


BOOKLET FOR ALL WORKERS

2nd edition

Secrétariat aux relations
avec les Québécois
d'expression anglaise

Québec 



EVERYTHING YOU NEED TO KNOW ABOUT YOUR EMPLOYMENT

www.mwcn.ca
www.educaloi.qc.ca

MWCN has joined forces with Educaloi to enhance the support for the English-speaking community in Montérégie West. This lovely booklet, now in its 2nd edition, has undergone some slight adjustments. Our first edition focused on the young workers, but this time, we've tailored it to suit all ages. Just like its predecessor, which proved to be highly beneficial to young workers, we hope this booklet will be a valuable tool for anyone entering the workforce. It's brimming with valuable information ranging from interview tips to legal know-hows, as well as a wealth of resources available for further guidance.

Special thanks to Richard Goldman, a lawyer with Educaloi who has supported us year-round.

All of the information in this document was taken from the Educaloi, Canada Revenue, and Quebec websites.

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*In the middle of
difficulty lies
opportunity
Albert Einstein*

INDEX

Preparing For a Job Interview	01
Highlights	03
Workplace Laws	04
Workplace Health and Safety	06
Pay Equity Act	
Salary	07
Work Schedule	09
Overtime	09
Exceptions to the Normal Workweek	10
Calculation of Overtime	
Days Off Instead of Overtime	11
Refusing to Work Overtime	
Public Holidays	12
Workplace Well-being	13
Workplace Accidents	15
Applying to the CNESST	16
End of Employment	17
Resources	18



PREPARING FOR A JOB INTERVIEW

When getting a phone call for an interview



When an employer calls you for an interview:

- Carefully note the date, time, and place. Many applicants now ask if an email can be sent with the information.
- Try to find out how many people will be at the interview.
- Ask whether there will be a written exam or exercise.

A few days before the interview:

- “ Find out more about the company and the job available.
- What are the company's activities?
 - Visit the company's website/ Facebook page.
 - Ask your friends, family and acquaintances for information.
 - Who are the company's clients?
 - What skills is the employer looking for?
 - Reread the job offer.
 - What duties and responsibilities would you have?

A few days before the

- Anticipate the employer's questions and have answers prepared.
- Memorize your résumé so you can clearly describe your education, work experience and skills.
- Simulate interviews with your friends. Don't simply recite answers by heart. Instead, try to memorize the main points you want to bring up.
- Select appropriate clothing.
- Make sure you know how to get to the interview location and how long the trip takes.



Things you should bring

- Your résumé and cover letter - prepare a copy for each person at the interview
- Copies of your diplomas
- Your portfolio, if needed
- A list of references
- Paper and a pen or pencil to note the names of the people present, the date and time of any subsequent interview, and any other pertinent information.

HIGHLIGHTS

What to do before the interview

- Avoid wearing loud jewellery or strong perfume. Take off your hat.
- Don't chew gum.
- Be on time, or even 5 to 10 minutes early
- Turn off your cell phone.



What to do during the interview



- As you arrive, say "hello" to everyone present at the interview. Introduce yourself and give them a firm handshake and a sincere smile.
- Remain calm and self-confident.
- Look your interviewers in the eye and answer their questions in a firm voice. Take the time to think through your answers.
- Be enthusiastic. Give positive answers and stress your strengths and skills.
- Let your interviewers lead the interview.
- Listen to questions carefully and, if necessary, ask your interviewer to repeat them or to be more specific.

What to do toward the end of the interview

You may be asked if you have any questions. Take this opportunity to reiterate your interest in the company and the job to be filled. Here are a few examples of questions you may wish to ask:

- Why is the employer hiring someone at this time?
- How many people work in the team or department in question?
- What is the next step?

WORKPLACE *LAW*S



Act respecting labour standards

This law sets the minimum standards for employees that employers must follow. It applies to most employees in Quebec. Here are some things covered by this law: public holidays, vacation time and leaves of absence, minimum wage, length of the regular work week, termination of employment, psychological and sexual harassment, and work performed by children. An employer can offer better working conditions but can never offer less than what the law says. The "Commission des normes, de l'équité, de la santé et de la sécurité au travail" or CNESST (labour standards, pay equity and workplace health and safety board) is responsible for applying the Act respecting labour standards. It handles complaints from employees covered by this law.

Canada

Labour Code

The Canada Labour Code is a federal law that sets the minimum working standards for employees working for federal institutions, such as these:

- federal government
- banks
- radio and television stations
- interprovincial transportation companies
- ports
- telecommunication companies



Quebec's

Labour Code



Quebec's Labour Code is a provincial law that lets employees join unions, and sets the rules for labour relations between employers and employees who are part of a union.

Don't confuse this law with the Canada Labour Code. For unionized employees working for a business or organization, it is a collective agreement that sets the working standards. The working standards must meet the minimum working standards set out in the Act respecting labour standards.

Workplace Health and Safety



The Act respecting occupational health and safety explains the rights and responsibilities of employees and employers when it comes to health and safety at work. The purpose of this law is to prevent workplace accidents and illnesses by removing sources of danger to the health, safety and well-being of employees. This law states that employers must do the following: provide a safe workplace for employees and, if necessary, provide appropriate safety equipment, inform employees about safety risks and provide appropriate training and supervision. Employees must take steps to ensure their safety and security and that of their fellow workers. They must also act carefully. The CNESST ensures that laws around health and safety are respected. It also handles employee complaints regarding health and safety.

Pay Equity, Pay Equity Act

The Pay Equity Act is meant to correct salary differences that are caused by discrimination based on sex. It requires employers with 10 or more employees to ensure equal pay between equivalent jobs mostly done by women and those mostly done by men. The CNESST also ensures employers respect this law. There is also a similar federal law on pay equity.



Minimum Wage

The law obliges employers to pay for all work done by employees. Whether you are in training, working on commission, or working only a couple of hours at a time, you have the right to the minimum wage. This article explains how employees are protected by the Labour Standards Act when it comes to the minimum wage and the ways salary must be paid.



Minimum Wage in January 2022

- Quebec General:
\$13.50
- With tips: \$10.80

Minimum Wage as of May 1st, 2022

- Quebec General:
\$14.25
- With Tips: \$11.55

Certain workers aren't entitled to minimum wage

- students working for a non-profit organization that has a social or community mission, like a summer camp
- interns or apprentices in professional training programs recognized by the law, like articling students in law or interns in accounting
- workers entirely paid on commission who work in a commercial activity off-site, and whose work hours are not controlled by the employer.

When and how
must my
employer pay
me?



Your employer must give you your salary either in cash in a sealed envelope, by cheque that can be cashed within two working days or by bank transfer. If it is paid in cash or by cheque, it can be sent by mail or hand-delivered to you at work on a work day or, if payday falls on a statutory holiday, it must be given to you on the work day before the holiday. No matter how you are paid, your employer must also give you a detailed pay slip, indicating all deductions so that you can calculate your net pay.

WORK SCHEDULE

Overtime

For most employees, the normal workweek is 40 hours.

Aside from actual work, working hours include the following:

- hours when the worker must have to stay at the workplace waiting for work to be assigned
- breaks given by the employer
- travel time required by the employer

The time given for meals does not count as work hours. However, if you have to stay at your workstation during meals, then meal times are working hours.

Normally, workers are paid overtime for any hours worked over and above 40 hours a week. So, even if your regular normal workweek is 32, 35 or 40 hours, only the hours beyond 40 will be paid in overtime.



Exceptions to the Normal Workweek

The law also says that, for people doing certain jobs, overtime is not calculated based on a 40-hour workweek. These include:

- students working for a summer camp or a non-profit organization with a social or community mission
- senior management employees
- workers involved in packing, canning, or freezing of fruit and vegetables during harvest season
- employees in a fishing, fish-processing or canning facility
- agricultural workers
- workers who provide care for people at home

There is also an exception for employees who work outside of their employer's establishment and whose hours cannot be controlled by the employer.

Calculation of Overtime

As a general rule, for every hour of overtime, you should be paid one and a half times your regular hourly wage. However, keep two things in mind:



- This calculation does not take into account premiums, such as night premiums.
- Overtime hours are calculated on a weekly, not a daily, basis.

Days Off Instead of Overtime

An employer can replace the payment of overtime by paid days off, but only if you ask for it or if you are unionized and this is part of your collective agreement.

If you choose this, your employer will replace payment of overtime with time off equal to one and a half times the overtime hours worked. You must take this time off within a year. Otherwise, the employer must pay you money for your overtime.

Refusing to Work Overtime

You can refuse to work overtime in some cases:

- You can refuse to work more than four hours beyond your normal workday, or, if the normal workday is 10 hours or more, you can refuse to work more than 14 hours in the same day.
- If you have no set daily working hours, you can refuse to work more than 12 hours in a 24-hour period.
- You can also refuse to work more than 50 hours in the same week.
- In addition, your employer cannot force you to work overtime if you must have to see to the care, health or education of your child or your spouse's child, or if you have responsibilities related to the health of a family member.

This right to refuse to work overtime does not apply when there is a danger to the life or safety of the public, in emergencies, or if the refusal goes against a code of ethics that applies to the worker.

Public Holidays

The 8 statutory, also known as public, holidays per year are:

- January 1 (New Year's Day)
- Good Friday or Easter Monday (employer's choice)
- The Monday before May 25 (National Patriots' Day)
- June 24 (Quebec's national holiday)
- July 1 (Canada Day)
- 1st Monday in September (Labour Day)
- 2nd Monday in October (Thanksgiving)
- December 25 (Christmas Day)

If a holiday falls on a non-working day then another day will be observed as the holiday - usually the preceding Friday or the following Monday. Remembrance Day (November 11) and National Day of Truth and Reconciliation (September 30) are not statutory holidays in Quebec. Employees protected by the Canada Labour Code, however, are entitled to these paid holidays. An employer may also provide other paid holidays.

Calculating how much holiday pay you will receive

Your employer must pay you 1/20th of the wages you earned in the 4 full weeks of pay before the week of the holiday. The employer must include tips, but not overtime.

For employees paid in whole or in part by commission, the amount of the allowance is 1/60th of the salary earned in the 12 weeks before the week of leave.

If you work full time, this amount is approximately equivalent to one day's pay. If you work part-time, the amount will usually be less than one day's pay.

WORKPLACE WELL-BEING

Psychological Harassment at Work

Psychological harassment at work can take many forms and every situation is unique. If you are unsure whether you are experiencing harassment, here are four questions that you can ask yourself:

- Is the behaviour bothersome?
- Is the behaviour repeated?
- Is the behaviour hostile or unwanted?
- Has it affected your dignity or physical or psychological well-being?
- Has it created a harmful work environment?

If you answer “yes” to all these questions, then chances are that you have experienced psychological harassment at work.

Employers have a duty to protect employees

Employer's duty:

In Quebec, employers have a duty to prevent psychological harassment in the workplace. Once your employer is aware of the harassment, they must take action to stop it.

It doesn't matter where the bothersome behaviour comes from. It could be your boss, a colleague, or even a client! Employers must take reasonable steps to protect their workers from harassment.

Employers must have a psychological harassment prevention policy

To provide a safe workplace, employers must have a psychological harassment policy. This policy must have two components:

- Rules to prevent harassment
- A process to report and stop any harassment once it has occurred

This means that your employer must tell you what you can do if you experience harassment. For example, who to report the behavior to and what process to follow.

The policy must be easily accessible.

Inform your employer and your union of psychological harassment. Remember, your employer has a duty to address psychological harassment in the workplace once they are aware of it. If you're not sure who to talk to, you can consult your employer's harassment policy.

It should explain who is responsible for dealing with psychological harassment complaints.



File a complaint

- You can also report psychological harassment to the CNESST. They have inspectors who will examine your complaint and open an investigation if required.
- You can also file a complaint with Québec's Commission des droits de la personne (human rights commission).
- You can sue your harasser or speak to the police

Depending on your situation, you may have several options. It can be confusing navigating through the justice system. A lawyer specializing in labour law can analyze your situation and explain your options.

WORKPLACE ACCIDENTS: STEPS TO TAKE, REMEDIES AND COMPENSATION

What is a workplace accident?

In Quebec, it means getting hurt at work while doing your job. If you have a workplace accident, you could get compensation and other kinds of help.

Only some kinds of accidents are covered. The accident must:

- be sudden and unexpected,
- happen while you are doing your job or doing something your employer told you to do, and
- it must cause an injury or illness.

The injury or illness can be physical or psychological.

What should I do after a workplace accident?

Tell your immediate supervisor or another employer representative as soon as possible. Your employer must offer you first aid. Depending on your condition, your employer must also have you brought home, to the hospital or to the doctor of your choice. The employer must pay for your transportation.

You must also see a doctor to get a medical certificate. If you can't return to work, you must give the certificate to your employer to get paid while you're absent.

Will I get paid? Yes.

- Day of the accident: Your employer must pay your full salary for that day, even if you had to leave early.
- For two weeks after the accident: Your employer must pay 90% of your net salary for each day you would normally have worked.
- More than two weeks after the accident: You must apply to the CNESST for compensation.

No matter how long you are off work, you can also ask the CNESST to pay some of your medical expenses.

Applying to the CNESST

If you are off work for more than two weeks after the accident, or if you want a refund for some of your medical expenses, you must complete a CNESST form called the Worker's Claim. Make sure you fill out the whole form and attach the necessary documents. You must also give a copy of the form to your employer.

The CNESST or your employer can ask you to have other medical tests. You must agree to these tests. Your employer or the CNESST will pay for them.

The CNESST will look at your file and decide if you can have compensation for your salary and if your medical expenses will be paid.



END OF EMPLOYMENT

Termination of Employment:

Understanding Compensation and Notices of Termination - Is a written notice necessary?

The Act respecting labour standards says that an employer who terminates your employment must give you written notice, so you have time to prepare for losing your job.

However, there are some situations where your employer doesn't have to give you advance notice:

- You worked less than three months.
- Your employment contract ends on a specific date. (These employees are often called "contract workers" or "temporary employees.")
- You were guilty of misconduct.
- Your employment was terminated because of an event beyond anyone's control.

Advance notice periods

The notice of termination of employment must respect certain minimum periods set out in the Act respecting labour standards. The length of the period depends on how long you've been working for your employer:

- less than 3 months: no minimum advance notice period
- between 3 months and 1 year: 1 week
- between 1 and 5 years: 2 weeks
- between 5 and 10 years: 4 weeks
- 10 years or more: 8 weeks

RESOURCES FOR EXTRA INFORMATION:

Telephone Numbers:

- Employment Questions: 514-873-4000
- CNESST: 1-844-838-0808

Websites:

Educaloi: www.educaloi.qc.ca/en/categories/work/

CNESST: www.cnesst.gouv.qc.ca/en

Quebec Government: www.quebec.ca/en/employment

Government of Canada (Job opportunities):
www.canada.ca/en/services/jobs/opportunities

Resumes: bit.ly/mwcn-resume

Cover letters: bit.ly/mwcn-cover-letter



Your Notes

The image shows a blank sheet of lined paper designed for taking notes. It features a vertical red margin line on the left side and horizontal blue lines for writing. The text "Your Notes" is printed at the top left of the page.

Special Thanks

We thank our MWCN team of Board members and employees for this initiative.

We would like to thank our partner; New Frontier School Board for distributing the booklets to the youth.

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