



Task Title: Employment Standards Act Claims

OALCF Cover Sheet – Practitioner Copy

Learner Name: _____

Date Started: _____

Date Completed: _____

Successful Completion: Yes No

Goal Path: Employment Apprenticeship

Secondary School Post Secondary Independence

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

Main Competency/Task Group/Level Indicator:

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

Materials Required:

- Pen/pencil and paper
- Computer or digital device

Learner Information

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

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

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

Work Sheet

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

Answer:

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

Answer:

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

Answer:

Task Title: EmploymentStandardsActClaims_E_A1.2_D.1

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

Answer:

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

Answer:

Answers

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

Answer:

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

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

Answer: 2 years.

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

Answer: 3.5 years.

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

Answer:

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

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

Answer:

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

Performance Descriptors

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

This task: Was successfully completed Needs to be tried again

Task Title: EmploymentStandardsActClaims_E_A1.2_D.1

Learner Comments:

Instructor (print):

Learner (print):
