

Task Title: Employment Standards Act Claims

# OALCF Cover Sheet – Practitioner Copy

**Learner Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date Started: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date Completed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

| **Goal Path:** | Employment | Apprenticeship |
| --- | --- | --- |
| Secondary School | Post Secondary | Independence |

**Successful Completion:**  Yes No

**Task Description:** Find information on a government of Ontario website about filing a claim against an employer who has violated the Employment Standards Act (ESA).

 **Main Competency/Task Group/Level Indicator:**

* Find and Use Information/Read continuous text/A1.2
* Use Digital Technology/D.1

 **Materials Required:**

* Pen/pencil and paper
* Computer or digital device

# Learner Information

In Ontario, workers can file claims with the Ministry of Labour, Immigration, Training and Skills Development if they believe their employer has not properly followed employment laws and regulations. All workers in Ontario should be familiar with how and when to file claims.

Copy and paste the following address into the web browser of the computer and scan “Filing a Claim”.

<https://www.ontario.ca/document/your-guide-employment-standards-act-0/filing-claim>

# Work Sheet

**Task 1: List three examples of Employment Standards Act (ESA) claims.**

Answer:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Task 2: In Ontario, how long does an employee have to file a claim if they believe their employer has violated ESA standards?**

Answer:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Task 3: In Ontario, how long do foreign nationals have to file a claim if they believe their employer has violated ESA standards?**

Answer:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Task 4: List four scenarios when the ESA claim form would not be intended for you.**

Answer:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Task 5: How could you contact the Employment Standards Information Centre if you needed assistance with your claim?**

Answer:

Answers

**Task 1: List three examples of Employment Standards Act (ESA) claims.**

Answer:

* Failure to pay an employee the correct rate of pay and/or public holiday pay, vacation pay or other wages they are entitled to under the ESA.
* Not providing an employee with time off for an entitled leave of absence under the ESA or penalizing an employee for taking such a leave.
* Not providing an employee with wage statements or other required documents.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Task 2: In Ontario, how long does an employee have to file a claim if they believe their employer has violated ESA standards?**

Answer: 2 years.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Task 3: In Ontario, how long do foreign nationals have to file a claim if they believe their employer has violated ESA standards?**

Answer: 3.5 years.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Task 4: List four scenarios when the ESA claim form would not be intended for you.**

Answer:

* you work in an industry that falls under federal jurisdiction.
* you want to file a complaint about occupational health and safety.
* you want to file a human rights complaint under the *Human Rights Code*.
* you want to file a claim with the Workplace Safety and Insurance Board (WSIB).

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Task 5: How could you contact the Employment Standards Information Centre if you needed assistance with your claim?**

Answer:

416-326-7160/Toll Free (Ontario): 1-800-531-5551/ TTY: 1-866-567-8893

# Performance Descriptors

| Levels | Performance Descriptors | Needs Work | Completes task with support from practitioner | Completes task independently |
| --- | --- | --- | --- | --- |
| A1.2 | Makes connections between sentences and between paragraphs in a single text |  |  |  |
|  | Scans text to locate information |  |  |  |
|  | Locates multiple pieces of information in simple texts |  |  |  |
|  | Reads more complex texts to locate a single piece of information |  |  |  |
|  | Makes low-level inferences |  |  |  |
|  | Obtains information from detailed reading |  |  |  |
| D.1 | Follows simple prompts |  |  |  |
|  | Follows apparent steps to complete tasks |  |  |  |
|  | Locates specific functions and information |  |  |  |



This task: Was successfully completed Needs to be tried again

Learner Comments:



Instructor (print): Learner (print):

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**