Employment Law Protects Workers

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

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

A: There are 9 general holidays in Alberta. Many people call them stat (statutory) holidays.

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

Some people do not get a day off on these holidays. If the holiday is on your normal day of work or if you work it, you might get extra pay. Ask your employer how you will get paid.

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

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

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

Note: Work is always paid on the last day of work. Your letter must state the date of your last day of work.

Q: My mother is very, very sick. She might die soon. She needs my help. Can I take time off from work?

A: I work part-time. I’ve worked the required hours. I can take the leave.

Work Right Alberta

You can get information about labour laws and workplace safety.

workright.alberta.ca

Questions and answers

Wages

Alberta has rules about wages.

- The general minimum wage is $12.20 per hour. Workers must earn at least $12.20 per hour. The minimum wage is the same for adults, students and youth.

- Many employers pay more than the minimum wage.

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

Three-hour minimum

- There is a 3-hour minimum for pay. Most workers must earn at least $36.60 if they go to work. The $36.60 is equal to 3 hours at the general minimum wage.

Example: Lee is a dishwasher. His employer tells him to take a 20-minute break at lunchtime and a 10-minute break in the afternoon. Lee’s employer pays Lee for these rest breaks.

Rest breaks

- If workers work more than 5 hours, they must have 30 minutes or more to rest during their workday.

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

Examples:

- Lee works in a restaurant. He works on a 9-hour shift. His employer tells him to take a 20-minute break at lunchtime and a 10-minute break in the afternoon. Lee’s employer pays Lee for these rest breaks.

- A painter might be:

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

Who is an employee?

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

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

Who is an employer?

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

- a painter

Watch for changes:

This publication is about employment laws in Alberta. These laws might change in the future.

If the laws change, the Alberta government will announce the changes. Then employers and workers will learn about the new laws.

Answers to the questions on page 2:

1. Oct 3 to Oct 15: $2,000 per hour
2. Nov 1 to Dec 31: $2,050 per hour
3. Jan 1 to Mar 31: $2,100 per hour
4. Apr 1 to Jun 30: $2,250 per hour
5. Jul 1 to Sep 30: $2,350 per hour
6. Oct 1 to Nov 30: $2,400 per hour
7. Dec 1 to Jan 31: $2,450 per hour
8. Feb 1 to Mar 31: $2,500 per hour
9. Apr 1 to May 31: $2,550 per hour
10. Jun 1 to Jul 31: $2,600 per hour

Note: The photos in this publication are for illustrative purposes only. The photos portray fictional people.
5 Pay stub

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

Example

Tom works in a convenience store. He makes $15 per hour. He gets a cheque from his employer. Tom gets a pay stub with his cheque.

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

Here is one of Tom’s pay stubs.

Name: Tom Worker
Pay period: October 2 to October 15, 2016
Wage rate: $15.00 per hour
Overtime rate: $22.50 per hour

<table>
<thead>
<tr>
<th>Earnings Hours</th>
<th>Earnings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular hours</td>
<td>72</td>
</tr>
<tr>
<td>$1,080.00</td>
<td></td>
</tr>
<tr>
<td>Overtime</td>
<td>4</td>
</tr>
<tr>
<td>$90.00</td>
<td></td>
</tr>
<tr>
<td>Time off in lieu</td>
<td>0</td>
</tr>
<tr>
<td>Vacation paid (4% of regular wages)</td>
<td>$43.20</td>
</tr>
<tr>
<td>General holiday paid (Thanksgiving)</td>
<td>8</td>
</tr>
<tr>
<td>$120.00</td>
<td></td>
</tr>
<tr>
<td>Total hours</td>
<td>84</td>
</tr>
<tr>
<td>Total earnings (gross pay)</td>
<td>$1,333.20</td>
</tr>
</tbody>
</table>

Deductions (biweekly)

- Income tax $168.35
- Federal $114.43
- Alberta $53.92
- EI $25.06
- CPP $59.33
- Total deductions $252.74

Net pay $1,080.46 (take-home pay)

Answers on page 4

6 Days off

- Workers must get days off.
  - 1 day of rest in each work week
  - Or 2 days of rest in a row in each 2 work weeks in a row

Example:

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

- Ahmed’s supervisor cannot take the cost of the tool from Ahmed’s pay.

7 Overtime (extra hours)

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

Examples:

Keiko works in a clothing store. She earns $14 per hour. She usually works an 8-hour shift.

- Last Monday, Keiko worked 10 hours. She must get 2 hours of overtime pay. It is 1 1/4 times her regular pay ($21 per hour). Keiko’s total overtime pay is $42.

   In that week, Keiko had 40 hours at $14 and 2 hours at $21.

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

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

8 Vacations

- Workers must take vacations. They need a rest from work.
  - Most workers get vacation if they work more than 8 hours that day.
  - They will need your pay stubs

Example:

Abi has worked for the hotel for one year. So he has earned a vacation. He must get at least 2 weeks off. He will also get his vacation pay. It is 4% of his last year’s wages. He will not get his regular salary during his vacation.
5 Pay stub

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

**Example**

Tom works in a convenience store. He makes $15 per hour.

He gets a cheque from his employer. Tom gets a pay stub with his cheque.

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

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</tr>
</tbody>
</table>

**Earnings**

- **Regular hours:** 72, $1,080.00
- **Overtime:** 4, $90.00
- **Total hours:** 76, $1,170.00
- **Total earnings:** $1,333.20

**Deductions**

- **Income tax:** $114.43
- **Federal:** $53.92
- **EI:** $25.06
- **CPP:** $59.33
- **Total deductions:** $282.74
- **Net pay:** $1,080.46

6 Days off

- Workers must get days off.

**Example:**

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

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

**Example:**

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

7 Overtime (extra hours)

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

**Example:**

Grace is a cashier.

Other employees use her cash register when she is on a break. She has to count her cash at the end of the day. Sometimes her total is less than the computer’s total. This difference is called a shortage.

Grace’s employer cannot take the shortage from Grace’s pay.

**Examples**

- Ahmed made a mistake at work. He broke a tool. His supervisor told him to be more careful.
- Ahmed’s supervisor cannot take the cost of the tool from Ahmed’s pay.

8 Vacations

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

**Example:**

Tanya works full time at a pet store. She gets $13 per hour. She gets vacation pay on each paycheque.

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

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

Abi has worked for the hotel for one year. So he has earned a vacation. He must get at least 2 weeks off. He will also get his vacation pay. It is 4% of his last year’s wages.

Miguel gets a monthly salary. He has worked at his job for one year. So he has earned a vacation. He must get at least 2 weeks off. He will get his regular salary during his vacation. He will not get 4% vacation pay.

**Notes:**

- Construction workers get 6% vacation pay.
- Some workers get vacation pay on every paycheque.
- Some workers get all their vacation pay just before they take a vacation.

**Examples:**

- Tanya works full time at a pet store. She gets $13 per hour. She gets vacation pay on each paycheque.
- Tanya has worked for the store for one year. So she has earned a vacation. She must get at least 2 weeks off.
- Tanya won’t get paid during her vacation because she got her vacation pay on each paycheque.

Abi has worked for the hotel for one year. So he has earned a vacation. He must get at least 2 weeks off. He will also get his vacation pay. It is 4% of his last year’s wages.

Miguel gets a monthly salary. He has worked at his job for one year. So he has earned a vacation. He must get at least 2 weeks off. He will get his regular salary during his vacation. He will not get 4% vacation pay.
Questions and answers

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

Some people do not get a day off on these holidays. If the holiday is on your normal day of work or if you work it, you might get extra pay. Ask your employer how you will get paid.

Q I have been at my job for 6 months. Now I want to quit. Can I take time off?
A You must give written notice to your employer. Your letter must say the date of your last day of work.

Q How much time can I work at a day care centre for 16 months. How much time can I work from my job too?
A You can take compassionate care leave. You’ve worked for one employer for 52 weeks in a row. So you can take the leave. You must be the main caregiver for your mom. Your mom must be very sick. Your doctor must write and sign a note. The note must show that:
1. Your mom will probably die within 26 weeks.
2. Your mom needs care or help.

Q My mother is very, very sick. She might die soon. She needs my help. Can I take time off from work?
A Your letter must show that:
1. Your mom will probably die within 26 weeks.
2. Your mom needs care or help.

Q Will my employer pay me if my employer or employee’s name when you phone. Your call is confidential (secret).

Employment Law Protects Workers

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

1 Wages

Alberta has rules about wages.
✓ The general minimum wage is $12.20 per hour. Workers must earn at least $12.20 per hour. The minimum wage is the same for adults, students and youth.

Many employers pay more than the minimum wage.
✓ Wages do not include some things. For example: tips and expense money.

Example: Lisa works in a hotel. Her pay is $12.20 per hour. Her employer pays for tips and expenses.

2 Three-hour minimum

There is a 3-hour minimum for pay. Most workers must earn at least $36.60 if they go to work. The $36.60 is equal to 3 hours at the general minimum wage.

Example: Adam works in a hotel. His pay is $15 per hour. One day, Adam went to work. Two hours later, his supervisor told him to go home. The hotel was not busy. Adam only worked 2 hours. But his supervisor had to pay him $36.60.

3 Rest breaks

✓ If workers work more than 5 hours, they must have 30 minutes or more to rest during that time.
✓ Some employers pay for rest breaks. But some do not.

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

4 Payday

✓ Employers and workers agree on a rate of pay. The rate must be at least $12.20 per hour.
✓ Employers can pay workers by cash, by cheque or by direct deposit into a worker’s bank account.

Example: Adam works at a restaurant. His pay is $15 per hour. One day, Adam went to work. Two hours later, his supervisor told him to go home. The hotel was not busy. Adam only worked 2 hours. But his supervisor had to pay him $36.60.

How to order

✓ To order one copy, call or email the Career Information Hotline.
✓ To order two or more copies, go to: alis.gov.ab.ca/publications
✓ You can also order other Easy Reading publications, for example:
   ■ Be Safe at Work
   ■ Keep Your Job
   ■ Training for Work
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Vacation training allows employees to take time off from work and receive paid training.

Workers must get paid for holidays. Some workers might get the holiday off.

Notes:
1. Canada Day and other general holidays (stat holidays) are other important information in the code.
2. You can get more information from the Government of Alberta. Look on page 4.

Employment Law Protects Workers

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Employment Law Protects Workers is published by the Government of Alberta in partnership with the Government of Canada to provide employment support programs and services.

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ISSN0285-5466

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Other people

You can ask for help from other people too. For example: a friend, family member, teacher or immigrant serving agency.

Who is an employer?

An employer is someone who has employees (workers). For example, an employer might own:
■ a restaurant
■ a gas station
■ a house-painting company

Who is an employee?

An employee (worker) is someone who works for an employer. For example, an employee might be:
■ a cook in a restaurant
■ a gas station attendant
■ a painter

Career Information Hotline

Edmonton: 780-427-3731
Outside Edmonton (free): 1-877-427-3731

Work Right Alberta

You can get information about labour laws and workplace safety.

workright.alberta.ca

Alberta Works Centres

You can get employment and career information at an Alberta Works Centre. Call or email the Career Information Hotline to find a centre near you.

Career Information Hotline

Edmonton: 780-427-4666
Outside Edmonton (free): 1-800-661-3753
Email: hotline@alis.gov.ab.ca

Service Canada Centres

You can get information about EI at a Service Canada Centre. Someone can help you find a centre at:
servicecanada.gc.ca/offices

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Answers to the questions on page 2:
1. Oct. 3 to Oct. 15: $15.00 per hour. 2. Yes 3. $19.72 4. 8 - $32.50 per hour. 5. Yes 6. $9.20 46

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