

Students' Rights in the Workplace

Melanie Bullagao, Career Leader, Centre for Career Action

CENTRE FOR CAREER ACTION



UNIVERSITY OF
WATERLOO



Melanie Bullagao

Career Leader, Workshop Facilitation

My pronouns are she/her and name is pronounced Mel-A-Knee

Fourth year BA Psychology student with a minor in English lit

Fun facts: I have 7 years of customer service experience, I've completed 3 co-op terms, I am a Gryffindor, and I officially have one year left until I complete my undergrad!



TERRITORIAL ACKNOWLEDGEMENT

The University of Waterloo is located on the territory of the Neutral, Anishinaabeg and Haudenosaunee peoples and is situated on the Haldimand Tract, the land promised to the Six Nations that includes ten kilometers on each side of the Grand River.

O:se Kenhionhata:tie Land Back Camp: <https://www.facebook.com/osekenhionhatatie/>
Outside of KW area? Check out: <https://native-land.ca/>

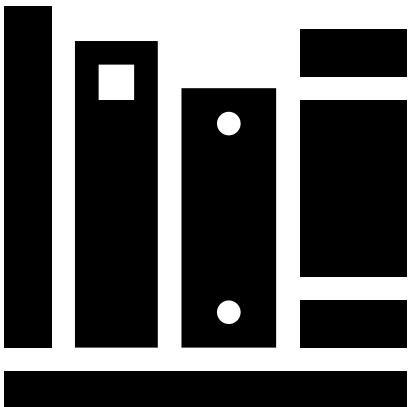
WE AIM FOR THIS TO BE A SAFE(R) SPACE

We are entering this space with the intention of creating as safe a space as possible for you. Safe space means something different for everyone, but we promise you that we will try our best!

- Participate in the way that feels most comfortable for you! Take what works for you, leave what doesn't.
- Ask questions whenever! Please use the chat during presentation time, but you can use your mic during the Q&A if comfortable.
- Feel free to send me a direct message to participate anonymously
- If having tech issues, our fabulous staff will be able to troubleshoot with you. We appreciate patience if any tech problems arise on our end 😊
- Please be respectful of other participants and facilitators

LEARNING GOALS

Be able to identify your rights and responsibilities
in any workplace
(i.e., remote, in-person, co-op position, full time
role, etc.)



AGENDA

1. Ontario Human Rights Code
2. Compensation and Minimum Wage
3. Hours of Work
4. Termination
5. Uwaterloo Legal Support
6. Sources & Resources

RESOURCES

- the *Employment Standards Act*: <https://www.ontario.ca/document/your-guide-employment-standards-act-o>
- WUSA's Legal Protection Page: <https://wusa.ca/services/student-supports/student-legal-protection-program/>
- Uwaterloo's Human Rights, Equity and Inclusion Page: <https://uwaterloo.ca/human-rights-equity-inclusion/cmahro/if-you-are-feeling-harassed-your-co-op-workplace>

RESOURCES - CONTINUED

- Uwaterloo's "Know Your Rights" page: [https://uwaterloo.ca/human-rights-equity-inclusion/equity-office/resources-tools/know-your-rights#:~:text=You%20have%20a%20right%20to%3A&text=A%20classroom%20a%20workplace%20free,on%20your%20identit\(ies\).](https://uwaterloo.ca/human-rights-equity-inclusion/equity-office/resources-tools/know-your-rights#:~:text=You%20have%20a%20right%20to%3A&text=A%20classroom%20a%20workplace%20free,on%20your%20identit(ies).)

ONTARIO HUMAN RIGHTS CODE

WHAT IS THE ONTARIO HUMAN RIGHTS CODE?

The Ontario Human Rights Code is legislation that protects people in Ontario from discrimination and harassment. You have the right to be free from discrimination as you work, study or live on campus.

YOU HAVE A RIGHT TO...

- Work and study in a place free from harassment, discrimination and offensive “jokes” or slurs related to your identit(ies)
- The usage of the correct/your chosen name and pronouns;
- Accommodation of your religious or spiritual beliefs, practices and observances;
- Accommodation for your disabilit(ies);
- A classroom and workplace free from ageism, racism, ableism, sexism, homophobia, transphobia, islamophobia, sexual harassment.

WHAT IS CONSIDERED TO BE DISCRIMINATION?

Discrimination is defined as any action or behaviour that results in adverse or preferential treatment related to those grounds prohibited under the Ontario Human Rights Code.

The criteria to establish discrimination under Ontario's Human Rights Code is:

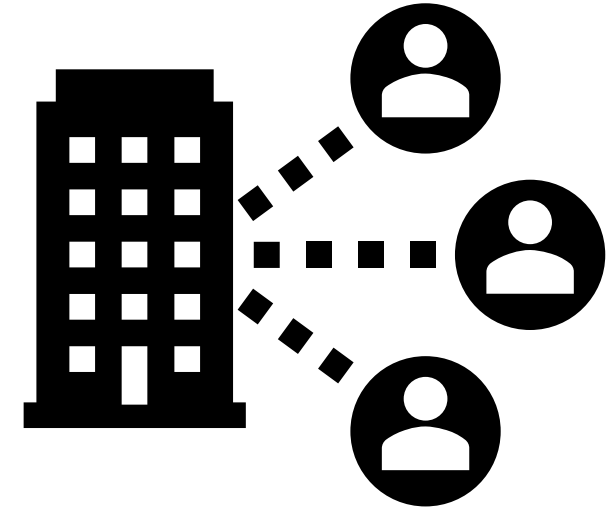
- That the claimant has an identity/characteristic protected by the Code (e.g. is a racialized person)
- They have experienced adverse treatment/impact within a social area (for example, in accessing a service, housing or employment)

The protected characteristic was a factor in the adverse treatment or impact.

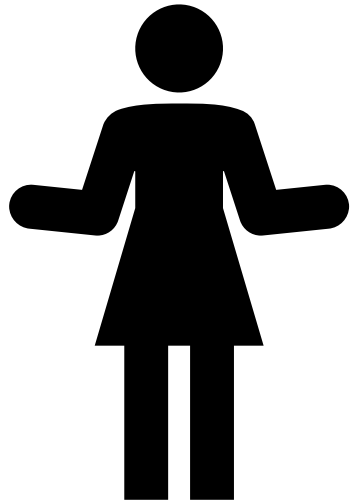
WATERLOO HARASSMENT ADVISORS

Harassment refers to unwanted conduct in the workplace that results in **physical, emotional, and/or psychological harm**. It can be **verbal, visual, or physical**. Harassment can be based on race, gender, religion, disability, sexual orientation, age-related, or sexually related. Some Examples of harassment include, but are not limited to:

- Making sexually suggestive comments
- Unjustifiably monitoring everything that is being done
- Exclusion from group activities or assignments
- Unwanted physical touching/contact
- Offensive, degrading, or derogatory jokes and comments
- Offensive graffiti, cartoons, or pictures
- Racial or ethnic slurs
- Spreading rumors
- Questioning someone's disability, accommodation needs, or treatment
- Unwelcomed comments about a person's religion and/or religious garments



HARASSMENT ADVISORS: ROLE & RESPONSIBILITIES



To contact a harassment advisor, you can call in to the Centre for Career Action via our Live Chat or call 519-888-4047.

Harassment advisors:

- Will do their best to provide you with a safe space to chat and share. Their job is to make you feel comfortable!
- Will listen, advise, and share options.
- They do not provide legal advice.
- They do not act without consent of student (unless someone is in danger).

HARASSMENT ADVISORS AT THE CCA



Graeme Beaton

Undergrad Career Advisor at the CCA

graeme.beaton@uwaterloo.ca



Eden Mekonen

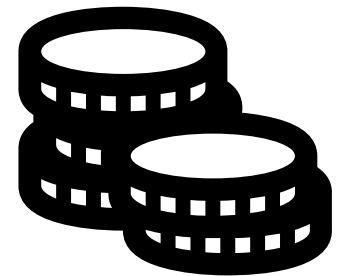
Further Ed Career Advisor at the CCA

eden.mekonen@uwaterloo.ca

COMPENSATION & MINIMUM WAGE

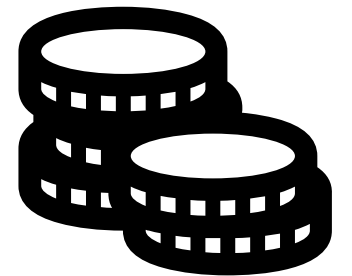
COMPENSATION AND MINIMUM WAGE

1. Minimum wage is the lowest rate payable to an employee.
2. Most employees are eligible for minimum wage (some exceptions apply).
3. Student minimum vs. adult minimum wage



COMPENSATION AND MINIMUM WAGE - CONTINUED

1. Commission based pay
2. 3- hour rule
3. Current minimum wage in Ontario is set at \$15 per hour.



MINIMUM WAGE

Minimum wage rate	Rates from October 1, 2021 to December 31, 2021	Rates from January 1, 2022 to September 30, 2022	Rates from October 1, 2022 to September 30, 2023
General minimum wage	\$14.35 per hour	\$15.00 per hour	\$15.50 per hour
Student minimum wage	\$13.50 per hour	\$14.10 per hour	\$14.60 per hour
Hunting, fishing and wilderness guides minimum wage	\$71.75 Rate for working less than five consecutive hours in a day	\$75.00 Rate for working less than five consecutive hours in a day	\$77.60 Rate for working less than five consecutive hours in a day
	\$143.55 Rate for working five or more hours in a day whether or not the hours are consecutive	\$150.05 Rate for working five or more hours in a day whether or not the hours are consecutive	\$155.25 Rate for working five or more hours in a day whether or not the hours are consecutive
Homeworkers wage	\$15.80 per hour	\$16.50 per hour	\$17.05 per hour

HOURS OF WORK

WHAT ARE CONSIDERED "WORK HOURS"?

Work hours are considered to be **anytime** you are working for the company.

Therefore, you are entitled to compensation for...

- Anytime you are carrying out work responsibilities.
- Anytime spent training for your role or a new role.

Therefore, you are not entitled to compensation for...

- Meal/break times.
- Volunteered work

WORK HOUR MAXIMUMS

- The maximum amount of work hours per day is 8.
- The maximum amount of work hours per week is 48.
- In order to go over the maximums you, as the employee, must provide electronic or written consent
- The minimum time off between shifts is 8 hours.

TERMINATION

TERMINATION

- Notice of Termination or termination pay
- Qualifying for termination notice/termination pay
- Constructive dismissal
- Lay-offs
- Required termination notice



[This Photo](#) by Unknown Author is licensed under [CC BY-ND](#)

REQUIRED TERMINATION NOTICE

Amount of notice required if an employee has been continuously employed for at least three months

Period of employment	Notice required
Less than 1 year	1 week
1 year but less than 3 years	2 weeks
3 years but less than 4 years	3 weeks
4 years but less than 5 years	4 weeks
5 years but less than 6 years	5 weeks
6 years but less than 7 years	6 weeks
7 years but less than 8 years	7 weeks
8 years or more	8 weeks

UWATERLOO LEGAL SUPPORT

WUSA STUDENT LEGAL PROTECTION PROGRAM



CHARLIE TAJNAY, PROGRAM CARE SPECIALIST – LEGAL PROTECTION

- Leading the Legal Programs since 2020
- Educational background in environmental and social justice (York University & University of London UK)
- Fun facts: avid tennis player, grew up in Belgium, always open to a good conversation
- Charlie@studentcare.net or 647-290-2871
- Never hesitate to reach out for any questions or information



WUSA SLPP: WHAT'S INCLUDED?

- Fees of lawyers or bailiffs
- Legal expenses (disbursements): Court fees, including adverse costs awarded
- Attendance fees
- Missed wages
- Witness expenses
- Experts' fees up to a maximum of \$1,000
- and more!

WUSA STUDENT LEGAL PROTECTION PROGRAM

Legal Protection Program

Legal Consultation for any legal topic

Extended Legal Representation for:

- Disputes with the Academic Institution
- Employment Disputes
- Housing Disputes

Notary Services

More information and access:

1-833-202-4571

<https://wusa.ca/services/student-supports/student-legal-protection-program/>



https://studentcare.ca/rte/en/IHaveAPlan_WUSA_Legal_LegalProtection



**Please take 2 minutes to
complete this survey!**



SOURCES & MORE RESOURCES

RESOURCES

On Campus Resources:

- The [Equity Office](#) can offer confidential services to help you understand your available resources both on and off campus and provide assistance in navigating next steps.
- The [Conflict Management & Human Rights Office](#) can provide information about pursuing informal or formal resolutions relating to [Policy 33 - Ethical Behaviour](#).
- Connect with [Sexual Violence Prevention & Response Office](#) if the nature of your concern pertains to sexual violence or harassment.

Off Campus Resources:

- The [Ontario Human Rights Commission website](#) can help to obtain the most up to date contact information for the OHRC, the Human Rights Legal Support Centre, and the Human Rights Tribunal of Ontario.

RESOURCES

- the *Employment Standards Act*: <https://www.ontario.ca/document/your-guide-employment-standards-act-o>
- WUSA's Legal Protection Page: <https://wusa.ca/services/student-supports/student-legal-protection-program/>
- Uwaterloo's Human Rights, Equity and Inclusion Page: <https://uwaterloo.ca/human-rights-equity-inclusion/cmahro/if-you-are-feeling-harassed-your-co-op-workplace>

RESOURCES - CONTINUED

- Uwaterloo's "Know Your Rights" page: [https://uwaterloo.ca/human-rights-equity-inclusion/equity-office/resources-tools/know-your-rights#:~:text=You%20have%20a%20right%20to%3A&text=A%20classroom%20a%20workplace%20free,on%20your%20identit\(ies\).](https://uwaterloo.ca/human-rights-equity-inclusion/equity-office/resources-tools/know-your-rights#:~:text=You%20have%20a%20right%20to%3A&text=A%20classroom%20a%20workplace%20free,on%20your%20identit(ies).)

CCA SUPPORTS AND RESOURCES

Resources: CCA Appointments and Workshops/Events



Job Search Tactics
Résumé
Cover Letter
Interview Prep
Career Exploration



Individual Appointments
Drop-ins
Workshops
Online Resources

uwaterloo.ca/career-action

QUESTIONS?