

Labour Relations at work

LABOUR STANDARDS ACT HIGHLIGHTS FOR EMPLOYEES AND EMPLOYERS

Wages:

- The current minimum wage is \$11.15 per hour.
The current minimum overtime wage is \$16.73 per hour.

Notice of Termination:

Notice of termination must be given by either party wishing to terminate employment. Written notice or pay in lieu of notice is required as follows:

- 1 week notice—where employed 3 months or more but less than 2 years
- 2 weeks notice—where employed 2 years or more but less than 5 years
- 3 weeks notice—where employed 5 years or more but less than 10 years
- 4 weeks notice—where employed 10 years or more but less than 15 years
- 6 weeks notice—where employed 15 years or more

Illegal Provisions/Deductions:

- An employer cannot require an employee to purchase property of the employer (e.g. uniforms) or specify how the employee is to spend any part of the wages earned (e.g. reimbursement of cash shortages).
- An employer can only make certain deductions as specified in the *Labour Standards Act*. If an employee damages an employer's product, property, or has an outstanding account with the employer, the employer cannot recover his or her loss by deducting from wages, but would have to take alternative measures to recover such sums.

Accommodations:

A contract of service may contain a provision requiring an employee to live within premises under the control of the employer, and permitting the employer to deduct from wages reasonable rental payments or charges for that part of the premises occupied.

Vacations:

After 12 months of continuous employment, an employee is entitled to 2 weeks annual vacation paid at a rate of 4% of the total wages earned in that 12 month period. An employee not entitled to annual vacation is entitled to vacation pay in the amount of 4% of total wages if he or she has worked for 5 days or more. Separate rules apply to employees with 15 years or more continuous employment.

Labour Standards Division
Confederation Building
P. O. Box 8700
St. John's, NL A1B 4J6
Tel: 709-729-2742
Fax: 709-729-3528

Labour Standards Division
P. O. Box 2006
1-3 Union Street
Corner Brook, NL A2H 6J8
Tel: 709-637-2364
Fax: 709-637-2592

Toll Free: 1-877-563-1063

Tips:

Tips are the property of the employee to whom or for whom they are given. Employers cannot require an employee to share a tip with an employer, a manager or supervisor of the employee or an employer's representative.

Public Holidays:

There are 6 paid public holidays to which employees may be entitled:

New Year's Day, Good Friday, Memorial Day, Labour Day, Remembrance Day and Christmas Day.

Rest Periods:

With some exceptions, an employee is entitled to a 24 consecutive hour rest period each week.

With some exceptions, an employee is entitled to a 1 hour rest period following each 5 consecutive hours worked.

With some exceptions, an employee shall be granted 8 consecutive hours off work in each 24 hour period.

Pregnancy, Adoption and Parental Leave:

An employee who has been employed for 20 consecutive weeks with the same employer is entitled to 17 weeks pregnancy leave or adoption leave and 61 weeks parental leave without pay.

Sick/Family Responsibility Leave:

After working with the same employer for a continuous period of 30 days, an employee is entitled to 7 days of this unpaid leave in a year. Where the leave is 3 or more consecutive days, an employee must provide a certificate from a qualified medical practitioner for sick leave, or a written explanation in the case of family responsibility leave.

Bereavement Leave:

After working with the same employer for a continuous period of at least 30 days, an employee is entitled to 1 day paid leave and 2 days unpaid leave in the event of the death of certain family members. An employee who does not meet these eligibility requirements is entitled to 2 days unpaid leave in the event of the death of certain family members.

Compassionate Care Leave:

An employee who has been employed by the same employer for at least 30 days is entitled to up to 28 weeks of unpaid compassionate care leave to be taken within 52 weeks to provide care or support to a family member where a legally qualified medical practitioner issues a certificate stating that the family member has a serious medical condition with a significant risk of death within 26 weeks.

This document is intended for general information only and is not legal advice. It is current as of October 1, 2017. Where there is a variation between these guidelines and the ***Labour Standards Act***, the ***Labour Standards Act*** shall prevail.

Additional information on the *Labour Standards Act* can be obtained as follows:

Telephone: 709-729-2742 (St. John's)
709-637-2364 (Corner Brook)
1-877-563-1063 (Toll Free)

Email: labourstandards@gov.nl.ca

Website: www.gov.nl.ca/aesl

