

AN INTRODUCTION TO UNPAID LEAVES

Pre-Listening Activity: A “leave” means a period of time away from work. Look at the pictures. Predict what you think each one means and how much time you think the employee would need to be away from work.

Maternity Leave



Parental Leave



Family Leave



Compassionate Care Leave



Bereavement Leave



Reservist Leave



LISTENING EXERCISE

1. Why is each leave taken? Match the leave to the definition.

- 1. To care for a very sick family member. ___ Maternity Leave
- 2. To serve in the army. ___ Parental Leave
- 3. To help take care of a young baby. ___ Family Leave
- 4. To stay home when pregnant or right after the baby is born. 1 Compassionate Care Leave
- 5. To get healthy if you are sick. ___ Bereavement Leave
- 6. To prepare for a funeral. 2 Reservist Leave

2. How many days long is each leave?

Type of leave:	Circle the number of days:
Maternity Leave	(a) 3 days (c) 17 weeks (b) 8 weeks (d) 37 weeks
Parental Leave	(a) 3 days (c) 17 weeks (b) 8 weeks (d) 37 weeks
Family Leave	(a) 3 days (c) 17 weeks (b) 8 weeks (d) 37 weeks
Compassionate Care Leave	(a) 3 days (c) 17 weeks (b) 8 weeks (d) 37 weeks

AN INTRODUCTION TO UNPAID LEAVES

Employment Officer: Good afternoon, Employment Standards.

Employer: Hello, I'm a new employer. I would like some information about leaves. Could you explain the different types of leaves?



Employment Officer: There are five leaves that you need to know about. When you want to stay home when pregnant, or right after the baby is born, that's Maternity Leave. When you want to help take care of a young baby, that's Parental Leave. When you need to get healthy if you're sick, that's Family Leave. And, if you need to prepare for a funeral, that's Bereavement Leave.

Employer: Thank you for explaining those. How many days long is each leave?

Employment Officer: Maternity Leave is 17 weeks long. Parental Leave is 37 weeks long. Family Leave is three days long. Compassionate Care Leave is eight weeks long. And Bereavement Leave is three days long.

Employer: Thank you. I took notes on all of that. It was very helpful.

GENERAL INFORMATION ABOUT LEAVES: WHO IS A FAMILY MEMBER?

The employer does not pay the employee while they are away on leave.

The employee receives money from the government.

The Employment Insurance (EI) Program pays.

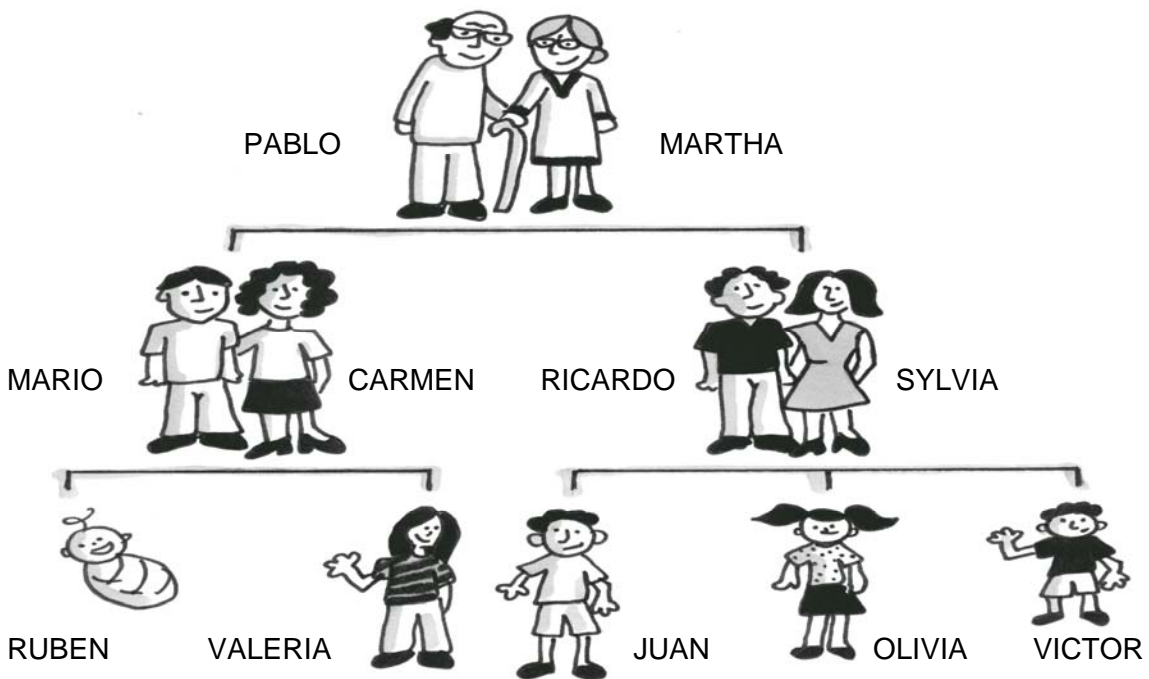
The employee needs to qualify for the EI program.

Check with your local EI office.

Employment Standards includes many people in the definition of a family member.



These people are all family members:












People who are not related but who are treated like family members are family members.

For example: adopted children, students living with a family, two women living together.

Animals that are pets are not considered family members.

FAMILY MEMBER “X” and “O” GAME: Use one board for two players. Each player takes a card from the pile. They then have to pick a different picture from on the game paper and name the relationship between the person they chose and their card. If they are correct, they can put their “X” or “O” on that spot on the paper. The first partner to get three in a row wins.

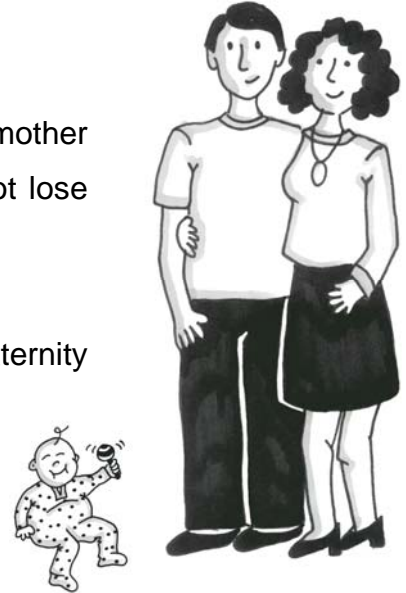
 <p>Pablo</p>	 <p>Martha</p>	 <p>Ricardo & Sylvia</p>
 <p>Mario & Carmen</p>	 <p>Ruben</p>	 <p>Valeria</p>
 <p>Juan</p>	 <p>Olivia</p>	 <p>Victor</p>

MATERNITY & PARENTAL LEAVE

Maternity Leave means that a pregnant woman can have a leave from her job and not lose it. The leave starts at the end of the pregnancy, or when the baby is born.

The mother or the father can take Parental Leave. The mother and the father can both take Parental Leave. They will not lose their jobs.

Parental Leave is longer than the Maternity Leave. Maternity Leave is 17 weeks long. Parental Leave is 37 weeks long. Both the mother and the father can take 37 weeks of unpaid leave. The employer does not pay for leaves. Employment Insurance will decide how much money they will receive during their leave.



QUESTIONS:

1. The mother can take all of the Maternity Leave time and the Parental Leave time. How many weeks is this? _____ weeks.
2. The mother can take all of the Maternity Leave and part of the Parental Leave. Carmen decides to take 10 weeks of Parental Leave after her 17-week Maternity Leave. How many weeks of leave does she take in total?

3. Who may pay money to the parents during the unpaid leave?

FAMILY LEAVE

Family Leave days help employees to care for their family. Carmen needs to look after her family. She has one daughter, Valeria, and her new baby boy. Her baby boy is called Ruben. When Ruben



grows up, he will sometimes get sick. Carmen's dad is called Pablo. Pablo is Ruben's grandfather. Pablo might need help to go to the doctor. Carmen's husband is called Mario. Mario might need get sick and need care. Carmen might need to miss work to attend a school meeting.



Carmen might get sick. Carmen can use the Family Leave days to do these things. A Family Leave is a short unpaid leave to take care of the employee's family or personal illness. Employment Standards says that Employers must give three unpaid days each year for Family Leave. The employee needs



to work for his or her employer for at least 30 days to take the leave.

DISCUSS WITH YOUR GROUP:

1. How many people are in your family?
2. How do you help the different members of your family?
3. Do you ever need to leave work to help your family?
4. How often do you get sick?
5. Did you have Family Leave days in the country where you were born?

COMPASSIONATE CARE LEAVE



Carmen's dad is 90. He recently got very sick. The doctor says that he might die in a month. Carmen wants to be with her dad. She wants to help to feed him and take care of him. Carmen needs to take a Compassionate Care Leave. This is different from a Family Leave. A Family Leave is very short. It is three days a

year. Compassionate Care Leave is for a longer time. It is for eight weeks. It is to help take care of someone who is very sick. Carmen needed to give her employer a medical certificate from her dad's doctor. The certificate needs to say that the patient has a risk of dying in the next 26 weeks or less. The leave can be taken in one or two periods. Each period must be at least one week long. Carmen will not lose her job because she needs to look after her dad. Her employer has to give her job back to her after the leave. This leave, like all the leaves, is unpaid, but she may be able to get money from Employment Insurance.

DISCUSS WITH YOUR GROUP:

1. Have you ever needed to help someone who was very sick?
2. How did you help that person?
3. How long were they sick?
4. Did you get a Compassionate Care Leave from your job?
5. How long is the Compassionate Care Leave in Canada?
6. The employer does not pay for any leaves. Who might pay for the leave?



BEREAVEMENT LEAVE

When Pablo is sick, Carmen does not go to work. Carmen goes to the hospital to help her father Pablo every day. Valeria comes after school to visit her grandpa. Mario comes after work and brings the baby Ruben.

After one month, Pablo dies. Everyone is sad. Carmen's Compassionate Leave is over. She tells her employer that Pablo is dead. She shows him a newspaper story about Pablo's life. This story of a person's life is called an **obituary**.

Carmen can now take Bereavement Leave. She has three unpaid leave days to help her family to arrange the funeral and to cry. She has missed a lot of days of work because of her leaves. She had a Maternity Leave, a Parental Leave, some Family Leave days, the Compassionate Care Leave, and now the Bereavement Leave. She is glad that her employer cannot punish her for taking these leaves. She will be allowed to return to her job.

DISCUSS:

1. What is a funeral like in your home country?
2. How much time does a funeral take in your home country?
3. Do people write obituaries in your home country?
4. Do you have Bereavement Leave days in your home country?
5. How do you help the family of a person who has died?

TERMINATION OF EMPLOYMENT

PRE-LISTENING: Brainstorm with your partner. What common words are used when an employee decides to leave the employer or when the employer decides that the employee has to leave? Use the pictures below as clues to give you some ideas of the expressions or idioms related to termination of employment. (For example, the picture of "Arnold Schwarzenegger" in "Terminator" might remind you of the word "to terminate".)



TERMINATION OF EMPLOYMENT

It is often difficult to leave a job. Jobs can end for four main reasons. It can be the employee's decision, an employer's decision, a decision that they make together, or a decision that the company needs to make.

Employees can decide to leave a job. An employee usually tells the employer. They tell the employer that they want to leave. They need to _____ at least one week's _____. One week after they tell the employer, they can leave the job. When they _____ or _____, they don't work for the employer anymore.

Sometimes an employee doesn't tell the employer. They _____ _____ _____ _____. They might get angry at the employer and _____ _____. This means they walk out of the building and never work for the employer again. Or, they might be a new employee. When they are a new employee they have 30 days to decide if the job is a good job for them. When they have worked less than 31 days they can tell the employer that they will not come to work the next day. They do not have to _____ _____.

The employer can decide that the employee is not a good worker for the company. When the employee has worked less than 31 days, the employer can tell the employee to go home and not come back. They might be angry. They can tell the employee "_____ _____!" and the employee has to leave. The employer does not have to _____ the employee _____. There are other words which have the same meaning as "_____ _____." The employee could be _____, _____, **given the** _____, or **given the** _____. The employer could also say "**There's the** _____." All of these mean the same thing. The job is over, and the employer is not happy with the employee.

When an employee says "I _____ _____ _____", the listener does not know if the employee and employer left each other happily or not. The listener only knows that the employee is not working there anymore. Sometimes the employee does not want to leave, and the employer does not want the employee to leave. But there might not be enough money. The employee could be _____ _____ because there is not enough work. This means that the employer might want to hire the employee again when the company has more money. But, if the employer does not think the employee will be hired again, the employee is _____ _____ _____, or _____.

GIVING NOTICE



When the employer no longer needs the employee, they have to tell them that the job is over. This is called **giving notice**. The employee has to collect regular wages during this time before they stop working. They usually work during this time.

Employees must tell the employer when they no longer want to work for the employer. This is also called **giving notice**.

There are rules about when the employer or employee can give notice. In general, the longer the employer and employee have worked together, the more time must be given before the employee and employer stop working together.

It is difficult for employees to lose their jobs. When they **receive notice**, they have time to look for another job or to save money. The amount of notice that employers must give depends on how long the employee has worked.

How long the employee has worked:	Notice period:
less than 31 days	no notice needed
at least 31 days and less than one year	one week
at least one year, and less than three years	two weeks
at least three years, and less than five years	four weeks
at least five years and less than ten years	six weeks
at least 10 years	eight weeks

QUESTIONS (see page 47 "Giving Notice")







1. Rupinder wanted to try a new job. She started working at a daycare. After two weeks, her employer was not happy with her work. He told her that she **was being let go**. Rupinder was sad that she had been **canned**. She thought that she should receive two weeks' notice. She phoned Employment Standards. Did they agree with her? _____



2. David worked at the Fantastic Furniture warehouse for eight years. The company was losing money and he was **permanently laid off**. He was given three weeks' notice. David did not like being **let go** like this. He did not feel that this was enough time. He phoned Employment Standards. Did they agree with him? _____



REVIEW: Write the expressions you learned earlier under each of the pictures:

 <p>to be _____</p>	<p>to be _____</p> 
<p>to be given the _____</p> 	<p>to be _____</p> 
<p>to be _____</p> 	<p>to be given the _____</p> 

GIVING NOTICE

Remember, during the first 30 days of work the employee and the employer do not have to give each other notice. Sometimes, after 30 days, the employers still do not have to give notice. In some cases, the employee can be told that the job is over with no notice:

- The job is only for a specific period of time.
- The job is only to complete a specific thing.
- The job has very casual shift work and the employees can choose to not work when they want.
- The employee decides to not do the job.
- The employee is violent at work.
- The employee decides to disobey the employer.

Employers should check with Employment Standards to see if notice is needed.

Employers have to pay employees all earned wages within 10 days of the last day of work. The employer cannot keep wages from employees who quit without notice.

QUESTIONS:

1. Olivero works as an office clerk. He is usually happy at work. Sometimes he gets very angry and throws things. He has been working at Speedy Office Supplies for three years. One day he gets angry when the photocopier doesn't work. He starts kicking the machine. When Alberto, another office clerk, tells him to stop, Olivero kicks him, too. Olivero's boss tells him to go home and not come back. He has been **sacked**. Olivero phones the Employment Standards to complain. He thinks he should receive four weeks' notice. Does Employment Standards agree? _____



GIVING NOTICE QUESTIONS (continued...)

2. Emily has worked at Robert's Chiropractic office for six years. She is tired of her job but has not started to look for a new one. Her employer tells her not to talk to her friends on the phone during work hours. Her boss tells her that she needs to work on the computer when it is not busy. She disobeys her boss and phones her mom every day to talk to her. She paints her fingernails when it is not busy. Her employer **gives her the boot**. He tells her not to come back to work the next day. She is angry and phones Employment Standards. She believes that she should receive six weeks of pay because her employer needs to give her notice. Does Employment Standards agree with her? _____



3. Phuong works at a Credit Union. He has worked there for two years and two months. He does his job well and gets along well with the other employees. The management decides to close his Credit Union because business is slow. They **lay Phuong off** without giving him notice. Phuong is surprised that he has been **let go**. He thinks he should receive two weeks' notice. He phones Employment Standards. Does Employment Standards agree with him? _____



The Employment Standards laws can protect you from losing money. Remember that there are other laws that also protect you.

For example:

- human rights laws
- workplace safety laws
- collective bargaining laws