways can you earn money?

Understanding the different types of ways to earn pay, such as wages (earn by the hour) and commission (earn by the sale), can be difficult. But understanding them is key to your client being able to follow how work laws can have different rules for different earning types. In some cases, these earning types are compared to each other to ensure the client earns a fair amount of money.

### Earn by the hour

You may need to explain other names for wages, such as wage rate or hourly rate. Some people may refer to wages for periods other than hourly. In the example given on page 3, if Jo worked 40 hours every week, his weekly wages would be \$600 (\$15 an hour x 40 hours).

### Earn by the week or month

You may need to explain the following terms:

- bi-weekly: every two weeks

- semi-monthly: twice per month (for example, on the 1<sup>st</sup> and 15<sup>th</sup> of every month)
- monthly: per month
- annually: per year

These terms will also come up in the section How often should you get paid?

### Earn by the piece

You may need to explain other names for piece work. It can also be called incentive-based pay or a fixed rate of pay.

Other examples of piece work you can give your client include

- A truck driver may get paid for each load she delivers.
- A mechanic at a garage may get paid for each brake job.
- A woman who sews may get paid for each shirt she makes.

The first resource below gives an example of how to calculate whether an employee being paid piece work is getting more or less than the minimum wage.

To learn about

- incentive-based pay plans and minimum compensation entitlement, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the fact sheet
- negotiating salary in the job-search process, go to [alis.alberta.ca/negotiating-salary](http://alis.alberta.ca/negotiating-salary)

## Earn by commission

You may need to explain percentages to your client. Clients struggling with numeracy may need extra support. Some clients may need support with using a calculator.

To learn about commission pay plans and minimum compensation entitlement, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the fact sheet.

## How much must you be paid?

Employment Standards often compares minimum wage hourly rates against other types of pay to ensure a fair minimum pay for workers regardless of whether they earn their wage through salary, piece work, commission, etc.

In the example given on page 4, Tomas would earn less if he was only paid using piece work rates. But the law that guarantees the minimum wage for his time worked ensures Tomas is paid as fairly as other types of workers.

Note that some workers are exempt from minimum wage. These include

- farm workers
- insurance salespeople paid entirely by commission
- extras in film or video productions
- counsellors and instructors at educational or recreational camps operated on a non-profit basis for children or handicapped individuals or for religious purposes

To learn about

- the current minimum wage, go to [work.alberta.ca/minimumwage](http://work.alberta.ca/minimumwage)
- payment of earnings and jobs that are exempt from the minimum wage, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the minimum wage fact sheet

## How often should you get paid?

This section defines a pay period and rules on payment timeframes. You may need to explain to your client that earning structure and pay structure (pay periods) can differ. For example, a person may earn by the week but be paid by the month. Employers can also have different pay periods. For example, a pay period might be

- weekly: every seven days
- bi-weekly: every 14 days
- semi-monthly: twice a month. Since months can have different numbers of days (e.g., 28, 30, or 31), their resulting payday may not be exactly every two weeks or always on the same day of the week
- monthly: once a month

The Employment Standards Code says pay periods must not be longer than a month, and payments must be within 10 days of the end of a pay period.

To learn about pay periods, go to [work.alberta.ca/documents/Payment-of-Earnings.pdf](http://work.alberta.ca/documents/Payment-of-Earnings.pdf)



# Learn what's on your pay stub

A pay stub can also be referred to as a pay slip or a statement of earnings and deductions.

Clients will learn many of the pay stub terms in this section. The definitions are given so clients can understand and use them properly when discussing their pay with employers or other agencies, such as Employment Standards.

Some clients may understand the terms better if they place them under one of the following two headings as they read about them:

1. Wages or Earnings  
(often called income)
2. Deductions

Some clients may be confused by the term “regular hours.” Point out to them that these are the hours that are not included in overtime calculations.

This section also involves some light math. Clients struggling with numeracy may need extra help. Some clients may need support in using a calculator.

The term “times” may also be confusing. Point out to clients that in this case, “times” is a multiplication term (the math symbol is “X”) and not intervals measured by a clock.

This section also contains a pay stub example. Point out to your clients that pay stubs are usually divided into sections for earnings and deductions. The questions that follow the sample pay stub on page 10 are designed to ensure that clients understand the terms.

To learn about

- payment of earnings, general holidays and general holiday pay, and overtime and overtime pay, go to [work.alberta.ca/es](http://work.alberta.ca/es) and choose either the Rules and Regulations or Working on a General Holiday links
- deductions, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the Deductions from Earnings fact sheet
- the Canada Pension Plan (CPP), go to [esdc.gc.ca/en/cpp/index.page](http://esdc.gc.ca/en/cpp/index.page)
- Employment Insurance (EI), go to [canada.ca/en/services/benefits/ei.html](http://canada.ca/en/services/benefits/ei.html)
- hours of work and rest in video format, go to [work.alberta.ca/esvideos](http://work.alberta.ca/esvideos) and click on Module 3

To calculate a pay stub with deductions such as CPP and EI, go to the Canada Revenue Agency’s Payroll Deductions Online Calculator at [cra-arc.gc.ca/pdoc](http://cra-arc.gc.ca/pdoc). You will need to first determine the gross pay, including any applicable vacation pay.

## Find the answers

Check the answers your client gave. For any incorrect ones, ask where they got the information and discuss where to find the correct answers.

## Tips about pay stubs

Ask your clients how they mark down the hours they work. This may generate a discussion of paper versus digital record-keeping. It may also allow some clients to discover some tools on their electronic devices.

Some clients may not understand how to count their hours. It may be useful to review the number of hours worked when, for example, they begin at 8 a.m. and finish at 4 p.m.

Make sure clients understand that they have a responsibility to check that they are being paid correctly, and that keeping records is important in case there is an issue.

## Work laws about the money you earn

This section covers questions related to income. Holiday pay and vacation pay are addressed in the section What is time off with pay?

### What is not part of your wages?

This section addresses tips and expenses. You may need to help your clients distinguish between expenses and work costs. For example, employees may be eligible to recover the expense of gas mileage while using their car for work. But the cost of driving to and from work is not considered a work expense.

Alberta's minimum wage laws are now the same for all types of hospitality industry workers. Currently, Alberta has only one minimum wage.

You may need to explain what a "tip pool" is. Some establishments require workers such as servers to contribute a portion of their tips into a common money pot, which is then redistributed among other staff who helped in the work (for example, cooks in the kitchen). This idea of sharing extra money received may be new to some clients.

You also may need to explain that tips and expenses, if paid out in cash, may not

appear on a pay stub. But if these expenses are not paid in cash, it is possible they may appear on a pay stub.

To learn about

- employment standards in the hospitality industry, go to [work.alberta.ca/esguide-hospitality](http://work.alberta.ca/esguide-hospitality)
- tips and gratuities, go to [cra-arc.gc.ca/tx/hm/xplnd/tps-eng.html](http://cra-arc.gc.ca/tx/hm/xplnd/tps-eng.html)

### What happens when you work extra hours?

and

### What is time off with pay?

Both of these sections deal with overtime compensation. Time off with pay is also called time off in lieu (instead) of pay.

To qualify for overtime pay, an employee must exceed either one of the following:

- more than 8 hours in a day
- more than 44 hours in a work week.

Clients should understand that employees must get the higher of two calculations if they work more hours. They are entitled to the higher amount of either

1. the number of hours that week that were more than 8 hours in a day
2. the number of hours that week that exceeded 44.

The exercise with Keiko on page 13 ensures that the client can work out if either of the conditions are being met, whether overtime pay is owed, and if so, how much.

The exercise with Mike on page 14 shows that someone who works less than 44 hours in a work week can still qualify for claiming overtime.

There are some jobs that have different time periods for overtime qualification. For example, for residential caregivers overtime is more than 12 hours per day or 264 hours per month. Some jobs are exempted from overtime, such as farm or ranch workers. See below for resources that can give more details on this.

Explain that 1.5 times their regular wage rate is the minimum for overtime pay. This is often called time and a half. Employers sometimes pay more as a benefit to staff or as part of a union agreement.

Calculating overtime may require some light math. Some clients may need support in using a calculator.

Point out to your clients that if they want to be able to bank overtime hours and take time off with pay, a signed agreement (called a banked overtime agreement) has to be in place between the worker and the employer. This makes it clear what the conditions are for getting time off with pay. The agreement must be voluntary (the employer can't force an employee to sign it) and it must be signed by the employee.

You may need to discuss the right to refuse signing, as some clients may not have experience refusing an employer.

Highway and railway construction workers, brush clearing workers, and road construction or road maintenance employees of a municipal district or Métis settlement have different overtime rules. See the construction industry link below for these occupation-specific rules.

To learn about:

- overtime hours and overtime pay, including jobs exempt from overtime pay and jobs with different overtime rules, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the fact sheet
- overtime and overtime pay in video format, go to [work.alberta.ca/esvideos](http://work.alberta.ca/esvideos) and click on Module 4
- overtime in audio (MP3) format, go to [work.alberta.ca/employment-standards/know-your-rights.html](http://work.alberta.ca/employment-standards/know-your-rights.html)
- construction industry overtime and overtime pay calculations, go to [work.alberta.ca/documents/Construction-Industry.pdf](http://work.alberta.ca/documents/Construction-Industry.pdf)

## What is a 3-hour minimum?

Clients should understand that employees must get paid the higher of two calculated amounts if they are sent home from work within three hours. They are entitled to the higher amount of either

1. three hours of pay at the current minimum wage or
2. the actual hours worked at their regular hourly wage rate

See the minimum wage link on page 4 to help your client get the answers to the questions about Adam's pay.

While the 3-hour minimum law relates to most jobs, some employees fall under different rules. For example, school bus drivers, home care employees and some part-time workers in a recreation or athletic program must be paid a minimum compensation of two hours.

To learn about

- 3-hour minimums in audio (MP3) format, go to [work.alberta.ca/employment-standards/know-your-rights.html](http://work.alberta.ca/employment-standards/know-your-rights.html) and click on Guaranteed Minimum Wage/Short Shift
- minimum compensation for being asked to work short periods of time, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the Minimum Wage fact sheet

## Work laws about the money taken from your paycheque

This section discusses four types of deductions:

- government-required deductions
- court-ordered deductions
- union dues
- voluntary deductions

Government deductions are sometimes referred to as source deductions.

Make sure your client understands that the employer is not keeping the deduction amount for themselves. The employer pays this money on behalf of the worker to the proper agencies, and the worker gets credited for the amount. This may lead into discussions about yearly tax slips and the summary information on them.

Court orders to reduce a worker's pay are called garnishments, or garnishing of wages. The court order is called a Writ, or a Writ of Enforcement. Ensure that your client is familiar with the concept of someone being sued.

Voluntary deductions, such as benefit plans, require the worker to sign forms and provide information, such as health information, about themselves or family members who will be on the plans. You may need to explain the reasons for giving this information to an employer.

Note that authorized deductions for uniforms or work clothes cannot reduce an employee's wages below the minimum wage. In the example of Bashir and Mary on page 18, for instance, Mary can only deduct the cost of the \$10 T-shirt because Bashir earns more than minimum wage.

If for example Bashir was earning \$1 per hour more than minimum wage, then Mary could deduct the \$10 cost of the shirt after Bashir had worked for 10 hours ( $\$1 \text{ per hour above minimum wage} \times 10 \text{ hours} = \$10 \text{ cost of shirt}$ ).

For more expensive uniforms, employers can often spread the deduction amount over several pay periods.

Note as well that employers cannot deduct more than the actual cost of uniforms or work clothes (that is, they cannot make money from the deduction).

Special employment standards rules also exist for making deductions for board and lodging, such as with nannies. Deductions for meals have special rules about how much can be deducted when they are part of board and lodging.

Some workers may have different experiences regarding financial liability for mistakes or accidents at work, particularly if they are newcomers to Canada. You may need to reassure them regarding their right to not have money deducted for these mistakes.

Concepts about taxation, court orders, child support, lawsuits, and being sued may be difficult to grasp for some clients. You may wish to give examples for better understanding.

To learn about

- deductions from earnings, go to **[work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets)** and click on the fact sheet
- rules regarding deductions in video format, go to **[work.alberta.ca/esvideos](http://work.alberta.ca/esvideos)** and click on Module 2
- limits to employment agency fees for temporary foreign workers, go to **[work.alberta.ca/tfwguides](http://work.alberta.ca/tfwguides)** and click on the Temporary Foreign Worker Guide for Employees

Archived copy

# Work laws about time off from work and your pay

This chapter discusses the various paid and unpaid breaks and leaves a worker may take.

## What are the laws about rest breaks?

and

## What are the laws about rest days?

To learn about

- hours of work, rest periods, and days of rest in detail, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the fact sheet
- hours of work and rest in video format, go to [work.alberta.ca/esvideos](http://work.alberta.ca/esvideos) and click on Module 3

## What are the laws about vacations?

Vacation pay is only calculated on regular wages and not on overtime pay. You may wish to review Jim's pay stub on pages 8 and 9 and go over the calculation of his vacation pay with your client. Ensure they understand that Jim's overtime pay was not included in the calculation.

To learn about

- vacations and vacation pay, go to [work.alberta.ca/esguide-vacations](http://work.alberta.ca/esguide-vacations)
- vacations and vacation pay in detail, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the fact sheet
- vacation and vacation pay in video format, go to [work.alberta.ca/esvideos](http://work.alberta.ca/esvideos) and click on Module 6

## What are the laws about holidays?

The nine general holidays are also called statutory holidays or stat holidays.

Most Alberta workers are entitled to general holidays and receive general holiday pay. To be eligible, the worker must have

- worked at least 30 days that year prior to the holiday
- worked their scheduled shifts before and after the holiday
- not refused to work the holiday if they were asked to

Whether an employee gets extra pay—and if so, how much—is determined by a combination of company policy and the industry or occupation the worker is in. For example

- Construction workers are entitled to receive holiday pay at 3.6% of their wage.
- Some companies may decide to pay more than the minimum of 1.5 times the regular wage rate for working a general holiday.

To learn about

- general holidays and general holiday pay, including upcoming holiday dates, go to **[work.alberta.ca/employment-standards/general-holidays.html](http://work.alberta.ca/employment-standards/general-holidays.html)**
- general holidays and general holiday pay, go to **[work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets)** and click on the fact sheet
- general holidays and general holiday pay in video format, go to **[work.alberta.ca/esvideos](http://work.alberta.ca/esvideos)** and click on Module 5.
- holiday pay for construction workers, go to **[work.alberta.ca/documents/Construction-Industry.pdf](http://work.alberta.ca/documents/Construction-Industry.pdf)**
- the Canada Labour Code rules for general holidays for federally regulated employees, go to **[canada.ca/en/employment-social-development/services/labour-standards/reports.html](http://canada.ca/en/employment-social-development/services/labour-standards/reports.html)** and choose General Holidays from the Publications list



## What are the laws about time off to have a baby?

Most workers qualify for maternity leave after 52 weeks (1 year) of employment with the same employer. But employees who are federally regulated, such as people who work for Crown corporations, banks, airlines, etc., are exceptions to the 12-month rule. They fall under the Canada Labour Code and are eligible for maternity leave after only six months of employment.

Note that employees can apply for their leave before they've completed their minimum employment time.

English language learners may need help understanding the terms birth mother and adoption.

In some cultures, the idea of having both parents take leave may not be a familiar one. You may have to ensure that your clients understand this option.

The rules around maternity and parental leave are complex. For example, maternity leave can begin before the baby is born. Written notice is required. A definition for giving notice can be found in the book on page 30. Some cases in which the leave is interrupted can cause different reinstatement rules to apply. Employment Standards can give details of the rules of this.

To learn about

- maternity and parental leave, go to [work.alberta.ca/employment-standards/maternity-and-parental-leave.html](http://work.alberta.ca/employment-standards/maternity-and-parental-leave.html)
- maternity leave and parental leave in detail under the Alberta Employment Standards Code, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the fact sheet
- maternity and parental leave in video format, go to [work.alberta.ca/esvideos](http://work.alberta.ca/esvideos) and click on Module 7
- Employment Insurance benefits, go to [canada.ca/en/services/benefits/ei.html](http://canada.ca/en/services/benefits/ei.html)
- becoming a parent in Alberta, go to [work.alberta.ca/documents/becoming-a-parent.pdf](http://work.alberta.ca/documents/becoming-a-parent.pdf)
- the Canada Labour Code rules for maternity and parental leave for federally regulated employees, go to [canada.ca/en/employment-social-development/services/labour-standards/reports.html](http://canada.ca/en/employment-social-development/services/labour-standards/reports.html) and choose Maternity Leave and Parental Leave from the Publications list

## What are the laws about time off to care for someone who is dying?

Clients may need help understanding who they can care for. The Code's definition is broad and can include immediate family members, foster- and step-family members, and close family friends. Many of these terms also apply to the partner of the employee.

Employees are eligible for leave after 52 consecutive weeks of employment for the same employer, whether full-time or part-time. They can take eight weeks of unpaid compassionate care leave. Their job is protected.

Clients may need more than eight weeks. You may need to explain to them that after the eight weeks of leave, any additional leave requested is unpaid general leave or personal leave, and is not job-protected.

You may also need to help your client understand that funerals and bereavement time after a person has passed away are not a part of the compassionate care leave. There are no current employment laws requiring an employer to grant leave after a death, but other methods, such as using banked time or vacation days earned, can be used if an employer does not have a policy granting time away for this.

To learn about

- compassionate care leave, go to [work.alberta.ca/esguide-ccleave](http://work.alberta.ca/esguide-ccleave)
- compassionate care leave in detail, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the fact sheet
- the Canada Labour Code rules for compassionate care leave for federally regulated employees, go to [canada.ca/en/employment-social-development/services/labour-standards/reports.html](http://canada.ca/en/employment-social-development/services/labour-standards/reports.html) and choose Compassionate Care Leave from the Publications list

## What are the laws about time off for military work?

People in the military reserve (reservists) who are federally regulated employees can take up to 15 days a year for training. Other Alberta reservists can take up to 20 days each year for training.

Employees are eligible after 26 consecutive weeks of employment for the same employer, whether full-time or part-time. Their job is protected.

Reservists must give their employer four weeks advance notice of leave and also say, if known, how long they will be on leave. The employer can ask for proof of being a reservist. An employee must give this proof within three weeks of starting the leave.

To learn about

- reservist leave, go to **[work.alberta.ca/employment-standards/reservists-leave.html](http://work.alberta.ca/employment-standards/reservists-leave.html)**
- reservist leave in detail, go to **[work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets)** and click on the fact sheet
- the Canada Labour Code rules for reservist leave for federally regulated employees, go to **[canada.ca/en/employment-social-development/services/labour-standards/reports.html](http://canada.ca/en/employment-social-development/services/labour-standards/reports.html)** and choose Reservist Leave from the Publications list

Archived

# Work laws about leaving your job

Ensure that your clients understand the meaning of the following vocabulary:

- quitting
- laid off
- temporary layoff versus permanent layoff
- let go
- fired
- dismissed
- terminated
- bully

## What happens when you quit your job?

and

## What happens when you get laid off or are terminated?

When a person is temporarily laid off, different labour rules apply. A valid notice of temporary layoff must

- be given in writing to the employee
- state that it is a temporary layoff notice and its effective date
- include reference to sections 62, 63 and 64 (the Layoff and Recall sections) of the Employment Standards Code.

A temporary layoff cannot be longer than 59 days. An employer must give a laid off employee seven days written notice if they want the employee to return to work.

A layoff that is not temporary is a termination, and uses the required notice periods on page 32 of the book.

## What happens when you get fired?

Employers don't have to give termination notices to employees who

- are being terminated for just cause
- have worked there for 3 months or less
- are employed for a specific term or task of less than 12 months (there is an exception for oilwell drillers)
- refuse reasonable alternate work
- refuse work made available through a seniority system
- are not provided with work because of a strike or lockout at the job site
- are casual employees who can choose whether to work or not for a temporary period when requested by the employer
- are employed seasonally and terminated at the end of the season
- are in a position where it is impossible for the employer to uphold a contract of employment
- are employed in the construction industry
- are employed for cutting, removing, burning or disposing of trees and brush for the primary purpose of clearing land

To learn about

- termination of employment and termination pay, go to [work.alberta.ca/esguide-termination](http://work.alberta.ca/esguide-termination)
- termination of employment and temporary layoff, go to [work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets) and click on the fact sheet
- termination and severance, go to [albertahumanrights.ab.ca/termination\\_and\\_severance](http://albertahumanrights.ab.ca/termination_and_severance)
- termination of employment in video format, go to [work.alberta.ca/esvideos](http://work.alberta.ca/esvideos) and click on Module 8
- dealing with bullies at work, go to [alis.alberta.ca/bullies-at-work](http://alis.alberta.ca/bullies-at-work)
- the immediate needs of dealing with job loss, go to [alis.alberta.ca/job-loss-1](http://alis.alberta.ca/job-loss-1)
- leaving a job without burning bridges, go to [alis.alberta.ca/leaving-job-bridges](http://alis.alberta.ca/leaving-job-bridges)
- dealing with job loss, go to [alis.alberta.ca/jobloss](http://alis.alberta.ca/jobloss)

# Where to get help

Clients may have complaints about their employment standards. Advise your clients to try to speak to their employer before submitting a complaint.

To learn about:

- Employment Standards anonymous tips, go to **[work.alberta.ca/estip](http://work.alberta.ca/estip)**
- Employment Standards complaints, go to **[work.alberta.ca/escs](http://work.alberta.ca/escs)**
- collecting an Employment Standards judgment, go to **[work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets)** and click on the fact sheet

- the complaint resolution process, go to **[work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets)** and click on the fact sheet
- umpire hearings, go to **[work.alberta.ca/esfactsheets](http://work.alberta.ca/esfactsheets)** and click on the fact sheet
- the Employment Standards process in video format, go to **[work.alberta.ca/esvideos](http://work.alberta.ca/esvideos)** and click on Module 10
- resolving workplace conflicts, go to **[alis.alberta.ca/lets-talk](http://alis.alberta.ca/lets-talk)**
- employees' rights and responsibilities at work, go to **[alis.alberta.ca/yrraw](http://alis.alberta.ca/yrraw)**

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The Province of Alberta is working in partnership with the Government of Canada to provide jointly funded employment support programs and services.

**For copyright information, contact:**

Alberta Community and Social Services  
Workplace and Career Planning

Telephone: 780-422-1794

Fax: 780-422-5319

Email: [info@alis.gov.ab.ca](mailto:info@alis.gov.ab.ca)

# Resources

## Alberta Government Publications

In Alberta, you can download or order print resources free of charge. Some of these resources are not designed as easy reading material. However, they may contain useful information for your clients. Get them online at [alis.alberta.ca/publications](https://alis.alberta.ca/publications). Or pick up copies at any Alberta Works/Alberta Supports Centre.

### alis website

#### [alis.alberta.ca](https://alis.alberta.ca)

- Easy Reading: Help for Career Advisors at [alis.alberta.ca/ERadvisors](https://alis.alberta.ca/ERadvisors)
- Job Seekers at [alis.alberta.ca/jobsearch](https://alis.alberta.ca/jobsearch)
- OCCinfo at [alis.alberta.ca/occinfo](https://alis.alberta.ca/occinfo)
- alis articles at [alis.alberta.ca/tips](https://alis.alberta.ca/tips)

## Alberta Career Information Hotline

Call 780-422-4266 in Edmonton or 1-800-661-3755 toll-free.

## Alberta Works/Alberta Supports Centres

To find a centre near you, call the Alberta Career information Hotline or go to Alberta Works/Alberta Supports Centres at [alis.alberta.com](https://alis.alberta.com).