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Please download once the test is completed and

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**You CANNOT WORK until you have done
WHMIS and Health & Safety!**



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The Agency

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Table of Contents	Page
Welcome	4
Health And Safety Policy	5
Safe Work Practices	6
Workplace Injuries	7
Right to refuse unsafe work	8
Young workers	11
Forklift Safety in the workplace	12
Hazard Reporting	14
Accessibility for Ontarians with Disabilities Act (AODA)	16
What you should know about The Employment Standards Act	18
Employment Standards Rights for Temporary Help Employees	19
Hours for work and overtime pay	23
Violence and Harassment Policy	25
The Agency Employee Agreement	27
Timecard Instruction	33
Easy Stub– Access your pay stub online	35

Welcome to The Agency

How does The Agency work?

The Agency serves local companies and businesses in need of workers. Our job is to find the right people, with the skills and experiences to meet the needs of our customers.

Businesses contact The Agency for assistance in filling vacant positions. The Agency has a pool of people that are looking for work and we use this data base to match the individual to the job opportunity. These positions can be temporary or permanent, part-time or full-time. Often temporary work through The Agency can lead to full-time, permanent work.

There is no cost whatsoever to work through The Agency. The Agency generates income by charging the business requiring the worker a fee for the service. The worker's wage is set by the client company and Agency employees are paid accordingly. The only wage deductions made on an employee's paycheque are those required by law; Income tax, CPP and EI.

An individual scheduled to work through The Agency is an employee of The Agency and is, therefore, on the payroll of The Agency. The Agency provides T4's at year-end and Records of Employment.

Before you begin work:

Before you begin work through The Agency, there are a few things we will need from you:

- A signed copy of the Agency Employee Agreement.
- A Completed TD1 form and TD1ON—a government form required for income tax purposes. It must include your date of birth and social insurance number
- Your bank information in the form of a voided cheque or direct deposit form from you bank. We pay by direct deposit only.
- Emergency contact information.
- Current contact information.
- Two references and your permission to call them.
- Health and Safety Training – provided by The Agency.

Please keep us informed of any changes to your information.

Your resume may be shared with our client companies

The Agency Health and Safety Policy

The Agency is vitally concerned and interested in the health and safety of our employees and associates. We will make every effort to provide a safe and healthy work environment, free from accidents, injury and occupational disease. All team members, at all levels, are obligated to adhere to The Agency's continuing objective of reducing risk of injury and must report all unsafe and unhealthy working conditions, including their assigned workplaces.

As an employer, The Agency is ultimately responsible for the health and safety of our associates. We give you our personal promise that every reasonable precaution will be taken for the protection of all associates in order to provide and maintain a safe and healthy work environment that meets or exceeds all legislated and industry standards. We will apply the continuous improvement process to health and safety and will strive to control or eliminate all reasonably foreseeable hazards that may result in accidents, personal injury/illnesses, fires, security losses or other property damage.

The company to which you have been sent to work will be held accountable for the health and safety of workers under their supervision. Their supervisors are responsible to ensure that machinery and equipment are safe and that workers work in compliance with established safe working practices and procedures. Associates must receive adequate training in their specific work tasks to protect their health and safety.

Every worker is responsible for their own and others health and safety and must consider health and safety in every activity. The worker must protect his or her own health and safety by working in compliance with the law and safe work practices and procedures established by The Agency and those of your work place.

The company, management, employees, associates, guests, contractors, and subcontractors all share responsibility for accident prevention, therefore we must be dedicated to, and demonstrate behaviour that supports a strong, proactive safety improvement process. We all must lead by example, placing safety ahead of everything else we do.

Safe Work Practices:

A Worker has the right to:

- Refuse unsafe work.
- Know about the hazards to which they might be exposed.
- Participate in keeping your workplace healthy and safe.

A Worker must:

- Know the location of the first aid station.
- Complete WHMIS training (see video, write test)
- Know the location of MSDS
- When applicable, receive training in the handling of hazardous materials used at their workplace assignment before using the controlled substance.
- Handle hazardous materials in a safe manner
- Long hair that touches the shoulder or longer must be suitably confined when near machinery or other equipment with rotating parts, or other sources of entanglement. Reference OSHA regulations for Industrial Established (Reg 851) Section 83
- Report all injuries, no matter how minor, before the end of the shift. (Reference Workplace Safety and Insurance Board)
- Report all near miss accidents, property damage, and unsafe conditions to management. (Reference Occupational Health and Safety Act Section 28 (1)c)
- Report unsafe conditions, violations of the act or regulations to your workplace supervisor or management and The Agency as quickly as possible.
- Properly wear any protective equipment that the job requires
- Work safely and do not do anything on the job that would endanger yourself or others, do not participate in horseplay
- Approved industrial safety glasses must be worn at all times in any plant area
- Ear protection must be worn at most customer facilities
- CSA approved steel-toed shoes or boots are mandatory footwear for all plant work. They must be in good condition and intact. Ref OSHA-sec 28 (1)b

- Shirts must be tucked in when working near equipment, jackets/coats/sweaters/long sleeved shirts must be fastened to ensure that flapping clothing is not exposed to moving parts. (Pants with large holes, pockets or loops on the legs are not allowed. Ref OSHA reg 851-sec 85 (a)&(b))
- Do not remove or tamper with any protective device
- Use or wear all and any safety equipment and/or protective device required by work place or employer
- Compressed air must not be used to clean clothing, floor areas, or equipment unless specified. Proper PPE and procedures must be used to blow off equipment to ensure personnel are not injured by flying debris or exposed to respirable materials. Ref OSHA reg 851-sec 66
- No worker shall operate any equipment, machine, device or thing or work in a manner that may endanger himself, herself, or any other worker. Ref OSHA sec 28 (2) a&b

Workplace Injuries

If you are injured at work:

- **Get first aid immediately, if needed.**
- **Tell your supervisor on the job site and The Agency as soon as possible.**

If you are injured at work or believe that your illness/disease was caused by something at work, tell The Agency and your supervisor on the job site as soon as possible. It is very important that workplace injuries are handled in a timely manner.

The Agency is responsible for reporting your injury or occupational disease to the Workplace Safety and Insurance Board (WSIB) within three days of the injury, if it involves health care treatment, time away from work or lost wages.

The Agency will also:

- Arrange and pay for transportation to get medical care if it is needed.
- Pay your wages for the day the injury happened.

The Right to Refuse Unsafe Work

The *Occupational Health and Safety Act* gives workers the right to refuse work that he or she believes is unsafe.

The Act sets out a specific procedure that must be followed in a work refusal. It is important that workers, employers, supervisors and health and safety representatives understand this procedure.

Do all workers have the right to refuse unsafe work?

Yes, but for some workers this right is limited. Certain workers who have a responsibility to protect public safety cannot refuse unsafe work if the danger in question is a normal part of the job or if the refusal would endanger the life, health or safety of another person. These workers are:

- Police officers;
- Firefighters;
- Workers employed in correctional institutions; and
- Health care workers employed in workplaces like hospitals, nursing homes, psychiatric institutions, rehabilitation facilities, residential group homes for persons with physical or mental handicaps, ambulance services, first-aid clinics, licensed laboratories, or in any laundry, food service, power plant or technical service used by one of the above [section 43(2)]

When can a worker refuse to work?

A worker can refuse to work if he or she has reason to believe that one or more of the following is true:

- Any machine, equipment or tool that the worker is using or is told to use is likely to endanger himself or herself or another worker [section 43(3)(a)]

- The physical condition of the workplace or workstation is likely to endanger the worker *[section 43(3)(b)]*
- Any machine, equipment or tool that the worker is using, or the physical condition of the workplace, contravenes the Act or regulations and is likely to endanger himself or herself or another worker *[section 43(3)(c)]*

What happens when a worker refuses unsafe work?

The worker must immediately tell the supervisor or employer that the work is being refused and explain why *[section 43(4)]*.

The supervisor or employer must investigate the situation immediately, in the presence of the worker and contact one of the following:

- a joint committee member who represents workers, if there is one. If possible, this should be a certified member; or
- a health and safety representative, in workplaces where there is no joint committee; or
- another worker, who, because of knowledge, experience and training, has been chosen by the workers (or by the union) to represent them.

The refusing worker must remain in a safe place near the workstation until the investigation is completed *[section 43(5)]*. This interval is known as the "*first stage*" of a work refusal. If the situation is resolved at this point, the worker will return to work.

What if the refusing worker is not satisfied with the result of the investigation?

The worker can continue to refuse the work if he or she has reasonable grounds for believing that the work continues to be unsafe *[section 43(6)]*. At this point, the "*second stage*" of a work

What happens if a worker continues to refuse to work?

The worker, the employer or someone acting on behalf of either the worker or employer must notify a Ministry of Labour inspector. If the inspector is satisfied that the worker has the legal right to refuse unsafe work and that the stage one investigation has been properly completed, the inspector will come to the workplace to investigate the refusal.

If there is a worker committee member, a worker health and safety representative or a worker selected by the worker's trade union or, if there is no trade union, by the workers to represent the worker, they will also be consulted as part of the inspector's investigation [section 43(7)].

While waiting for the inspector's investigation to be completed, the worker must remain in a safe place near the workstation, unless the employer assigns some other reasonable work during normal working hours. If no such work exists, the employer can give other directions to the worker. If the worker is covered by a collective agreement, any provision in it that covers this situation will apply [section 43(10)].

The inspector must decide whether the work is likely to endanger the worker or another person. The inspector's decision must be given, in writing, to the worker, the employer, and the worker representative, if there is one. If the inspector finds that the work is not likely to endanger anyone, the refusing worker is expected to return to work [sections 43(8) and (9)].

Can another worker be asked to do the work that was refused?

Yes. While waiting for the inspector to investigate and give a decision on the refusal, the employer or supervisor can ask another worker to do the work that was refused. The second worker must be told that the work was refused and why. This must be done in the presence of a committee member who represents workers, or a health and safety representative, or a worker representative chosen because of knowledge, experience and training [sections 43(11) and (12)].

The second worker has the same right to refuse as the first worker.

Young Workers

Young workers between 15 and 24 are more likely to be hurt on the job. If you are a young worker, please read the pamphlet [7 Things You'd Better Know to Work Smart! Work Safe!](#), included with this booklet. Also, please visit the Young Workers Awareness Program web site at www.yworker.com or call 416 344-1016 or 1-800-663-6639 for more information.

Health & Safety

Forklift Safety in the Workplace

The Agency is vitally concerned and interested in the health and safety of our employees. Incidents involving powered lift trucks have the potential to cause serious injury and/or damage. All employees shall operate powered lift trucks in a safe manner at all times.

When operating a powered lift truck, employees must comply with the following:

- No part of a load must pass over any worker
- A lift truck left unattended must be immobilized and secured against accidental movement and forks, buckets, or other attachments must be in the lowered position or firmly supported
- No load may exceed the maximum rated load and all loads must be handled in accordance with the height and weight restrictions on the vehicle's load chart
- When a load is in the raised position, an operator must attend the controls
- If an operator does not have a clear view, a signaler who has been instructed in a code of signals for managing traffic in the workplace must be used
- Loads must be carried as close to the ground or floor as the situation permits
- Loads that may tip or fall and endanger a worker must be secured
- Where a lift truck is required to enter or exit a vehicle to load or unload, that vehicle must be immobilized and secured against accidental movement

A lift truck must not be used to support, raise or lower a worker, unless the work is carried out in accordance with Regulation 851 (Section 52), which requires that there be a properly designed equipment platform with appropriate controls.

- Barriers, warning signs, designated walkways or other safeguards must be provided where pedestrians are exposed to the risk of collision

In addition to the safe operating procedures above, employees will ensure that a truck inspection has been carried out at the beginning of the truck operator's shift. The inspection should cover:

- Fork condition and wear
- Tire condition and pressure
- Fluid and fuel levels
- Battery condition and electrolyte levels
- Steering, brake and limit switch operation
- Cleanliness
- Inspection of the chains and mast
- Inspection for evidence of damage or leaks
- Inspection of the condition of the lift mechanism

Any and all defects must be reported to the operator's supervisor immediately.

Each powered lift truck should be equipped with the following:

- A suitable screen, guard, grill or other structure to protect the operator from falling or intruding materials
- Warning devices and lights that are appropriate for the work environment; and
- A seat belt or other restraining device that is likely to contribute to the safety of the operator, if it is feasible

Additional rules and policies for the operation of powered lift trucks may be established by the specific workplace in which the employee is assigned. Employees of The Agency are expected to adhere to these rules and policies at all times, except where compliance would result in accident or injury.

Hazard Reporting

A hazard is a condition, practice or substance with the potential for causing loss, injury or harm to life, health or property.

A hazard may occur from what people do or from their working conditions.

It is the duty of all employees to report hazards to their manager/supervisor. This should be done using the Hazard Reporting Form available at The Agency. All hazards will be identified as major, moderate or minor as defined here, and will be dealt with in priority sequence.

- Major hazards** are defined as those with a high risk potential. They are serious or significant hazards, and should receive high priority for immediate controls or elimination.
- Moderate hazards** are defined as those with medium risk potential and require controls as soon as possible
- Minor hazards** are defined as those with low risk potential and require controls after any higher priority hazards have been addressed

Upon discovery of a hazard, any employee of The Agency should proceed as legislated under Ontario's Occupational Health and Safety Act where a worker is required to:

- report to his or her employer or supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger himself, herself or another worker
- report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows.

This means if you know there is a problem or hazard with the work you're assigned or if you notice something wrong that could hurt someone else, you have a legal duty to tell your boss.

Hazards should be reported immediately, using the Hazard Reporting form. Verbal reporting should be followed up as soon as possible by completion of the reporting form, copies to be provided to Account Manager and Health & Safety Representative.

- **If the hazard is minor** and can be corrected in a healthy and safe manner by the employee or supervisor they should proceed and then record the action taken on the back of the Hazard Reporting Form.
- Distribute the completed form to your supervisor with copies being given to the Account Manager and the Health & Safety Representative/Joint Health and Safety Committee.
- The supervisor/account manager will complete a copy of the OSSA Workplace Hazard Analysis Form to assess and rate the hazard.
- **If the hazard is moderate or major**, the employer, supervisor with the assistance of the Health and Safety Coordinator, will be required to provide a response with the immediate action taken at the time of report, within 21 days of receiving the report, including the development and implementation of Health and Safety Controls and Safe Operating Procedures.
- Copies of responses will be sent to the employee reporting the Hazard, the Joint Health and Safety Committee, the Senior Management Team, and to the Health and Safety Coordinator for record keeping purposes.

A Hazard Reporting Form is available at The Agency and our website.

<http://www.theagencyhelps.com/hazard-reporting-form/>

Accessibility for Ontarians with Disabilities Act (AODA)

Policy

The Agency is committed to diversity and accessibility. This Policy sets out our company values and customer service standards, as it relates to people with disabilities.

Communicating with Customers with Disabilities

We, at The Agency, will communicate in a manner that takes in to account the customer's disability. This may mean, for example, providing information in an alternate format such as large print, or it may mean sending an electronic copy of a document that can be read with a screen reader.

Providing Goods and Services to Customers with Disabilities

We, at The Agency will strive to provide goods and services in a manner that respects both the dignity and independence of each individual. Provision of our goods and services to customers with disabilities is integrated (wherever possible), with those provided to customers without disabilities. Customers with disabilities are given an opportunity, equal to that of customers without disabilities, to obtain, use or benefit from The Agency's goods and services wherever possible.

Assistive Devices

A customer with a disability may provide their own assistive device for the purpose of obtaining, using and benefiting from The Agency's goods and services. Alternatively, The Agency may offer other types of assistance, as available and suitable to the situation.

Service Animals

Customers with a disability may enter The Agency offices accompanied by a service animal, and may keep the service animal with them. If there is any question that the animal is not a service animal, the person with a disability may be required to get a letter from a medical provider, confirming the need of the animal, as relates to their disability.

Support People

Customers with a disability may enter The Agency offices accompanied by a support person, and have access to their support person while on the premises. If a potential safety hazard exists, The Agency may request that a customer with a disability be accompanied by a support person while on their premises.

Training for Customers with Disabilities

The Agency will ensure that all people, to whom this policy applies, receive training as required by the Accessibility Standards for Customer Service (Ontario Regulation 429/07). Training will include:

- 1) The purpose and requirements of the accessibility standards for customer service;
- 2) How to interact and communicate with customers who have various types of disabilities or who require assistive devices, service animals, or support people;
- 3) How to use assistive devices provided by The Agency, to help customers with disabilities access goods & services;
- 4) What to do if a customer with a disability is having difficulty accessing The Agency's goods and services; and instruction on The Agency's policies, procedures and practices pertaining to customers with disabilities;
- 5) Provision of Documents and Information and Communication in Accessible Formats.

Ministry
of Labour

Employment Standards in Ontario

The *Employment Standards Act, 2000* (ESA) protects employees and sets minimum standards for most workplaces in Ontario.

Employers are prohibited from penalizing employees in any way for exercising their ESA rights.

**FAIR AT
WORK
ONTARIO**

What you need to know

Minimum wage

Most employees are entitled to be paid at least the minimum wage. For current rates visit: Ontario.ca/minimumwage.

Hours of work and overtime

There are daily and weekly limits on hours of work, and rules around meal breaks, rest periods and overtime.

Public holidays

Ontario has a number of public holidays each year. Most employees are entitled to take these days off work and be paid public holiday pay.

Vacation time and pay

Most employees earn vacation time after every 12 months of work. There are rules around the amount of vacation pay an employee earns.

Termination notice and pay

In most cases, employers must give advance written notice when terminating employment and/or termination pay instead of notice.

Leaves of absence

There are a number of job-protected leaves of absence in Ontario. Examples include pregnancy, parental, family caregiver, personal emergency leave (paid and unpaid) and sexual and/or domestic violence leave (paid and unpaid).

Learn more about your rights at:

Ontario.ca/employmentstandards

1-800-531-5551 or TTY 1-866-567-8893

 @ONlabour  @OntarioMinistryofLabour

Other employment rights, exemptions and special rules

There are other rights, exemptions and special rules not listed on this poster including rights to severance pay and special rules for assignment employees of temporary help agencies.



Subscribe to stay up-to-date on the latest news that can affect you and your workplace:
Ontario.ca/labournews

Your Employment Standards Rights – Temporary Help Agency Assignment Employees

Disclaimer: This resource has been prepared to help employees and employers understand some of the minimum rights and obligations established under the Employment Standards Act, 2000 (ESA) and regulations. It is not legal advice. It is not intended to replace the ESA or regulations and reference should always be made to the official version of the legislation. Although we endeavor to ensure that the information in this resource is as current and accurate as possible, errors do occasionally occur. The ESA provides minimum standards only. Some employees may have greater rights under an employment contract, collective agreement, the common law or other legislation. Employers and employees may wish to obtain legal advice.

This information sheet gives a summary of the [Employment Standards Act, 2000](#) (ESA) rights for assignment employees of temporary help agencies. The ESA is a law that sets minimum standards in most Ontario workplaces, such as the minimum wage, limits on hours of work, overtime pay, vacations, and unpaid leaves from work for certain reasons. Special rules and exemptions may apply depending on what kind of work you do. For more information visit Ontario.ca/ESAguide.

Assignment employees of a temporary help agency

You are an assignment employee of a temporary help agency if you and the agency have agreed that it will place or try to place you on temporary work assignments with a client business (or client businesses) of the agency. You have an employment relationship with the agency even when you are not on an assignment with a client business of the agency.

Right to public holidays and public holiday pay

Ontario has nine public holidays. Generally, if you are on an assignment and the public holiday falls on a day when you would ordinarily be working, you have a right to take the public holiday off work and to be paid public holiday pay for that day. Public holiday pay is generally your gross regular wages earned in the pay period before the public holiday, divided by the number of days you worked in that period.

If you agree in writing, including electronically, to work on the holiday, you then have the right to public holiday pay plus premium pay (at least one and one-half times your regular rate of pay), or your regular rate of pay plus a substitute day off with public holiday pay.

For further information on public holidays, please see the "Temporary Help Agencies" chapter in *Your Guide to the Employment Standards Act, 2000*, available at Ontario.ca/ESAguide.

Right to notice of termination and severance pay

If you have been employed by a temporary help agency for at least three months, you generally have a right to receive notice of termination if the agency ends (terminates) your employment relationship. You may get notice while you are working, pay instead of working notice, or a combination of both. Generally, the minimum notice you must get ranges from one week (if you have been employed for at least three months but less than one year) to eight weeks (if you have been employed for eight years or more). Your notice entitlement is determined by how long you are employed by the agency, not the length of time you have been working on assignments at the agency's client business(es).

Different rules apply to a mass termination when 50 or more assignment employees are terminated within the same four-week period.

If you have been an employee of an agency for five or more years, you may also have a right to severance pay if the agency ends (severs) your employment.

For further information on notice of termination, mass termination and severance pay, please see the "Temporary Help Agencies" chapter in *Your Guide to the Employment Standards Act, 2000*, available at Ontario.ca/ESAguide.

Right to notice of termination of assignment

Termination of assignment – which differs from termination of employment – occurs when an assignment employee has his/her assignment with a client terminated, yet remains employed with the temporary help agency.

Generally, a temporary help agency is required to provide an assignment employee with either one week's written notice of termination of assignment, termination of assignment pay or a combination of both.

For further information on termination of assignment, please see the "Temporary Help Agencies" chapter in *Your Guide to the Employment Standards Act, 2000*, available at Ontario.ca/ESAguide.

An agency cannot charge you certain fees

An agency cannot charge you a fee for being its employee or for helping you find work. It cannot charge you a fee for giving you information or advice on how to write a resume or prepare for an interview, even when the information or advice was provided at your request.

If a client business of an agency wants to give you a job reference or hire you to be its employee

An agency cannot prevent a client business from giving you a job reference.

An agency cannot prevent its client business from hiring you directly if the client business wants to do so. If the agency places you on an assignment with a client business, it can charge the client business a fee for hiring you, but only in the six-month period beginning on the day you first started working for the client business.

If a client business of an agency wants to hire you to be its employee, an agency cannot tell you that you cannot take the job. An agency cannot charge you a fee if a client business wants to hire you.

Information must be provided about the agency

The agency must give you the agency's legal name and contact information. This information must be provided, in writing, as soon as possible after you become an assignment employee.

Information must be provided about assignments

When the agency offers you an assignment with one of its client businesses, it must give you the client business' legal name and contact information; the wage rate and benefits (if any); the hours of work; a general description of the work; the estimated term of the assignment (if known); and the pay period and pay day. If the agency gives you this information, but does not provide it in writing when the offer is made, the agency must provide it in writing as soon as possible.

Information must be provided about the ESA

The agency is required to provide you with a copy of this information sheet as soon as possible after you become an assignment employee.

If your first language is not English, the agency must find out if the information sheet is available in your first language, and if so, the agency must supply both the English version and the translated document to you. Multilingual resources are available at [Ontario.ca/employmentrights](https://www.ontario.ca/employmentrights).

The agency must also provide you with a copy of the Employment Standards Poster published by the Ministry of Labour within 30 days of the date you become an employee.

If you request a copy of the poster in a language other than English and the ministry has published a version in that language, the agency must provide the translated version in addition to the English copy. The poster is available at [Ontario.ca/ESAposter](https://www.ontario.ca/ESAposter).

You cannot be punished for asking about or exercising your ESA rights

If you ask about your rights under the ESA or ask that you be given your rights, the agency or the client business cannot punish you in any way, including by ending your assignment. You also have

the right not to be punished by your agency or by the client for asking about or exercising your ESA rights.

The agency and client business must keep records

Both the agency and its client businesses are required to record the number of hours you worked for them in each day and each week.

The agency and client may both be liable for your wages

If you perform work for a client business or client businesses and the agency fails to pay you some or all of the wages owed for that pay period, the client business(es) may be jointly and severally liable for some or all of those unpaid wages. Specifically, client businesses may be held liable for unpaid regular wages, overtime pay, public holiday pay and public holiday premium pay. If more than one client business is liable in a pay period, each client business is jointly and severally liable with the agency for a share of the total wages owed in proportion to the hours worked for that client business.

If you have a question or want to file a claim

If you have questions about the ESA call the Ministry of Labour's Employment Standards Information Centre at 416-326-7160, toll free at 1-800-531-5551, or TTY 1-866-567-8893. Information is available in multiple languages.

More information can be found in *Your Guide to the Employment Standards Act, 2000* available at Ontario.ca/ESAguide. To file a claim, you can access the Employment Standards Claim Form online at Ontario.ca/ESAforms.

Information for Employees About Hours of Work and Overtime Pay

Disclaimer: This resource has been prepared to help employees and employers understand some of the minimum rights and obligations established under the Employment Standards Act, 2000 (ESA) and regulations. It is not legal advice. It is not intended to replace the ESA or regulations and reference should always be made to the official version of the legislation. Although we endeavor to ensure that the information in this resource is as current and accurate as possible, errors do occasionally occur. The ESA provides minimum standards only. Some employees may have greater rights under an employment contract, collective agreement, the common law or other legislation. Employers and employees may wish to obtain legal advice.

These are the general rules in Ontario about hours of work and overtime pay. There are exceptions and special rules for some employees under the [Employment Standards Act, 2000](#) (ESA). To see if your occupation is subject to special rules or exemptions see the [Guide to Employment Standards Special Rules and Exemptions](#) available at [Ontario.ca/ESAtools](#)

Your employer cannot intimidate you, fire you, suspend you, reduce your pay, punish you in any other way or threaten any of these actions for exercising your ESA rights.

Hours of work

The maximum daily and weekly limits on hours of work are:

- 8 hours a day (or the number of hours in your regular work day, if it is more than 8),
- 48 hours a week.

Rest periods and eating periods

Your employer must give you at least:

- 11 consecutive hours off work each day (a "day" is a 24-hour period – it does not have to be a calendar day);
- 8 hours off work between shifts (unless total time worked on the shifts is 13 hours or less, or you and your employer have otherwise agreed in writing, including electronically); and
- 24 consecutive hours off work each work week (or 48 consecutive hours off every two work weeks).

You must also get a 30-minute eating period after no more than five hours of work. You can agree with your employer to split this eating period into two shorter breaks.

Overtime pay

For every hour you work over 44 hours a week, your employer must pay you at least 1½ times your regular rate of pay ("time and a half").

Excess hours of work and overtime averaging

You do not have to but if you choose to, you can agree with your employer in writing, including electronically to:

- work more than 8 hours a day (or the number of hours in your regular work day, if it is more than 8),
- work more than 48 hours a week, and / or
- average the hours you work over periods of two or more weeks to calculate overtime pay.

For excess weekly hours and/or overtime averaging to be permitted, your employer must also apply for approval from the Ministry of Labour's Director of Employment Standards and post a copy of the application where you can see it. If and when your employer gets approval from the Director, the approval form must be posted where you can see it. Your written or electronic agreement alone is not enough. You cannot work more than the number of hours approved by the Director. This may be fewer than the number of hours you agreed to work.

You can cancel an agreement to work excess daily or weekly hours by giving your employer two weeks' written notice. Your employer can also cancel an agreement by giving you reasonable notice.

Overtime averaging agreements must have an expiry date and cannot be cancelled unless both you and your employer agree.

Generally, if you are represented by a union your union would make agreements with your employer on your behalf.

For more information or to file a claim

If you have questions about the ESA call the Ministry of Labour's Employment Standards Information Centre at 416-326-7160, toll free at 1-800-531-5551, or TTY 1-866-567-8893. Information is available in multiple languages.

More information on hours of work and overtime pay can be found in *Your Guide to the Employment Standards Act, 2000* available at Ontario.ca/ESAguide. You may also wish to try the Hours of Work and Overtime Tool available at Ontario.ca/ESAtools. To file a claim, you can access the Employment Standards Claim Form online at Ontario.ca/ESAforms.

The Agency

Workplace Violence & Harassment Policy

The management of The Agency is committed to the prevention of workplace violence and harassment, and is ultimately responsible for worker health and safety. The management of The Agency is committed to providing a work environment in which all individuals are treated with respect and dignity. We will take whatever steps are reasonable to protect our workers from workplace violence and harassment from all sources.

Violent behaviour in the workplace is unacceptable from anyone. This policy applies to all employees, visitors, clients, delivery persons and contractors. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

Workplace harassment will not be tolerated from any person in the workplace. Everyone in the workplace must be dedicated to preventing workplace harassment. Managers, supervisors and workers are expected to uphold this policy, and will be held accountable by The Agency.

Harassment may also relate to a form of discrimination as set out in the Ontario Human Rights Code, but it does not have to. This policy is not intended to limit or constrain the reasonable exercise of management functions in the workplace.

There is a workplace violence and harassment program that implements this policy. It includes measures and procedures to protect workers from workplace violence and harassment, a means of summoning immediate assistance and a process for workers to report incidents, or raise concerns.

The Agency, as the employer, will ensure this policy, and the supporting program, are implemented and maintained, and that all workers and supervisors have the appropriate information and instruction to protect them from violence and harassment in the workplace.

Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence or harassment incidents or threat. Management pledges to investigate and deal with all incidents and complaints of workplace violence and harassment in a fair and timely manner, respecting the privacy of all concerned as much as possible.

The Agency Employee Agreement

PLEASE NOTE: This is a copy of the Employee Agreement you have signed.

POLICIES AND PROCEDURES:

Our employees are expected to follow the policies and procedures set out at their assigned workplace. Failure to follow these policies and procedures, unless they are determined to be unsafe or unethical, will result in dismissal.

PERSONAL INFORMATION:

We require from you:

- * For payroll purposes, a completed & signed TD1 form
- * For payroll purposes, bank information for direct deposit
- * Emergency contact form
- * Current contact information

If these change, it is your responsibility to inform us.

COMMENCEMENT OF EMPLOYMENT:

You acknowledge and agree that although you have completed a candidate information form, and have attended an initial interview you have not commenced employment. You further acknowledge and agree that The Agency has not yet attempted to assign you to a client, and that we will contact you when such an attempt is about to be made, and then, once you are assigned, your employment with The Agency will commence and will not extend over four years.

EXPENSES:

You acknowledge and agree that any expenses incurred by The Agency in verifying your qualifications and/or fitness to work, such as obtaining a driver's abstract or a criminal check, will be charged back to you. For greater certainty, you further acknowledge and agree that these are not "fees" pursuant to Section 74.8 of the Employment Standards Act, 2000

HOW DOES THE AGENCY WORK?

A client will phone The Agency and ask us to send someone to their place of business to work. You, as our employee, go to that client and work. You are paid by The Agency because we are your employer. You receive direction and supervision from the client to which you have been sent. We issue Records of Employment and T4's.

ASSIGNMENT INFORMATION:

You acknowledge and agree that in the event you are offered employment and an assignment, you will be orally provided with the name of our agency, our contact information, as well as the name of the client you are being assigned to , their contact information, as well as wage rate, hours of work, pay period, estimated term of assignment, and a general description of the work. This information will then be provided to you in writing as soon as is practical. You accept that this written information may be presented to you personally, by mail or electronic mail. If you don't receive this information within a reasonable time, you will notify our office at our listed number and request a copy of this information.

PAY:

- You are paid every week by direct deposit. **Friday is pay day** for the previous week of work (unless a bank holiday occurs on the Friday, in which case payday will be on the Thursday).
- In order to be paid: we need a completed TD1; a voided cheque or authorization for direct deposit form.
- 4% vacation pay will automatically be included.
- **First pay will not be issued without a completed and signed TD1 and complete banking information.**
- **In order to be paid**, you must submit time cards to The Agency by **8 am Monday morning** otherwise your pay will be delayed by one week. **You are responsible for getting your hours to us on time, in order to be paid on time.** Timecards may be handed in at the office Monday to Friday during office hours or placed through the mail slot on the side door, if the office is closed. (Some work placements have their own time cards or time clocks. This will be explained at that placement)
- Standard deductions from your weekly pay cheque are EI; CPP; and Income Tax. Other deductions may also apply.
- A pay stub is generated with each pay. These are available online to all of our employees online on ww.easystub.ca. Ref: pg. 31

AVAILABILITY:

You acknowledge and agree that after employment has commenced, and you are not assigned to perform work for a client, you are required to contact The Agency by phone or email at the beginning of each week to advise of your availability for work. You acknowledge and agree that if you fail to contact The Agency on the Monday of an unassigned week, you will be deemed to have abandoned your employment (quit) and/or there will be just cause for termination of your employment and you will not be entitled to any notice of termination,

nor pay in lieu of such notice, and severance pay (if applicable), pursuant to contract, statute (including but not limited to the Employment Standards Act, 2000), and the common law. You acknowledge and agree that if you are unavailable for assignment for three assignments in a row, or six assignments in any three month period, you will be deemed to have abandoned your employment (quit) and/or there will be just cause for termination of your employment and you will not be entitled to any notice of termination, nor pay in lieu of such notice, and severance pay (if applicable), pursuant to contract, statute (including but not limited to the Employment Standards Act, 2000), and the common law.

TERMINATION AND SEVERANCE:

You acknowledge and agree that your employment may be terminated at any time, without cause, in which case The Agency shall only be required to provide you the minimum notice of termination and/or pay in lieu thereof, and severance pay (if applicable), as required pursuant to the Employment Standards Act, 2000.

ABSENTEEISM:

Once you have accepted a work assignment, we do not expect you to miss work. Should you miss work, whatever the reason may be, contact The Agency and the company to which you were assigned, immediately. If you plan on being absent in the future, involve us in your plans because last minute notification is unacceptable.

To qualify for a sick day/personal emergency leave (PEL), you must notify us prior to the start of your assigned shift. If you do not contact The Agency before the commencement of your shift, it may be assumed that you have abandoned your assigned placement and/or employment through The Agency.

LEAVING AN ASSIGNMENT:

If you are dissatisfied with your assignment, call our office immediately or at the end of the shift in order to be reassigned to another job.

If you walk off the job, without contacting us, you will not be paid for the hours that you have worked; we will assume that you have ended your employment with The Agency

STANDARD OF CONDUCT:

We expect all employees to behave with maturity and to represent The Agency in a positive light at workplace assignments. Any conduct determined to be inappropriate or unsafe will be just cause for termination of your employment, and you will not be entitled to any notice of termination, nor pay in lieu of such notice, and severance pay (if applicable), pursuant to contract, statute (including but not limited to the Employment Standards Act, 2000), and the common law.

PERFORMANCE EVALUATION:

Your performance at each assignment is a key determinant in being kept on or called again for future assignments.

HEALTH AND SAFETY RESPONSIBILITIES:

The Agency and its clients desire to provide a drug free, healthy and safe environment. Employees are expected to report to work in appropriate mental and physical condition to perform their duties. Employees reporting to work under the influence of alcohol or drugs will be asked to leave the work place immediately, and this will be just cause for termination of your employment, and you will not be entitled to any notice of termination, nor pay in lieu of such notice, and severance pay (if applicable) pursuant to contract, statute (including but not limited to the Employment Standards Act, 2000), and the common law.

For individuals working in an environment where safety footwear is required, you must supply CSA approved safety footwear. For environments that require safety glasses, the business to which you have been sent, in most cases, will supply these to you, if they are non prescription glasses. CSA approved safety prescription glasses, including frames have to be supplied by you, if you do not want to wear goggles over your prescription glasses. Goggles will be supplied in most cases by the business at which you are working. If not

supplied by our client, glasses and goggles are available for purchase at our office.

AGENCY SUPPORT:

- We expect you to be treated fairly at your work place assignment.
- We expect you to feel safe, both psychologically and physically at your work place assignment
- We expect you to be given assistance should you need it at your workplace assignment. This could mean but not be limited to information, training, tools or equipment, or physical assistance from another person.

If you are having any problems at your work place assignment we want to hear about them immediately. We will support you but it is up to you to inform us. If in doubt, please ask.

WORKPLACE ACCIDENT:

Immediately inform the **supervisor** at your place of assignment of any workplace accident in which you were involved and **The Agency MUST also be informed immediately, of any injury that requires medical care.**

How To Complete a Timecard:

*Time cards are available on **The Agency website**—*

<http://www.theagencyhelps.com/employees/timecards/>

1. EMPLOYEE NAME: **Print** your name clearly.
2. WEEK: Clearly write the dates of the work week the Timecard is covering (e.g. Jan 20 - 26/03). Our work week runs from Monday to Sunday.
3. ASSIGNMENT LOCATION: Print the name of the company where you worked. Use one Timecard for each place of work.
4. DATE: Print the date for each day you worked (e.g. Jan 20)
5. DESCRIPTION: Briefly describe the job you did (e.g. Trimming, Painting, Reception, etc)
6. START & END TIME: Clearly print the start time and finish time (e.g. 7:00 A.M. - 3:00 P.M.)
7. DEPT CHG: Leave blank unless you have been told differently.
8. RATE: Enter the hourly pay rate.
9. HOURS: Enter the total hours for each day. Subtract lunches and breaks from this total, if applicable.
10. TOTAL HOURS: Enter the total hours for the week. Do not include unpaid breaks.
11. SUPERVISOR SIGNATURE: Your supervisor at the work site must approve your hours by signing your timecard at the end of each shift/day.
12. EMPLOYEE SIGNATURE: Before leaving at the end of the shift/ week, make sure the total hours for the week are accurate, check that you agree to everything on it and then sign your timecard.

Timecards must be received by The Agency by 8 a.m. Monday morning in order to be paid on time.

You can either send cell phone pictures of you timecard to 519-374-9031 OR send scanned images of your timecard to payroll@theagencyhelps.com

THE AGENCY				519 376 HELP (4357) FAX 519 371-3639		Week		EMPLOYER LOCATION	
						2		3	
EMP #	DATE	DESCRIPTION	TIME	START & END	DEPT CHG	RATE	HOURS	SUPERVISOR SIGNATURE	
	4	5	6		7	8	9	11	
EMPLOYEE NAME									
1									
EMPLOYEE SIGNATURE:						12	TOTAL HRS		10
EMPLOYER COPY: WHITE / EMPLOYEE COPY: CANARY / CLIENT COPY: PINK									

Easystub: Access Your Pay Stubs Online

Employee Name:

Employee Code:

Department:

We are pleased to announce Easystub, a new service that allows you to access your pay stubs online 24 hours per day, 7 days a week. Easystub is a secure website that uses SSL technology to encrypt your personal information. You can access Easystub anytime or anywhere using an internet connection.

You can view or print your pay stubs as soon as they are uploaded to the Easystub website by your Payroll Administrator. Each pay stub can be accessed online for up to one year.

How to log into your Easystub account:

**** Please note: You will not be able to log in until your Payroll Administrator posts a pay stub to your account.**

Go to the Easystub website at www.easystub.ca

Enter your Company ID: E-016251-001

Enter your Employee ID: This will be provided to you after you have started working by The Agency.

Enter your Password:

The first time you log into your account, enter the last 5 digits of your SIN number as your password.

****Please note: The Employee ID and Password fields are case-sensitive, so make sure that you are typing UPPERCASE letters in UPPERCASE and lowercase letters in lowercase.**

After you have successfully logged in for the first time, you will be asked to read and accept the Agreement Terms for using the Easystub website.

After you have accepted the Agreement Terms, you will be prompted to select a new password.

Passwords must be at least 5 characters long

Pick a password that is difficult to guess by using a combination of case-sensitive letters and numbers.

If you forget your password or experience any problems using the Easystub website, please contact your employer. (The Agency)

To access the online help for the Easystub web site, click the Help link located on the top right hand of each Easystub page.

Thank you.