MANITOBA

CANADA LABOUR LAW POSTERS

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MINIMUM WAGE

What is Minimum Wage?
The minimum wage is the lowest amount, per hour, that employees must be paid by their employers for work inManitoba.
What is the minimum wage?
Minimum wage is $15.80 per hour effective October 1, 2024.
Do employers need to give employees pay raises?
Employers decide if and when employees receive pay raises. There is no requirement for employers to increase employees' wages, regardless of how long employees work for them. Employees must be paid at least minimum wage. When minimum wage increases, some employees' wages will go up to ensure they are making the new minimum wage.
Must everyone earn at least minimum wage?
Yes. All employees must receive minimum wage unless they are not covered by provincial employment standards or are excluded from the legislation. Some groups of employees who are excluded from minimum wage are:
· Domestic workers who work less than 12 hours a week
· In an approved provincial or federal training program
· Election officials, enumerators and any other temporary person appointed under The Elections Act.
Does minimum wage apply in construction?
The minimum wage applies in residential construction and building maintenance. There are separate minimum wage rules for the heavy construction sector and the industrial, commercial and institutional (ICI) sectors of the construction industry. More information on the construction industry can be found on these pages: Construction Industry, Heavy Wage Schedule and ICI Wage Schedule.
Does minimum wage apply to students and part-time employees?
The minimum wage applies equally to all employees regardless of age or the number of hours they work. There are restrictions on the type of work people under 18 years of age can do. See the Young Employees page for more information.
Does minimum wage apply to employees paid by incentive?
Yes. Employees who are paid incentives, like commission salespeople or flat rate mechanics, must earn at least minimum wage in each pay period. Employers must top up or add wages when an employee has not earned at least minimum wage in each pay period.
Are employees, who are paid minimum wage, entitled to overtime?
Employees who work overtime are entitled to be paid at 1 ½ times their regular wages for all overtime hours worked. More information on calculating overtime can be found on the Overtime page.
How often must employees be paid?
Employees must be paid at least twice a month and within 10 business days of the end of a pay period.
Must the length of shifts be at least a certain amount of time?
No. Employers control schedules and can set shifts that are best for their businesses. Sometimes very short shifts are needed. Once employees report to work, there are some protections for cancelling or shortening shifts. See the Wages for Reporting for Work page for more details.
Can employers deduct the costs of employees' room and meals from wages?
Yes. The cost for room and meals can be deducted if employees actually receive the meals and occupy the rooms.
These deductions cannot take an employee below minimum wage in a pay period by more than $1 for each meal and $7 per week for the room. More information can be found on the Deductions page.
For more information contact Employment Standards:
Phone: 204-945-3352 or toll free in Canada 1-800-821-4307
Fax: 204-948-3046
Website: www.manitoba.ca/labour/standards
This is a general overview and the information used is subject to change. For detailed information, please refer to
current legislation including The Employment Standards Code, The Construction Industry Wages Act , The
Worker Recruitment and Protection Act, or contact Employment Standards.
Available in alternate formats
upon request.
Date Published: September 27, 2024
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LEAVES

A Summary of Leave of Absence Options
The Employment Standards Code provides a number of leaves of absence to allow employees time to deal with certain events in their lives without risking the loss of their job.

What leaves are available to employees?
There are 14 leaves employees may take without fear of losing their job. They are:

- Maternity Leave
- Parental Leave
- Family Leave
- Bereavement Leave
- Compassionate Care Leave
- Long-Term Leave for Serious Injury or Illness
- Interpersonal Violence Leave
- Citizenship Leave
- Leave Related to Critical Illness
- Leave Related to Death or Disappearance of a Child
- Reservist Leave
- Leave for Organ Donation
- Public Health Emergency Leave
- COVID-19 Vaccination Leave

Who is eligible for the leave and how to qualify?
All employees are eligible if they meet the qualifying period of employment for the leave. Each leave has various lengths of time an employee must be employed before they can qualify to take a leave. For all leaves, employees must be employed by an employer for a certain length of time before they can take a leave. All leaves have specific requirements that must be met for an employee to be able to take the leave. For more information on a specific leave, see the fact sheets on our website or contact Employment Standards.

How long is a leave?
Each leave has a certain length of time that employees can take time off from work. Some leaves like Family Leave are as short as three days and others like Leave related to the Death or Disappearance of a Child can be as long as 104 weeks.

Summary of Leaves

Type of Leave	Qualifying Period	Length of Leave	Reason for Leave
Maternity Leave	7 months	17 weeks	For an employee expecting to give birth to a child
Parental Leave	7 months	63 weeks	For parents to care for their new child
Family Leave	30 days	3 days	For an employee to deal with family responsibilities or personal illness
Bereavement Leave	30 days	3 days	For an employee to deal with the death of a family member
Compassionate Care Leave	90 days	28 weeks	For an employee to care for a seriously ill family member
Long-term Leave for Serious Injury or Illness	90 days	17 weeks	For an employee who has a long-term serious injury or illness
Interpersonal Violence Leave	90 days	10 days and 17 weeks	For an employee to address a situation of violence in the home
Leave for Citizenship	30 days	4 hours	For a new Canadian to receive their certificate of citizenship
Leave Related to the Death or Disappearance of a Child	30 days	52 weeks; 104 weeks	For parents dealing with the death or disappearance of a child that occurred as a result of a crime
Leave for a Reservist	3 months	When needed for service	For an employee in the Canadian Forces Reserve who needs time to serve
Leave for Organ Donation	30 days	13 weeks	For an employee to donate an organ or tissue
Leave related to Critical Illness	30 days; 90 days	37 weeks; 17 weeks	For family members to provide care and support to a critically ill child; For family members to provide care and support to a critically ill adult

Who decides what type of leave an employee is taking?
Employees tell their employers what leave they are taking. The employer will need enough detail to show the time off work meets the requirements of the leave. When employees require time off, the employer should ask whether they are advising of a leave available under The Employment Standards Code. Employers do not control when employees can take a leave provided by law, but they do control other types of time off work.
Who are considered family members?
Family is defined very broadly for Employment Standards' purposes. Children, stepchildren, parents, grandparents, spouses, common law spouses, brothers, sisters, step-brothers, step-sisters, aunts, uncles, nieces and nephews are all considered family members. The definition also includes those who are not related, but whom the employee considers to be like a close relative.
Who is considered to be a parent for Leave Related to the Death or Disappearance of a Child?
For these leaves, a "parent" is defined as:

- A parent of a child;
- The spouse or common-law partner of a parent of a child;
- A person with whom the child was placed for the purposes of adoption;
- The guardian or foster parent of a child; or,
- A person who has the care, custody or control of a child, and is considered to be like a close relative, whether or not they are related.

Can employees be terminated or laid off for taking a leave provided by The Employment Standards Code?
No. Employers cannot terminate or lay-off employees because they have taken or requested a leave. Employers may not discriminate or attempt to punish employees for taking a leave.

Do employees get paid when on leave?
No. Employers are not required to pay wages to employees while on leave. For all leaves, the legislation only requires employers to provide the time off and allow employees to return to their job when the leave has ended. Employers can, and often do, give greater benefits than those provided for in the legislation. However, other federal programs may provide income replacement. Employees should contact the federal government to find out what types of leaves have income replacement. The only exceptions under *The Employment Standards Code* where an employer is required to pay a portion of a leave is under the Domestic Violence Leave and the COVID-19 Vaccination Leave.
Are there programs to pay employees while on leave?
The federal government has income support programs to cover certain types of leave. To learn more, call Service Canada toll-free at 1 800 O-Canada (1-800-622-6232).

What if the employee's job is no longer available?
Generally, employees should be returned to the job they had before the leave. However, if the job is no longer available, they must be given a similar position with the same or greater benefits and pay. There may be some situations where employers do not have a position available for reasons completely unrelated to the leave. For example, employees who are on unpaid leave would not necessarily be protected from losing their jobs if the employer shut down part of their operations and reduced their workforce based on a seniority system. Employers must show the leave has no impact on the decision to lay–off or terminate the employment.
What if the employer refuses to bring the employee back to work?
Employees must be allowed to return to their job, or a comparable job, with the same or greater pay and benefits when they return from leave. Employees who are not reinstated by their employer can file a complaint with Employment Standards no later than six months after the date the employee should have been reinstated.
How does an unpaid leave affect vacations?
An employee's vacation entitlement remains the same as prior to the leave and cannot be reduced because they have taken a leave. An employee may also defer taking vacation. See the Vacations & Vacation Pay page for details on earning and paying vacation.
What happens to pension and other benefits while an employee is on leave?
Employment is considered continuous during a legislated leave of absence from work. This means an employee is still employed, though not earning wages for the period of the leave. When employees return from the leave, they are still entitled to any pension and other benefits they had before the leave. As well, their years of service include the time away on the leave.
What is a period of employment?
The period of employment is the length of time from when an employee starts working for an employer until the day the employment ends. The period of employment also includes periods of temporary interruption in employment (a layoff, an unpaid leave), seasonal employment, and when an employee returns to work for the same employer after a break of less than two months. Employees who work in a seasonal industry and return to work with the same employer each season have continuous service. Each consecutive season they return adds one more year of service to their total period of employment.
Layoffs and Periods of Employment
It is important to know how to determine an employee's period of employment because wages in lieu of notice is based on their length of employment. When layoffs are longer than 8 weeks in a 16-week period, they become terminations and wages in lieu of notice is required. The employment is deemed to have been terminated without notice on the first day of the layoff. The actual date on which a layoff began does not change because a state of emergency is declared or a state of emergency ends. For example:

- If an employee was laid off on February 18, 2020 and the layoff eventually became a termination, the period of employment will be deemed to have ended on February 18, 2020.
- However, if an employee was laid off on July 8, 2020 and the layoff eventually became a termination, the period of employment will be deemed to have ended on July 8, 2020.

For more information contact Employment Standards:
Phone: 204-945-3352 or toll free in Canada 1-800-821-4307
Fax: 204-948-3046
Website: **www.manitoba.ca/labour/standards**
This is a general overview and the information used is subject to change. For detailed information, please refer to current legislation including The Employment Standards Code, The Construction Industry Wages Act , The Worker Recruitment and Protection Act, or contact Employment Standards.

INJURIES AT WORK

Hurt at Work? We're here to help.

The WCB is no fault insurance - no matter how you were injured.
File a claim. Take these three steps to get help:

1. **Tell your supervisor**
2. **Get medical help**
3. **Call the WCB at 204-954-4321 or 1-855-954-4321 8 a.m. - 7 p.m., Monday to Friday**

www.wcb.mb.ca

HUMAN RIGHTS CODE

THE MANITOBA HUMAN RIGHTS COMMISSION
LA COMMISSION DES DROITS DE LA PERSONNE DU MANITOBA

Fact Sheet: Discrimination is prohibited by The Human Rights Code

What is discrimination?
Discrimination under *The Human Rights Code ("The Code")* is treating a person or group differently, to their disadvantage and without reasonable cause, on the basis of a group characteristic, such as ancestry, sex or disability.

Failure to reasonably accommodate a special need that is based on a protected characteristic, such as disability or religion, is also discriminatory. Harassment based on a protected characteristic, such as sexual orientation, and sexual harassment is prohibited as well.

The Code prohibits unreasonable discrimination in all aspects of employment, in housing, in the provision of services or contracts and in signs and notices. In determining whether discrimination has taken place, it is the effect and not the intention that is important.

What are the protected grounds under The Code?
The Code prohibits discrimination based on the following characteristics:

- ancestry, including race and colour;
- nationality;
- ethnic origin;
- religion;
- age;
- sex, including pregnancy and gender identity;
- gender-determined characteristics;
- sexual orientation;
- marital or family status;
- source of income;
- political belief; and
- physical or mental disability.

In addition to these listed characteristics, *The Code* prohibits discrimination that is based on other group stereotypes, rather than on individual merit. For example, the Manitoba Human Rights Commission accepts complaints on the basis of criminal record or disadvantaged social condition.

What is The Human Rights Code?
The Code is the provincial human rights law that protects individuals and groups in Manitoba from discrimination. It is administered by the Manitoba Human Rights Commission, and sets out a process for filing a human rights complaint. There is no charge for filing a human rights complaint or for seeking advice about a human rights concern. *The Code* has special status over all other laws of the Province of Manitoba.

This information is a simplified description of provisions under *The Human Rights Code.*
For more information, please consult *The Code*, or contact the Manitoba Human Rights Commission.

7th Floor, 175 Hargrave Street, Winnipeg MB Tel: 204 945-3007 Toll Free 1-888-884-8681
Fax: 204-945-1292 TTY: 1-888-897-2811 Email **hrc@gov.mb.ca** **www.manitoba.ca/hrc** September 2009

WORKPLACE VIOLENCE

SAMPLE VIOLENCE PREVENTION POLICY
The following example of a violence prevention policy will provide practical guidance on developing a policy for your workplace. This sample is generic and written for distribution within a fctitious organization called XYZ Company. Therefore, it will not address all of the risks identifed in your risk assessment or reflect the work that you do. *Be sure to add, remove or change the information in the following example to make it specifc to your workplace.*

Company commitment
At XYZ Company, we are committed to providing a safe work environment for all of our staff members. Management recognizes the potential for violence or threats against staff members. Actions have been taken to identify possible sources of violence and to implement a violence prevention program to eliminate or minimize risk.

What is violence?
As defned in Part 11 of the *Workplace Safety and Health Regulation*, M.R. 217/2006: "Violence" is the attempted or actual exercise of physical force against a person and any threatening statement or behaviour that gives a person reason to believe that physical force will be used against them.

Violence is against the law
Canada's Criminal Code prohibits violence. You have a right to live and work without being subjected to violence. This policy outlines what to do if you are subjected to threats or violence at work, or if you, as a manager or a worker, become aware of a violent situation.

Worker rights and responsibilities

- Workers are entitled to work free from violence.
- Workers are responsible for working together in a professional manner and resolving issues in a non-violent manner.
- Workers are to bring issues to their supervisor if they cannot be mutually resolved.
- Workers must report incidents of violence to their supervisor.
- Workers must co-operate in the investigation of a violent incident.
- Anyone who gives evidence or information in an investigation, or is involved in the process of investigation, must keep this information confdential, except when it is necessary to deal effectively with the issue.

Employer responsibilities

- The management at XYZ Company will ensure, as much as reasonably practicable, that no workers are subjected to violence in the workplace.
- Management will take corrective action with anyone under their direction who subjects a worker to violence.
- Management will not disclose the name of a complainant or the circumstances of a complaint to anyone except where disclosure is:
  - necessary to investigate the complaint
  - required to take corrective action, or
  - required by law.
- Any information that is disclosed (as above) will be the minimum required for the purpose.
- Management will ensure that all workers are aware of the risks of violence in the workplace and are properly trained and equipped to protect themselves.

XYZ Company's violence prevention policy is not intended to discourage or prevent anyone from exercising any other legal rights under any other law.
XYZ Company, its managers and its supervisors are responsible for creating a safe working environment that is free from violence. Anyone aware of violence in our workplace must immediately bring it to the attention of management so the issue can be addressed.

Where might violence occur?
At XYZ Company, workers in our reception and cash-handling areas have the highest risk of exposure to violence from customers and the public. The jobs and tasks associated with the highest risk of violence exposure include:

- cashiers, when handling money during cash transactions
- the accounting clerk, when completing cash pick-ups or drop-offs to cashiers, and during bank deposits
- the receptionist at the front reception desk, when greeting customers.

Steps to eliminate or reduce the risk of violence
XYZ Company assesses the risk for workplace violence annually, or more often if something in our workplace changes, or if a violent incident occurs. The reception area and cashier desks have been designed to minimize contact between our staff members and customers. The areas and furniture have been designed so that staff members can quickly remove themselves if a violent situation occurs. The cash-counting room is equipped with one-way glass and a swipe card. Security accompanies the accounting clerk when handling cash outside of the counting room. XYZ Company has a system for fagging individuals who have demonstrated increased risk for violent behaviours. Alerts will be placed in customer fles and the information shared with workers who are likely to encounter those customers. Notifcations of individuals who have been restricted from XYZ Company property are kept in the alert binder at reception. Reception and other relevant staff members will be informed of new alerts as they occur. Safe work procedures have been developed to inform and train workers about the risks of violence. Documented safe work procedures on violence prevention include:

- an emergency response plan for injured workers
- procedures for working alone or in isolation
- procedures for dealing with irate customers
- robbery prevention procedures
- procedures for handling money
- parking lot safety procedures.

Workers

- The violence prevention policy will be reviewed with all staff members at orientation.
- The plan for working alone or in isolation must be reviewed with all staff members who work alone. Workers must follow this plan and supervisors must ensure the plan is followed.
- All staff members receive personal safety and de-escalation skills training during their orientation.
- Help can be summoned by using the panic alarms installed under the reception desk and cashier work stations, or by other suitable methods.
- Radio or cell phone communication will be provided to all feld staff members.
- Personal alarms will be provided to all staff members going to high-risk areas or attending to high-risk clients.
- Prior to attending a high-risk area or client, appropriate procedures must be developed with your supervisor (check-in times, number of staff members, distress word, etc.).

Notification of risk
Any time there has been a change in the nature or extent of the risk of violence, XYZ Company will provide staff members with all of the information available, including personal information, within the limitations of the law; i.e., the minimum amount of information necessary to accomplish the purpose.

How to report incidents of violence

1. If the situation has or is likely to escalate into a physical act of violence, contact the police immediately.
2. Report all threats or acts of violence to your immediate supervisor.
3. The supervisor will notify the Manitoba Workplace Safety and Health Branch if the incident meets the defnition of a "serious incident" (as outlined under the section Process for Investigating Violent Incidents).
4. The worker and the supervisor will complete an Incident Report Form. The form must be completed for all incidents, whether the incident involves a threat or act of violence.
5. The supervisor will report all incidents of violence to the area director at XYZ Company as soon as possible, and will submit the Incident Report Form. The director will immediately notify human resources and the chief operating officer within 24 hours of receiving the Incident Report Form.

Incident investigation
When an incident of violence has occurred or could have reasonably been expected to have occurred, XYZ Company will take the following steps:

1. If the incident meets the defnition of a "serious incident" as defned in Part 2 of the WSH Regulation, the supervisor will immediately notify the Workplace Safety and Health Branch and the co-chairs of the safety and health committee.
2. The supervisor will advise any workers who may be at risk and will notify the area director of the incident.
3. The safety and health committee co-chairs, the supervisor and any other persons required will complete an investigation into the incident using the forms and tools in the investigation kit. The kit is located in the staff room, beside the frst aid kit.
4. All information available and relevant to the violent incident will be provided to the investigation team.
5. The investigation results will be summarized by the employer co-chair of the safety and health committee, and a copy of the report will be given to the supervisor, the area director, the chief operating officer and the safety and health committee.
6. The recommendations will be reviewed with the safety and health committee and documented on the Incident Report Form.
7. Progress on implementing any recommendations will be documented on the safety and health committee meeting minutes. Once the recommendations have been implemented, staff members will be notifed and it will be noted on the safety and health committee meeting minutes.

Annual report
Each investigation report will be included in the annual workplace violence report produced every April. The annual report on violence will be provided to the chief operating officer and the safety and health committee no later than June 1 of each year.

Follow up to a violent incident
Workers who have been victims of violence or have been affected by an incident of violence will be:

- encouraged to seek medical help from their healthcare providers or to seek referrals for post-incident counselling, if required
- given the opportunity to be examined by a doctor and transported to a medical facility, as required.

XYZ Company has an employee and family assistance plan that provides counselling and debriefng services for workers and their families. Staff members will keep all existing benefits while under treatment or counselling. If a worker gets medical help or misses work, both the employer and the worker must fle a report of injury with the Workers Compensation Board. The supervisor, area director and human resources director will review the incident and its effects and take reasonable steps to accommodate workers involved in the incident.

WORKPLACE HARASSMENT

SAMPLE HARASSMENT PREVENTION POLICY
The following example of a harassment prevention policy will provide practical guidance on developing a policy for your workplace. Be sure to add, remove or change the information in the following example to make it specific to your workplace.

Harassment prevention policy for: _____

Company commitment

At _____, we are committed to providing a safe and respectful work environment for all staff and customers. No one may be harassed and no one has the right to harass anyone else, at work or in any situation related to employment with this organization. This policy is a step toward ensuring that our workplace is a respectful and safe place for all of us, free from harassment.

What is harassment?
There are two main types of harassment. One type includes inappropriate conduct in any form about a person's:

- age, race
- creed, religion
- sex, sexual orientation
- marital status, family status, economic status
- political belief, association or activity
- disability, size, weight, physical appearance
- nationality, ancestry or place of origin

A second main type relates to what is sometimes referred to as "bullying" behaviour that may involve:

- repeated humiliation or intimidation that adversely affects a worker's psychological or physical well-being
- a single instance so serious that it has a lasting, harmful effect on a worker

Harassment may be written, verbal, physical, a gesture or display, or any combination of these. It may happen only once, but often happens repeatedly.

What is not harassment?
Reasonable actions by managers or supervisors to help manage, guide or direct workers or the workplace are not harassment. Appropriate employee performance reviews, counselling or discipline by a supervisor or manager is not harassment.

Employee rights and responsibilities
Employees are entitled to work free of harassment at _____. Employees have the responsibility to treat each other with respect. We ask that any employee who experiences harassment or sees another person harassed reports it to the appropriate person at _____.
Employees are responsible to co-operate in the investigation of a harassment complaint. Anyone who investigates or gives evidence in a complaint investigation is asked to keep details confidential until the investigation is complete. All employees have the right to file a complaint with the Manitoba Human Rights Commission.

Employer responsibilities
Management at must ensure, as much as possible, that no employee is harassed in the workplace. Management will take corrective action with anyone under their direction who harasses another person. Management will not disclose the name of a complainant or an alleged harasser or the circumstances of the complaint to anyone except where disclosure is:

- necessary to investigate the complaint
- a part of taking corrective action
- required by law

The harassment prevention policy at _____does not discourage or prevent anyone from exercising their legal rights.

_____, its managers and supervisors are responsible for keeping a safe work environment, free of harassment. If you are a manager and you become aware of harassment you must do everything in your power to stop it, whether or not a complaint is made. Courts presume that employers and managers are responsible for being aware of harassment in their organization and may penalize them accordingly. Managers who ignore harassment leave themselves and their employer open to legal consequences, and will be disciplined

at _____

Procedures applying to complaints of harassment
If you are harassed, the first thing to do is tell the person harassing you to stop, if you feel comfortable doing that. You can do this in person or in writing. If you feel unable to deal with him or her directly, you can speak to your supervisor or

_____ (identify a specific manager or designated member of a harassment committee).
There may be informal ways to handle your complaint. Your supervisor may speak to the harasser. Your supervisor may also arrange for mediation, in which a neutral third party helps the people involved reach an acceptable solution. If the informal route does not succeed

or is not appropriate, _____supports its employees in filing a formal complaint.
The complaint will be investigated thoroughly and promptly by an independent party (either within the organization or outside of it) trained to investigate such matters. The investigator will interview the complainant, the alleged harasser and any witnesses. When the investigation is complete, the investigator will provide a written report for management.

_____ (identify appropriate company manager) will inform the person who filed the complaint and the alleged harasser of the results of the investigation in a timely manner.

Corrective action for harassers
Employees who harass another person will be subject to corrective action by the employer. In most cases, the harasser will also be required to attend workplace behaviour training. If the investigation does not find evidence to support the complaint, no record will be kept in the file of the alleged harasser. When the investigation finds harassment occurred, the incident and the corrective action will be recorded in the harasser's personnel file.

Confdentiality
The company and its managers will not identify a complainant, an alleged harasser or any circumstances about a complaint, to anyone, except:

- when it is necessary in investigating the complaint
- if it is part of disciplinary action
- where required by law

Retaliation
Anyone who retaliates in any way against a person who has complained of harassment, given evidence in a harassment investigation or been found guilty of harassment, will be considered to have committed harassment and will be subject to corrective actions described previously.

Education

_____ commits to making sure all of its employees and managers learn about harassment and the company's harassment policy.

Monitoring

_____ will monitor this policy and make adjustments whenever necessary.

If you have any concerns with this policy, please bring them to the attention of _____(identify appropriate manager).

Note:

If the investigation does not find evidence to support the complaint, no record of the complaint, investigation or decision will go in the complainant's personnel file if the complaint was made in good faith.

JOINT HEALTH AND SAFETY COMMITTEES

WORKPLACE SAFETY AND HEALTH COMMITTEE "RULES OF PROCEDURE"

DEFINITION OF SAFETY & HEALTH ISSUES
As defined under the Workplace Safety & Health Act W210 [the Act], "health" means the condition of being sound in body, mind and spirit, and shall be interpreted in accordance with the objects and purposes of this Act; "safety" means the prevention of physical injury to workers and the prevention of physical injury to other persons arising out of or in connection with activities in the workplace.

The employer is responsible for providing a safe, healthy workplace. The Act requires that the employer in workplaces with twenty or more regularly employed workers to form a workplace safety and health committee. The committee is composed of worker and employer representatives, its purpose is to help the employer maintain a safe, productive, healthy work environment where risks to the workers safety, health and welfare is minimized or eliminated.

This cooperative approach to ensuring a safe and healthy work environment is an effective internal responsibility system (IRS).

Committee Function
The role of the committee is to help _____ *(Name of employer here)* and its workers prevent injuries and illnesses by helping them make the IRS effective.

_____ *(Name of employer here)* may delegate responsibilities to the committee. But, the committee is not expected to be a safety officer or enforce safety and health rules. In other words, the committee is not expected to make decisions about what is adequate to protect the safety and health of workers.

The committee's role is to advise and assist, not assume managerial functions. The committee cannot assume any of the legal obligations, duties, or responsibilities of either _____*(Name of employer here)* or the employees.

The committee should not be involved in disciplinary matters. Maintaining compliance and adequate levels of safety and health at work is the responsibility of _____ *(Name of employer here),*managers and supervisors. However, as an internal auditor of the IRS, the committee can inform *(Name of employer here)* about general problems with worker compliance and recommend corrective action.

_____ *(Name of employer here)* is responsible to ensure that all committee members are trained to fulfill their duties. Therefore, members are required to provide the employer with a copy of all certificates and/or documents confirming their attendance at committee training courses/workshops.

Committee Structure
The _____ *(Name of employer here)* must ensure that the committee is structured and maintained as required by law. All employees have a duty to help *(Name of employer here)* make the committee effective.

The committee shall have at least four, but not more than 12 members.

At least half the members must be members representing workers not involved in management.

All members of the committee will be provided with a copy of these "Committee Rules of Procedure" and a copy will also be posted on the workplace safety and health bulletin board for review by all workers.
Worker members of the committee shall be appointed in accordance with the constitution of the union which is the certified bargaining agent or has acquired bargaining rights on behalf of those workers, or where no union exists, persons elected by the workers they represent.

_____ *(Name of employer here)* must select employer members. Employer members must not outnumber worker members on the committee.

_____ *(Name of employer here)* may provide clerical support to the committee. Support personnel who are not committee members should not vote or participate unduly in committee deliberations.

Anyone, other than employer or worker members, who attend a meeting is considered a guest and therefore can only attend the meeting upon the invitation of the entire committee.

Committee Duties

- the receipt, consideration and disposition of concerns and complaints respecting the safety and health of workers;
- participation in the identification of risks to the safety or health of workers or other persons, arising out of or in connection with activities in the workplace;
- the development and promotion of measures to protect the safety and health and welfare of persons in the workplace, and checking the effectiveness of such measures;
- co-operation with the occupational health service, if such a service has been established within the workplace;
- co-operation with a safety and health officer exercising duties under this Act or the Regulations;
- the development and promotion of programs for education and information concerning safety and health in the workplace;
- the making of recommendations respecting the safety and health of workers;
- the inspection of the workplace at regular intervals;
- the participation in investigations of accidents and dangerous occurrences at the workplace;
- the maintenance of records in connection with the receipt and disposition of concerns and complaints and the attendance to other matters relating to the duties of the committee; and
- such other duties as may be specified in this Act or prescribed by Regulation:
- Committee recommendations will be by committee consensus and include a "risk-assessment" where applicable.
- Helping orientate new and inexperienced workers.
- Handling refusals to work under section 43(1) of the Act.

Co-chairperson Selection and Responsibilities

- The committee must have two chairpersons. The employer co-chair must be designated by _____ *(Name of employer here)* and the worker co-chair selected by worker members.
- Both co-chairpersons have the same rights and responsibilities, including the right to call and chair meetings. Co-chairs will alternate chairing meetings.
- Both co-chairpersons will work jointly, along with all committee members, to keep all workers informed of the committee's activities.
- Both co-chairs or their designates are responsible to carry out investigations as outlined in Part 2.9(1) of the Workplace Safety and Health Regulation 217/2006.
- Both co-chairs can call a "Special Meeting" to deal with matters of urgent concern.
- Both co-chairpersons are entitled to receive information sent to them by Manitoba Workplace Safety and Health and distribute it to workers.

Terms of Office

- Each committee member serves for a minimum of two years or by union constitution. Members may serve for more than one term.
- If a member does not want to serve on the committee anymore, that person should remain in office until someone is ready to take over.

Quorum at Meetings

- The quorum for committee meetings shall consist of one-half the employer members and one-half the worker members.

Scheduling of Regular Meetings

- The committee shall meet at least within every 90 days.
- The co-chairpersons will schedule the meetings and provide agendas to committee members.

Additional meetings
Either co-chairperson may call special and emergency meetings of the committee.

Meeting Minutes
The co-chairpersons must sign the minutes after each meeting. Within one week of each meeting, the *(Name of employer here)* should ensure that a copy is:

- posted in the workplace
- circulated to committee members
- kept on file for 10 years for future reference
- _____ *(Name of employer here)* shall provide the committee with a bulletin board in the workplace for posting minutes and safety and health information.
- Beyond this, the committee should work with _____ *(Name of employer here)* to continually maintain the effectiveness of the IRS.

Dealing with the Concerns of Workers

- The committee shall encourage workers to discuss their workplace safety & health concerns with their committee members and suggest practicable solutions.
- Workers should be reminded that their concerns need to be discussed with supervisors to attempt resolution at that level. If workers choose, they can request that the committee member speak to the supervisor regarding the concern on their behalf.
- Concerns that cannot be resolved at the supervisor level are then brought to the committee meeting for discussion.
- Methods include:
  - conversations
  - contacts during inspections and investigations
  - meetings

EMPLOYMENT INSURANCE

Employment Insurance (EI) provides regular benefits to individuals who lose their jobs through no fault of their own (for example, due to shortage of work, or seasonal or mass lay-offs) and are available for and able to work, but can't find a job. Always apply for EI benefits as soon as you stop working. You can apply for benefits even if you haven't yet received your record of employment. If you delay filing your claim for benefits for more than 4 weeks after your last day of work, you may lose benefits.

Do You Qualify?
The information below should be used as a guideline. We encourage you to apply for Employment Insurance (EI) benefits as soon as possible and let us determine if you're eligible.

You need to demonstrate that you:
- were employed in insurable employment
- lost your job through no fault of your own
- are affected by flooding or wildfires
- have been without work and without pay for at least 7 consecutive days in the last 52 weeks
- have worked the required number of insurable employment hours in the last 52 weeks or since the start of your last EI claim, whichever is shorter
- are ready, willing and capable of working each day
- are actively looking for work (you must keep a written record of employers you contact, including when you contacted them)

To prove your eligibility and to receive payments you may be entitled to, you're required to complete bi-weekly reports by internet or telephone. Failure to do so can mean a loss of benefits.

You may not be eligible for EI benefits
- if you voluntarily left your job without just cause
- if you were dismissed for misconduct
- if you're unemployed because you're directly participating in a labour dispute (for example, a strike, lockout or other type of conflict)
- during a period of leave that compensates for a period in which you worked under an agreement with your employer, more hours than are normally worked in full-time employment

If you're in jail
You're not entitled to receive EI benefits while you're confined to a jail, penitentiary or other similar institution.

If you've been incarcerated but are later found not guilty by a court of law on all counts in relation to the event that led to your incarceration, your qualifying period and benefit period may be extended upon providing necessary proof.

Once you've applied for EI benefits, you'll be asked to provide us with proof that you were confined to a jail, penitentiary or other similar institution and that you were not found guilty of the offence(s) from the event(s) for which you were being held.

For a qualifying period or benefit period to be extended, you'll be asked to submit the following documents:
- a letter from the institution where you were incarcerated, specifying the dates of your incarceration
- documentation showing that no other outstanding charge(s) in relation to the event(s) that originally led to the incarceration exist, to confirm the time served is not being credited to any other charge(s) in relation to the original event or any other subsequent event
- proof that you have not been found guilty of the charge(s) from the original event that led to your incarceration

Keep these documents in a safe place. We'll contact you and provide you with instructions on how to submit them.

You need at least 420 hours of insurable employment to qualify for EI
Number of hours of insurable employment required to qualify for EI
The qualifying period is the shorter of:
- the 52-week period immediately before the start date of your claim, or
- the period from the start of a previous benefit period to the start of your new benefit period, if you applied for benefits earlier and your application was approved in the last 52 weeks

Exception: In some cases, the qualifying period may be extended to a maximum of 104 weeks if you weren't employed in insurable employment or if you weren't receiving EI benefits.

Based on the unemployment rate in your area, you'll need between 420 and 700 hours of insurable employment during the qualifying period to qualify for regular benefits.

Information you need to apply

Make sure your information is accurate before submitting it. A common mistake, like misspelling your parent's last name at birth, can delay the processing of your claim.

Do not enter your parent's first name, married name, or date of birth.

To complete the online EI application, you will need the following information:
- your social insurance number (SIN)
- if your SIN begins with a "9," you will need to supply proof of your immigration status and work permit
- the last name at birth of 1 of your parents
- your mailing and residential addresses, including postal codes
- your complete banking information to sign up for direct deposit, including:
- the name of your financial institution
- your bank branch number
- your account number
- the names, addresses, dates of employment, and reason for separation for all your employers over the last 52 weeks
- your detailed version of the facts if you quit or were dismissed from any job in the last 52 weeks
- the dates, Sunday to Saturday, and earnings for each of your highest paid weeks of insurable earnings in the last 52 weeks or since the start of your last EI claim, whichever is the shorter of these 2 periods
- this information will be used, along with your record(s) of employment, to calculate your weekly EI benefit rate

1. When to apply
Apply as soon as you stop working. You can apply online at home, at any Service Canada Centre using one of the many Internet kiosks available, or at a public Internet access site, such as a public library. The website takes you step by step through the application process.

Records of employment

Missing records of employment (ROEs) can delay the processing of your claim.
- If your employer issues ROEs in paper format, you must request copies of all ROEs issued to you during the last 52 weeks and provide them to Service Canada as soon as possible after you submit your EI application. You must either drop off your paper ROEs in person at any Service Canada Centre or mail them to us—we cannot finalize your application until we receive them
- If your employer submits ROEs electronically to Service Canada, you do not need to request copies of your ROEs from your employers, and you do not have to provide copies to Service Canada

2. After you apply
You will receive a confirmation number electronically as proof that we received your application. Make note of this number and of the date you submitted your application for future reference.

Note: If you do not receive a confirmation number, call 1-800-206-7218 (TTY: 1-800-529-3742) from 8:30 am to 4:30 pm Do not complete another online application.

3. Receiving your EI benefits
The benefit statement is mailed to you shortly after you apply for benefits. The statement includes your access code (4 digit number), which is printed in the shaded area at the top of the benefit statement. Your access code is needed to submit your required bi-weekly reports and to get information about your claim. You are required to complete bi-weekly reports to prove your eligibility and to receive any payment you may be entitled to. Failure to do so can mean a loss of benefits. Access the instructions on when and how to complete your reports with our Internet Reporting Service or our Telephone Reporting Service.

Note
- If you had an EI claim within the last month, you will not receive a new access code in the mail. You can use the same access code that you previously used to complete your bi-weekly reports and access your EI claim information
- Keep in mind that receiving the EI benefit statement does not mean that your application has been approved

Get information about your EI claim through My Service Canada Account

Register for My Service Canada Account to access your EI information online. My Service Canada Account is a fast and convenient way to securely:
- view any decision made about your EI application
- sign up for direct deposit
- see details on your payments and deductions
- view and update your personal information, including changing your address
- view and print copies of your T4E tax slip
- view records of employment that your employers have submitted electronically in the last 2 years
- access sites that can help you find a job

Register for My Service Canada Account using the step-by-step instructions

Tips for job seekers
Looking for a job but don't know where to start?
Check out the information at Service Canada to help you choose a career, get training and upgrade your skills, look for a job, or start a business.

For labour market information in regions all across Canada, visit the Job Bank. This website provides information on job descriptions, job and skills requirements, training availability, potential employers, and more.

To continue receiving EI benefits, you must be looking for work. You must also report any time that you are not capable of working or not available for work through your bi-weekly reports. Service Canada may ask you which employers you have contacted, it is important to keep a record of your job-search activities. You should keep a log of the names of all employers you visited or contacted, their addresses and phone numbers, and the dates you visited or contacted them. You should also keep a record of all the employers where you have applied or plan to apply for employment. Before you submit your EI application online, you will be given a complete list of your rights and responsibilities while you are receiving EI benefits.

EMPLOYMENT STANDARDS

A Quick Guide to Employment Standards
The Employment Standards Code provides employers and employees with information regarding minimum wage standards, protection for young workers, paying wages and more.

What is Employment Standards?
Employment Standards is a government program under Manitoba Finance. It administers laws on minimum wages, hours of work, holidays and other workplace entitlements and responsibilities. The program enforces *The Employment Standards Code, The Construction Industry Wages Act, The Remembrance Day Act, The Worker Recruitment and Protection Act*. It also investigates complaints about violations of these laws.

**Who is covered by the Employment Standards laws in