

HOURS & DAYS WORKED

Maria works at a restaurant as a server. She is also a student at University. She usually works Wednesday, Thursday, Friday, and Saturday evenings from 5 pm to 11 pm without a break. Sometimes her employer sends her home at 10:30 pm.



Her employer just told her that they will no longer be open until 11 pm on Wednesdays and Thursdays. On Wednesday and Thursday she will now only work from 5 to 8 pm. She is also losing hours because she is frequently sent home early.

On Friday and Saturday evenings, she is also sent home at 8 pm if there are not enough customers. One Friday, her employer sends her home at 7 pm on a Friday night, and she is only paid for the 2 hours she worked instead of her 5 hour shift.

The next week, Maria gets permission to switch her Friday shift for a Saturday day shift. She works the breakfast and lunch shift from 9 to 3 pm in addition to her regular 5 to 11 pm evening shift. She gets a half hour break, unpaid, during each shift. She receives no overtime for working the 11 hours for the Saturday. Her employer says he cannot pay her overtime when she switches a shift.

Maria has been “punching in” 15 minutes early for each shift without asking her employer first. She is not paid for this extra time.

Maria recently learned about her rights under the Employment Standards legislation. She wants to know if her employer is paying her correctly, so she phones the Employment Standards office.

HOURS & DAYS WORKED

QUESTIONS: Listen to the phone conversation and answer the following questions:

1. Who controls the scheduling?
2. Can employers change employees' schedules?
3. Can employees change schedules?
4. Do employers need to pay overtime when schedules have been changed?
5. Can employers change schedules even after shifts have been started?
6. How long can employees work without a break?
7. What is considered a break?
8. Must employees be paid for their breaks?
9. Maria worked her co-worker's 9 - 3 pm shift in addition to her usual 5 - 11pm shift one Saturday. Should she be paid overtime?
10. Are breaks included when calculating overtime?



LISTENING TRANSCRIPT: HOURS & DAYS WORKED

Time: 6 minutes and 16 seconds

Employment Officer: Good afternoon, Employment Standards...

Maria: Hello, I'm calling about work, am I calling the right place?

Employment Officer: Yup.

Maria: I'm a restaurant server, and I have questions about scheduling.

Employment Officer: Okay, what are your questions?

Maria: First of all, I'm confused. I told my employer the hours I wanted to work when I was hired. But now, my employer is making changes to my work schedule without asking me first. He's scheduling me for days that I don't want to work, so, I'm wondering, who decides the schedule, the employer or me?

Employment Officer: The employers make the schedule. They're the ones that set the hours. Sometimes they will involve you in making the schedules, but they don't have to.

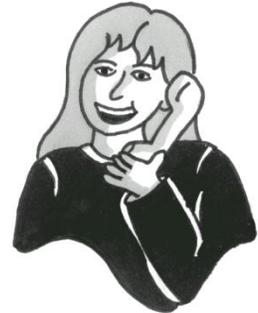
Maria: Okay, then when I was hired, I was scheduled to work four evenings, six hours each evening, so that's 24 hours in a week.

Employment Officer: Okay.

Maria: But now, he's closing his business early on Wednesdays and Thursdays, and I'm only scheduled three hours these evenings, not six hours. In other words, I'm losing hours. He promised me more hours. Can my employer change my schedule like this?

Employment Officer: Yes, they can. Again, they're in charge of making the schedules, and if they decide to close early, they can do that.

Maria: Okay... I have another situation. Suppose I have a test on Friday, I'm at university, and I don't want to work Thursday. Another waitress doesn't mind, and we switch shifts. She works my Thursday shift, and I work her Sunday shift. Can I, as an employee, change the schedule by switching shifts like this?



HOURS & DAYS WORKED (Continued...)

Employment Officer: You can, but I would suggest that you talk to your employer first; it depends on what their rules are about scheduling.

Maria: Okay. If I ask my employer and I get permission to switch shifts, but as a result, I'm working two shifts in a day. For example, Saturday I work my regular, nine to two, but then, because of the switch, I also work five to eleven. My employer says, "No overtime". Do employers need to pay overtime when schedules have been changed?

Employment Officer: If the employer allows you to do the change, and allows you to work more than eight hours in a day, then yes, they have to pay you overtime.

Maria: Okay, so if they agree to those hours, they have to pay.

Employment Officer: That's right.

Maria: Okay, that's good to know. Finally some good news.

Now, I have another question. What about being sent home early? One Friday I was scheduled from five to eleven, I'd only worked two hours, when I was sent home at seven o'clock. Can my employer change my schedule, after my shift has already started?

Employment Officer: They can, but they would have to pay you for a minimum of three hours. In your case you said you were scheduled for six hours, you said five to eleven?

Maria: Correct.

Employment Officer: Okay, so they would have to pay you for at least three hours, because they're sending you home early.

Maria: Okay, so even though I only worked two hours, they would pay me for three?



HOURS & DAYS WORKED (Continued...)

Employment Officer: That's right. Because your scheduled shift was longer than three hours... Now, if you were only scheduled for two hours, then they would only need to pay you for the two. But because it was more than three, then they have to pay you for at least three hours.

Maria: Okay, I think I've got that. That's good to know. Especially in the waitressing industry. Now, what about breaks? I work from 5:00 P.M. to 11:00 P.M. without a break.

Employment Officer: Okay.

Maria: Sometimes I'm sent home at 10:30 though. How long can I work without a break?

Employment Officer: If you're working for five hours or more, you're entitled to get a half hour, unpaid, meal break. Again, that's after working five hours. Many employers will give you coffee breaks, but they don't have to give that to you.

Maria: Okay, so after five hours, I have to get a break.

Employment Officer: A half hour break.

Maria: Unpaid or paid?

Employment Officer: Unpaid break.

Maria: Unpaid break. So, another question about breaks, um, now, other employees, they work eight hours, they have to take their break and eat their lunch in the restaurant, they can't leave, just in case it gets too busy. In my opinion, that's not really a break, so what is considered a break?

Employment Officer: A break would be, a time where you could sit down and relax, and where you don't have to work. You're not responsible for serving customers or doing anything that you're required to do while you're at work. It's your time to rest.



HOURS & DAYS WORKED (Continued....)

Maria: Okay, that's good. Now if I work five hours, take a half hour break, now this will decrease my working time to four and a half hours, right? Does my employer have to pay me for that break?

Employment Officer: They would now only need to pay you for the 4 ½ hours.

Maria: Hmm... Even though on the schedule, it said I was working five hours.

Employment Officer: Right, you're scheduled to be there for five hours, but you're not actually working the five hours because you took that half hour off to rest.

Maria: Okay. Hmm... this is complicated. Now, what about this. If I worked on Saturday from nine to three, and yeah, so that's ten, eleven, twelve, one, two, three, six hours, and then five to eleven, which is another six hours, should I get paid overtime, and, if so, are the breaks included when calculating overtime?

Employment Officer: The breaks are not included as overtime. We would look at the total numbers of hours that you worked. So in the morning you worked six hours, and if you got a half hour or an hour break, you only worked five and a half hours. And then again in the evening, it's the same thing, you only worked five and a half hours. So in total...

Maria: Yeah..

Employment Officer: You've only worked eleven hours, not twelve. So you would get paid the three hours of overtime.

Maria: Well, that's good to know, you've definitely been a big help for all my questions. Can I phone you again if I get confused about anything?

Employment Officer: Certainly, give us a call anytime.

Maria: Thanks so much.

Employment Officer: Thank you.

Maria & Employment Officer: Bye bye.



GENERAL HOLIDAYS



General holidays are also called stat or statutory holidays. The government has made legislation to recognize these days as holidays. Employees have to receive this day off with pay. If they work, they have to be paid differently.

EIGHT GENERAL HOLIDAYS (STATS)

New Year's Day.....	January 1
Louis Riel Day.....	3 rd Monday in February
Good Friday.....	the Friday before Easter
Victoria Day	3 rd Monday in May
Canada Day.....	July 1
Labour Day	First Monday in September
Thanksgiving Day.....	2 nd Monday in October
Christmas Day.....	December 25 th

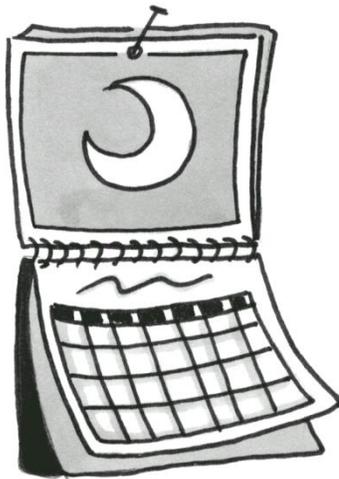
DISCUSS WITH YOUR GROUP:

1. How many general holidays are always on a Monday?
2. Which general holiday is NEVER on a Monday?
3. How many general holidays are based on a religious holiday?
4. Which general holidays are you NOT familiar with?
5. Which general holidays are the same as the general holidays in your home country?
6. Which general holiday is your favorite?

SPECIAL DAYS THAT ARE NOT GENERAL HOLIDAYS

St. Valentine’s day.....	February 14
St. Patrick’s day.....	March 17
Cinco de Mayo	May 5 th
Mother’s day	2 nd Sunday in May
Father’s day.....	3 rd Sunday in June
Terry Fox Day	1 st Monday in August
Halloween.....	October 31 st
Remembrance day.....	November 11 th
Boxing day.....	December 26 th
Kwanzaa.....	December 26 th to January 1

Dates of these holidays change, according to different calendars:



- Orthodox Christmas
- Orthodox New Year
- Islamic New Year
- Chinese New Year
- Ash Wednesday
- Passover
- Palm Sunday
- Easter Sunday
- Ramadan
- Yom Kippur & Rosh Hashanah
- Hannukkah

DISCUSS:

7. Which general holidays are you NOT familiar with?
8. Which general holidays are the same as the general holidays in your home country?
9. Which general holiday is your favorite?

INFORMATION ABOUT HOLIDAYS: GENERAL HOLIDAYS (Source: Wikipedia)

NEW YEAR'S DAY in Canada is on January 1. It is celebrated with fireworks at the stroke of midnight as the New Year starts. It is a general holiday.



LOUIS RIEL DAY is a new general holiday. It is celebrated on the third Monday of February. It honours the memory of Louis Riel. Louis Riel lived from 1844 to 1885. He was the founder of the province of Manitoba, and the leader of the Metis people. He led two resistance movements against the Canadian government. The first was called the Red River Rebellion of 1869-1870. After this Louis Riel was forced into exile in the United States as a result of the controversial execution of Thomas Scott. He returned to Canada, to Saskatchewan to help them in their resistance, which was known as the North West Rebellion of 1885. He was hanged for treason.



GOOD FRIDAY is the Friday before Easter Sunday. On this general holiday Christians remember that Jesus Christ was crucified and died at Calvary.



VICTORIA DAY is celebrated on the third Monday in May. This general holiday was named in honour of the memory of Queen Victoria, who lived from 1819 to 1901. Most Manitobans look forward to Victoria day as the first long weekend of the summer. People who have cottages go to clean up their cottage to prepare for the summer season.



CANADA DAY is on July 1. It is a national general holiday to remember that Canada became a country on July 1, 1867. It is also called "Canada's birthday". It is different from Independence days in other countries, because the British parliament kept limited political control over the new country from 1867 until 1982, when Canada got its own constitution.

INFORMATION ABOUT HOLIDAYS: GENERAL HOLIDAYS (Continued...)

LABOUR DAY is a general holiday that is celebrated on the first Monday in September. It is celebrated in September, the same as the United States, and not on May 1, as many other countries in the world do. It celebrates the rights of unions to improve the lives of workers. Many Canadians enjoy Labour day as the last long weekend in the summer.



THANKSGIVING DAY is a general holiday on the second Monday of October. It reminds Canadians to be thankful. Many Canadians spend time with their families and eat turkey and pumpkin pie. The first Canadian Thanksgiving day was believed to be in 1578, when Martin Frobisher held a formal ceremony in Newfoundland and Labrador, because he was thankful to have survived the long journey trying to find a northern passage to the East. Canadians celebrate Thanksgiving in October, but Americans celebrate it in November.



CHRISTMAS DAY is a general holiday on December 25. On this day, many Christians celebrate the birth of Jesus Christ, but non-Christians also celebrate it as a winter holiday with its own traditions, such as visiting Santa Claus in the shopping mall. Santa Claus is traditionally believed to be the person who brings gifts for children at Christmas. Many Canadians give gifts, decorate their homes, and spend time with their family on Christmas.

INFORMATION ABOUT HOLIDAYS THAT ARE **NOT** GENERAL HOLIDAYS

ORTHODOX CHRISTMAS is celebrated on January 6th by some Eastern Orthodox churches which follow the traditional Julian calendar. This calendar is currently 13 days behind the calendar which Canadians use today, which is the modern Gregorian calendar. It is not a general holiday.

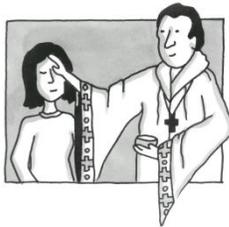
ORTHODOX NEW YEAR'S DAY is celebrated on January 14, because the Orthodox church uses traditional Julian calendar instead of the calendar which Canadians use today, which is the modern Gregorian calendar. It is not a general holiday.

INFORMATION ABOUT HOLIDAYS THAT ARE NOT GENERAL HOLIDAYS (Continued...)

CHINESE NEW YEAR, or Spring Festival, is the most important holiday celebrated in Eastern Asia. It begins on the first day of the first lunar month in the Chinese calendar, and ends on the 15th day which is called the Lantern Festival. Though many Canadians who have grown up with Chinese culture still celebrate this New Year in Canada, it is not a general holiday.



ST. VALENTINE'S DAY is on February 14. It is not a general holiday. On this day, people give love notes, flowers and chocolates to show their love.



ASH WEDNESDAY can occur as early as February 4th, or as late as March 10th. Ash Wednesday is the first day of Lent, 46 days before Easter. On this day, in some churches, priests put black ashes on the forehead of each person in the shape of a cross. Traditionally, the worshipper leaves the ashes on their forehead until after sundown. (The ashes are prepared by burning palm leaves from the previous year's Palm Sunday celebrations, and mixed with a little bit of oil or water.) Ash Wednesday is a time for contemplation and, for some, fasting. It is not a general holiday.



ST. PATRICK'S DAY, also casually called "St. Paddy's Day", is on March 17th. It celebrates the life of Saint Patrick, who is believed to be a saint who lived between 385 to 451 A.D. in Ireland. It is the national holiday of the Irish people, who chose to celebrate on March 17th because that is the day St. Patrick died. In Canada it is celebrated by some people, often by wearing green clothing or attending Irish bars, but it is not a general holiday.



PALM SUNDAY is on a different day every year, but always on the Sunday before Easter. It celebrates the day Jesus came into Jerusalem riding on a donkey. It is not a general holiday.

INFORMATION ABOUT HOLIDAYS THAT ARE **NOT** GENERAL HOLIDAYS (Continued...)

PASSOVER On this day, Jewish people remember how the Israelites, who were slaves in Egypt, became free. The name “Passover” refers how the angel of death passed over the houses of the Israelites who, because of their faith that God would rescue them from slavery, had marked their doors with the blood of a lamb. In Canada it is not a general holiday. Many Jewish people eat special foods and say special prayers on this day.



EASTER SUNDAY is the most important religious day for Christians. It celebrates the resurrection of Jesus which occurred three days after he died. The date of Easter is in March or April, which was chosen by looking at the cycle of the moon. Orthodox Christians celebrate on a different day. It is not a general holiday, but retail businesses cannot be open on this day.

EASTER MONDAY is the day after Easter Sunday. It is not a general holiday, but may be a day off for some work places, if the employer decides.



CINCO DE MAYO is a Spanish sentence which means “5th of May” in English. It is celebrated on May 5th in parts of Mexico and in parts of the United States with food, music and dancing. It is not Mexico’s independence day, but rather a day to celebrate Mexican culture. In Canada, some Canadians from Mexico celebrate this day, but it is not a general holiday.



MOTHER’S DAY is a day honouring mothers, which occurs on the second Sunday in May. Mothers often receive gifts on this day, and it is the most popular day of the year to dine out at a restaurant. Other countries honour women on International Women’s day, on March 8th.



FATHER’S DAY is a day honouring fathers which is celebrated on the third Sunday in June. Fathers often receive gifts and participate in family oriented activities on this day.

NOT GENERAL HOLIDAYS (Continued....)

TERRY FOX DAY is sometimes treated like a holiday by employers but is not a general holiday. In Manitoba, Terry Fox Day is always on the first Monday in August. The employer can decide whether or not to give employees the day off with pay



RAMADAN. Ramadan is the Islamic month of fasting which occurs during the ninth month of the Islamic calendar. During this time, Muslims must not eat or drink when the sun is shining. Prayers, charity and self-accountability are also stressed. The fasting lasts for 29 or 30 days. The days in Ramadan are not general holidays.

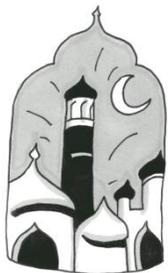


ROSH HASHANAH is the beginning of the Jewish year. There are special foods and prayers during this time. They also blow the “shofar”, which is a trumpet made from a ram’s horn. This holiday is usually in September or October, but it changes every year according to the Jewish Calendar. It is not a general holiday.

YOM KIPPUR is a holy day 9 days after Rosh Hashanah. Jewish people say sorry for what they have done wrong in the past, and fast and pray. It is not a general holiday.



HALLOWEEN is on October 31. Traditional activities on this day include trick-or-treating, costume parties, carving jack-o-lanterns, or visiting “haunted houses”. Many homeowners decorate their houses and prepare small candies and chocolate bars to hand out to children who visit their house on that night. The children ring each doorbell and say “Trick or treat!” and collect candy. It is not a general holiday



ISLAMIC NEW YEAR is based on the Islamic calendar, which has only 354 days. It is celebrated on Muharram 1, which is the first day of the Islamic calendar. It is not a general holiday.

NOT GENERAL HOLIDAYS (Continued...)



REMEMBRANCE DAY, also known as Poppy day, is on November 11. It is to remember that World War 1 ended on November 11th in 1918. In Canada, It is not a general holiday; however most businesses are not open, and there are different rules on when some retail businesses can be open on this day. There are also different rules on how employees are to be paid if they work on Remembrance Day. .



HANUKKAH, also called the Festival of Lights, is an eight day Jewish festival, based on the Jewish calendar, which usually occurs from late November to late December. Each night one candle is lit and the stories of the Jewish people are remembered.



BOXING DAY is on December 26. On Boxing Day many retail stores open early and have big sales. Some shoppers will wait outside for many hours waiting for the store to open. It is not a general holiday, but some employers don't make their employees work on this day.



KWANZAA is from December 26 to January 1. It celebrates African American culture. It is not a religious holiday. It was created in 1966 to remember African culture, and includes candle-lighting, feasts, gift-giving, and often mixes symbols of other holidays (like Christmas trees) into its celebrations. It is not a general holiday.

SORT THE HOLIDAYS: according to whether they are Jewish, Muslim or Christian holidays. If they are not one of these three, put them in the Secular or "other" category.

SECULAR (OR "OTHER")	JEWISH	MUSLIM	CHRISTIAN

GENERAL HOLIDAYS

	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is a general holiday. • It is in winter. • It is celebrated at midnight. • There are usually fireworks. • It is on January 1st.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is a general holiday. • It is always on a Monday. • It is in winter. • It is Manitoba's newest holiday. • It celebrates the Father of Manitoba.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is a general holiday. • It is a religious holiday. • It is always on a Friday. • It is 3 days before Easter Sunday. • It remembers the death of Jesus.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is a general holiday. • It is always on a Monday. • It is the first long weekend of the summer. • It is always in May. • It is named in honour of a Queen who lived from 1819 to 1901.

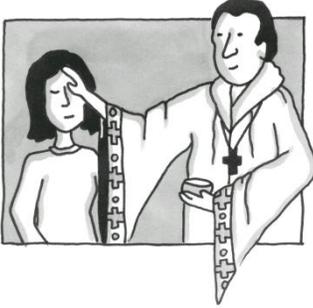
GENERAL HOLIDAYS

	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is a general holiday. • There are usually fireworks. • It is in summer. • It is a national holiday. • It remembers “Canada’s birthday”.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is a general holiday. • It is always on a Monday. • It is celebrated on the same day as the United States. • It celebrates the rights of workers. • It is the last long weekend in summer.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is a general holiday. • It is always on a Monday. • It was first celebrated in 1578. • Americans celebrate this day in November. • For Canadians, it is on the second Monday in October.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is a general holiday. • It is a religious and a secular holiday. • People give gifts and decorate their homes. • Santa Claus is believed to give gifts to children on this day. • Christians celebrate the birth of Jesus Christ.

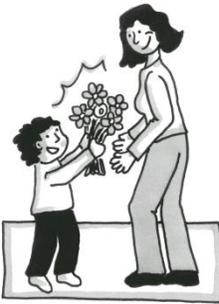
NOT GENERAL HOLIDAYS

	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is not a general holiday. • It is not a religious holiday. • Special candles are lit. • It is created in 1966 to celebrate African American culture. • It is from December 26 to January 1st.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is based on a different calendar • It is celebrated almost 2 weeks later than a general holiday • It is not a general holiday • Eastern Orthodox church celebrate it • It is on January 6th.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is based on a different calendar • It is not a general holiday • Dragons may be a part of the festival • It is important to Chinese culture • It is also called the "Spring Festival"
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is not a general holiday. • The holiday is based on the story of a Saint. • People give chocolates and flowers. • Love and romance are celebrated. • It is on February 14th.

NOT GENERAL HOLIDAYS (Continued...)

	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is not a general holiday. • It is 46 days before Easter It is a time for contemplation. • Priests often put ash on worshipper's foreheads. • It is always on a Wednesday.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is not a general holiday. • The holiday is based on the story of a Saint. • Many people wear green on this day. • It is a national holiday in Ireland. • It is on March 17th.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is not a general holiday. • It is always on a Sunday. • It is a Christian holiday. • Jesus rode into Jerusalem on a donkey on this day. • People wave palm branches on this day.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is based on a different calendar. • It is not a general holiday. • It is celebrated by Jewish people • It remembers how the Israelites escaped from slavery in Egypt. • The name of the holiday refers to when the angel of death passed over the doors of the Israelites houses and spared them.

NOT GENERAL HOLIDAYS (Continued....)

	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is always on a Sunday • It is not a general holiday. • The date is always in March or April. • It is the most important religious day for Christians. • It celebrates the resurrection of Jesus.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is celebrated with food, music and dancing. • It is not a general holiday. • Mexican culture is celebrated. • The holiday name is written in Spanish. • It is on the 5th of May.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is always on a Sunday. • It is not a general holiday. • It is the most popular day to dine out at a restaurant. • This holiday is not International Women's Day on March 8th. • Children give gifts to their mothers.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is always on a Sunday. • It is not a general holiday. • It is always in June. • People participate in family activities. • Some men receive gifts on this day.

NOT GENERAL HOLIDAYS (Continued....)

	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is always on a Monday. • It is not a general holiday. • It is in summer. • Many employers treat it as a general holiday and give their employees the day off. • It is always on the first Monday in August.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is based on a different calendar. • It is not a general holiday. • It is a time of fasting for 29 or 30 days. • Muslims cannot eat while the sun is shining. • It occurs in the 9th month of the Islamic calendar.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is based on a different calendar. • It is not a general holiday. • It is usually in September or October. • A trumpet made from a ram's horn, called the shofar, is blown. • It is the beginning of the Jewish New Year.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is not a general holiday. • Children often put on costumes, go door to door saying "Trick or treat" and get candy on this night • It is on October 31st.

NOT GENERAL HOLIDAYS (Continued....)

	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is based on a different calendar • It is not a general holiday. • It is celebrated on Muharram 1. • Muslim people celebrate this holiday. • It celebrates the New Year.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is not a general holiday. • It is treated like a general holiday if you work on that day. • It is also known as “Poppy day” • It is in on November 11th.
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is based on a different calendar • It is not a general holiday. • It is an eight day Jewish festival. • One candle is lit each night, and the stories of the Jewish people are remembered. • It is also called the “Festival of Lights”
	<p>WHICH HOLIDAY IS IT?</p> <ul style="list-style-type: none"> • It is not a general holiday. • It is one day after a general holiday. • It is in December. • Retail stores have big sales on this day.

GENERAL HOLIDAY PAY



The legislation states that when an employee's hours or wages change from pay period to pay period, the **general holiday pay is 5%** of the employee's total wages in the 28 days before the holiday.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Tamaki is paid \$12 an hour at the Fashion Emporium. Here is the gross income that Tamaki made at The Fashion Emporium from the end of November to December. She didn't work any overtime.				Nov. 27 \$96	Nov. 28 \$96	Nov. 29
Nov. 30	Dec. 1 \$84	Dec. 2 \$48	Dec. 3	Dec. 4 \$24	Dec. 5 \$60	Dec. 6 \$36
Dec. 7	Dec. 8 \$60	Dec. 9 \$96	Dec. 10	Dec. 11 \$72	Dec. 12 \$72	Dec. 13 \$36
Dec. 14 \$24	Dec. 15 \$60	Dec. 16 \$60	Dec. 17 \$60	Dec. 18 \$84	Dec. 19 \$72	Dec. 20
Dec. 21	Dec. 22 \$84	Dec. 23 \$60	Dec. 24	Dec. 25 GENERAL HOLIDAY	Dec. 26	Dec. 27
Dec. 28	Dec. 29	Dec. 30	Dec. 31 st	Jan. 1 GENERAL HOLIDAY		

- Count backwards 28 days from December 25th. Total income earned: _____
Now multiply this amount _____ by 0.05, which equals = _____
This is the amount of general holiday pay she should receive for Christmas.
- Now count backwards 28 days from January 1, New Year's day.
Total income earned: _____ Now multiply this amount _____ by 0.05.
General holiday pay she should receive for January 1st is _____
- Which general holiday received more general holiday pay? _____
- Why did this general holiday receive more? _____

VACATION TIME & PAY

Tamaki has two employers. She has worked for one of her employers, ABC Cleaning



Company, part-time for a full year, and is therefore entitled to two weeks of paid vacation. Vacation pay is based on the employee's earnings from the previous year. For each week of vacation, employees earn two per cent of their gross wages as vacation pay. Tamaki's two weeks of **vacation pay should equal to 4%** of her total earnings during the previous year. This includes the earnings that she made on commission, salary, hourly wages, bonuses tied to

productivity, or any other wages paid for regular hours of work.

1. Tamaki made \$10,000 as gross wages (not including overtime pay) during her first year. How much vacation pay is she entitled to during her two week vacation?

The Employment Standards legislation states that when a general holiday occurs during an employee's vacation, they must receive holiday wages for the day of the general holiday. Tamaki is taking her two weeks from December 21 to January 3rd.

2. Which general holidays occur during her two week vacation? _____

Tamaki has a second job at The Fashion Emporium. Her income at this job varies from pay cheque to pay cheque, so she receives her 4% vacation pay on every cheque. For example, if she earned \$100 during one pay period, her gross income for that pay cheque would be 4% higher.

3. When Tamaki takes her vacation time with this employer, will she receive vacation pay? _____
4. How much vacation pay does she receive on her \$100 pay cheque? _____

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It is important to understand how the legislation will affect your pay cheque. Read the following scenarios about Volodymyr and answer the questions.



Volodymyr works for XYZ Furniture Company. He has completed five full years of work for his employer and is entitled to a three week vacation, with vacation pay. Volodymyr's three weeks of vacation pay should equal to 6% of his total earnings during the previous year.

5. Volodymyr made \$40,000 as gross wages (not including overtime pay) during his previous year. How much vacation pay is he entitled to during his three week vacation? _____

Volodymyr wants to take his vacation during the summer in July, but his employer disagrees. He doesn't want his employee's on vacation during this time, because furniture sales are in high demand during that time. The Employment Standards legislation states that if the employer and employee cannot agree about when the vacation will be taken, the employer can decide. The employer must give the employee at least 15 days' notice before the vacation will start, and cannot divide the vacation into periods shorter than one week.

6. It is a Friday in January. After they discuss the vacation, Volodymyr's employer is angry with him, and says, "Fine. Three weeks of vacation is equal to 15 working days. I'll give you three days off a week for the next five weeks starting this Monday. I'm the boss, and what I say is final." Can the employer do this? _____ Why or why not? _____

VACATION TIME & PAY (Continued...)

One week later, the vacation time is still not settled. Volodymyr finds out that his wife is pregnant and is due at the end of June. He decides to take the month of July off as parental leave. According to the legislation, employees who return from leave are entitled to their full vacation time and pay. Employees on leave are still employed, and the time that they are away on leave still counts towards their total years of service when determining how much vacation they are entitled to.

The legislation states that employees must be paid all of the vacation pay that has been earned. Employees begin earning vacation pay from the first day of work. Vacation can not be used as notice of termination. Employees are entitled to all outstanding vacation pay when their termination ends.

7. When Volodymyr's employer finds out that Volodymyr's leave will be in July, he is angry, but knows that he cannot deny a parental leave. He decides to try another strategy to get Volodymyr to continue working in July. He says, "Okay, go for your parental leave in July if you want. But I will only be able to give you two weeks of vacation time after this." Can the employer say this? _____

8. In the weeks that follow, Volodymyr finds another job that he likes better. He gives his boss three weeks' notice. His boss says that the three weeks notice will be his vacation pay. Is his boss correct? _____

