

WELCOME TO

DIRECT STAFFING SOLUTIONS INC.

Employment Handbook!

Please read the following several pages regarding keeping your personal safety a priority while employed by *Direct Staffing Solutions Inc.* at our clients sites. These are policies set in place to make sure your work with *Direct Staffing Solutions Inc.* is safe and profitable for you.



**885 Progress Avenue UPH 6
Scarborough, ON M1H 3G3**

T: (416) 759-1500

F: (416) 759-8300

www.directstaffingsolutions.com

**Office Hours:
Monday to Friday: 7:00am – 6:00pm**

Voice Mail – 24 hours

HEALTH AND SAFETY POLICY

The management of Direct Staffing Solutions Inc. is vitally interested in the health and safety of its employees. Protection of employees from injury or occupational diseases is a major continuing objective. Direct Staffing Solutions Inc. will make every effort to provide a safe, healthy work environment. All supervisors and workers must be dedicated to continuing objective of risk of reducing risk of injury.

Direct Staffing Solutions Inc., as your employer is ultimately responsible for worker health and safety. As President of Direct Staffing Solutions Inc., I give you my personal promise that every reasonable precaution will be taken for the protection of its workers.

All supervisors will be held accountable for the health and safety of workers under their supervision. Supervisors are responsible to ensure that all equipment is safe and that workers work in compliance with established safe work practices and procedures. Workers must receive adequate training in their specific work task to protect their health and safety.

Every worker must protect his or her own health and safety by working in compliance with the law and with safe work practices and procedures by this company.

It is in the best interest of all parties to consider health and safety in every activity. Commitment to health and safety must form an integral part of this organization, from the President to the workers.

John Bumpus
President

DIRECT STAFFING SOLUTIONS INC.

HEALTH AND SAFETY RULES AND RESPONSIBILITIES

Responsibilities of DSS Inc. and Management:

- Each new client will be visited to ensure we are providing a safe work environment for our staff and temporary workers
- Post Health and Safety Policy for all workers to read
- Prevention steps are taken to reduce the possibility of injury through;
 - Applicant selection and training
 - Client selection and monitoring
 - Job selection
- Have employees watch WHMIS video and complete WHMIS Quiz, so that they have general knowledge and understanding of WHMIS and know its importance in the workplace
- Educate workers on Right to Refuse Unsafe Work
- Provide a "Return to Work Program" that returns injured workers back to roster, modified and/or full duties
- Meet all legislative requirements regarding health and safety in the work place
- Maintain a copy of the Occupational Health and Safety Act / Employment Standards Act 2000 available for all employees
- Joint Health and Safety Committee will investigate and act on all health and safety issues.

Responsibilities of Direct Staffing Solutions Inc. Client(s):

- Introduce the worker to their supervisor
- Establish and maintain a Joint Health and Safety Committee and Health and Safety Representatives as required
- Introduce the worker to the Health and Safety Rep, and the qualified First Aider
- Train the worker on the firm's emergency plan, and health and safety rules
- Provide equipment and devices needed to protect the worker
- Inform and train the worker on hazardous materials in the work place, the location of the MSDS's, and hazardous reporting procedures
- Provide training to the worker on their specific task
- Provide competent supervision
- Provide a safe and healthy workplace (temperature, air quality, lighting, housekeeping, noise level, etc.)

Responsibilities of the Joint Health and Safety Committee:

- Perform an audit of the workplace at least once every month
- Investigate all injuries/ accidents/ work refusals at the client sites
- Interview workers randomly to get input of any unsafe conditions
- Report any and all unsafe or potentially unsafe conditions to management
- Make recommendations to DSS Inc. management on continuous improvement areas, which will be reviewed with our clients

Responsibilities of the Worker: (Workplace Hazards, Hazardous Material, Right to Know, Participate, Refuse Unsafe Work, In case of Injury, Return to Work, Emergency Response, First Aid, Discipline, Health and Safety Practices/Procedures, WHMIS, Holiday Entitlement, Submission of Timesheets, Confirming Availability)

- As your employer, Direct Staffing Solutions Inc, it's Client(s), share responsibility/diligence for your health and safety in the workplace, but you share a major part in this responsibility. You also share the responsibility for the health and safety of your co-workers. Your duties as a worker include, but not limited to:
- Reporting to your employer or supervisor any missing, broken or defective equipment or other hazards, unsafe conditions in the workplace, or any violation of health and safety law that you know about: and not working or operating equipment in a way that could be dangerous to yourself or anyone else in the workplace and not taking part in pranks or horseplay.
- If you are unable to attend your scheduled shift, for medical or personal reasons, it is mandatory to notify DSS Inc. This will insure DSS Inc. notifying our clients so that certain production demands can be met, and also insuring your job placement and employment agreement compliance.
- Report to DSS Inc. if the work is different than that originally assigned by DSS Inc.
- Maintain "Good Housekeeping" (clean and tidy work area) within your work area
- Report unsafe conditions to your employer (DSS Inc.) and your immediate supervisor
- Report incidents, injuries, accidents and near accidents to DSS Inc. and your immediate supervisor
- Promptly obtain medical attention for all work related injuries and report this treatment to DSS Inc. and your immediate supervisor
- Act in a professional/safe manner while on any work site related to your day to day responsibilities
- Use or wear any equipment, protective devices or clothing required by your job assignment supervisor and DSS Inc.
- No alcohol or drugs will be tolerated before or while employees are on an assignment.
- Receive on site job training from your supervisor prior to performing any work assignment. If you feel that you have not been trained appropriately or the job description is different from original assigned by the agency, refrain from working and contact DSS Inc. immediately.
- Any onsite work related matters or questions pertaining to work refusal/unsafe work should also be first directed to your workplace supervisor. In the event the matter is not corrected, employees should notify the onsite workplace Joint Health and Safety Committee and/or a Health and Safety representative then DSS Inc.
- Utilize all health and safety policies, procedures and training while on any work site related to your day to day responsibilities- Comply with all sections of the Occupational Health and Safety Act, and Ontario Employment Standards Act 2000. These are located at the DSS Inc. office and or can be viewed at
- http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_00e41_e.htm
- <http://www.labour.gov.on.ca/>

Pay:

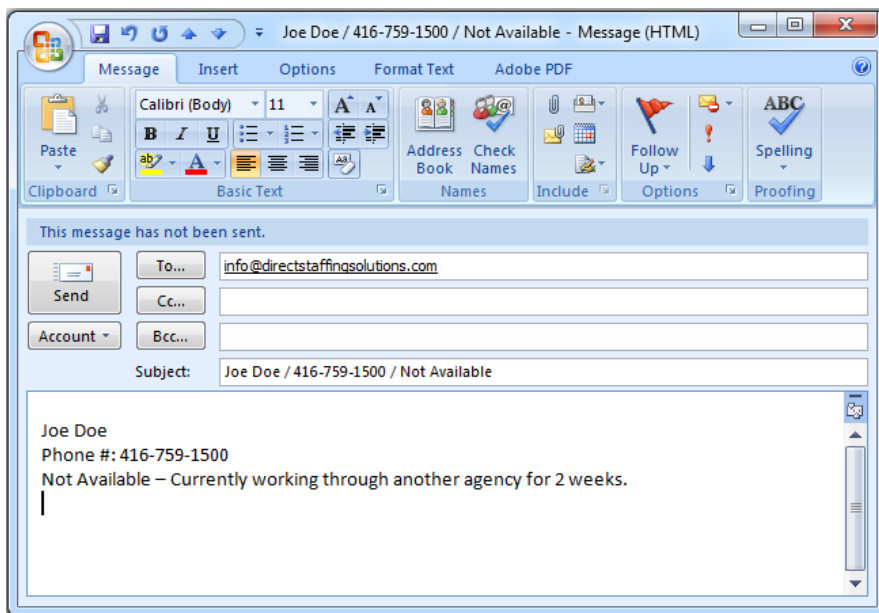
- You are paid by cheque on a weekly basis. Thursday is the pay day for the previous week of work.
- First pay will not be issued without the agency viewing a social insurance number and valid government photo ID
- Deduction from your weekly pay cheque are EI; CPP; and Income Tax
- Vacation pay (4%) will be paid on each cheque as it accrues (accumulates)

Submission of Timesheets:

- Employees that are provided with a DSS Inc. timesheet are due weekly. This timesheet is your responsibility and must be authorized by your workplace supervisor/client. If you cannot return the timesheet by 6:00pm on Monday please contact our office and make arrangements to prevent waiting an extra week for your pay.

Confirming Availability:

- Employees have responsibility of contacting DSS Inc. if you are not on an assignment as it is part of the employment agreement to inform DSS Inc. of your availability at the beginning of each work week by Monday at 5:00pm. Employees have the option(s) of calling (416)759-1500 and speaking directly to a DSS Inc. Staffing Coordinator who are available to confirm your availability from the hours from 7:00am to 6:00pm, or by leaving a voice mail message on our 24 hour answering machine. If a voice mail message is left you must clearly indicated **your full name, phone number and availability**.
- Employees that prefer to email your availability to DSS Inc. should by email at dss@on.aibn.com, please include in the subject line **your full name, phone number and availability**. Please also include in the body of the email **your full name, phone number and reason for unavailability**. (Example: Sickness, self obtained employment, holidays, but not limited to.) (See example below)



Shift Cancellation:

- In the event of a shift cancellation, DSS Inc. will contact you by via telephone and/or by email with cancellation details.
- It is the workers responsibility to check the form(s) of contact (phone #, e-mail) provided by you the worker to the agency prior to reporting to your assigned shift.
- It is mandatory for you to contact DSS Inc. to confirm receipt of cancellations.
- If the contact information is invalid and your shift is cancelled, you will not be paid for arriving at the cancelled shift.

Direct Staffing Solutions Inc. Employees Should Know

Reporting Workplace Hazards

If you believe there is a hazard in the workplace, you have a duty to report it to your employer (Direct Staffing Solutions Inc.) and your workplace location supervisor. If you believe the problem is not being dealt with adequately, you should advise Direct Staffing Solutions Inc. and the Health and Safety representative in the workplace.

Hazardous Materials

All controlled products (i.e.: flammable or poisonous materials) must be labeled or identified. Material Safety Data Sheets (MSDS), which give information about handling these products safely, must also be available in the workplace. The Company you are assigned to holds responsibility to train you and label, store such products.

DO NOT HANDLE PRODUCTS THAT ARE NOT LABELLED OR THAT YOU HAVE NOT BEEN TRAINED TO USE

Right to Know

You have the right to know about existing hazards and potential hazards in the workplace. Hazards in the workplace can be toxic chemicals in the cleaning products used by janitors and by workers who clean the workplace at the end of a shift. Harassment and violent crime are hazards to workers in retail and sales. Poor lighting in offices, cold weather for workers working outside, and tools and machines in construction work are also examples of hazards in the workplace. Knowing about hazards and training to avoid hazards let workers work more safely.

Provincial law states that employers have to tell workers about workplace hazards. Employers have to make sure workers are trained in the workplace health and safety, too.

Workplace hazards are not only chemical, like the ones classified under WHMIS. There are many types of workplace hazards. *Safety hazards* are present in work with machines and equipment, like chainsaws, forklift trucks, ladders and wood working machines. *Physical hazards*, for example, are cold, humidity, heat, noise and vibration. *Ergonomics hazards* can cause injuries like carpal tunnel syndrome or tennis elbow, and are found in work that uses hand tools, involves pushing and pulling, lifting, shoveling, working while seated and working while standing. *Stress and violence in the workplace* result from bullying, threatening behavior, verbal threats, harassment and verbal abuse.

Workers can get information on workplace hazards by asking on site supervisor/manager. By knowing about workplace hazards workers can make sure employers make the tasks as safe as possible, provide protection to workers, and give training so that workers can minimize the potential of injury or illness.

Direct Staffing Solutions Inc. Employees Should Know (Con't)

Your Right to Participate

You have the right to be part of the process of identifying and resolving workplace concerns. This is expressed through membership on the Joint Health and Safety Committee.

Your Right to Refuse Unsafe Work

Any onsite work related matters or questions pertaining to work refusal/unsafe work should also be first directed to your workplace supervisor. In the event the matter is not corrected, employees should notify the onsite workplace Joint Health and Safety Committee and/or a Health and Safety representative then DSS Inc.

First Aid

While on assignment at a client site you will be covered under the client's first aid program. It is important to ask on your first day who the First Aiders are and how to contact them if needed. Ask where the first stations are and what is expected of you should you come across a first aid situation.

If you have concerns about your first aid at your worksite you should contact Direct Staffing Solutions Inc.

Emergency Response

While on assignment at a client site you will be covered under the client's Emergency Response Plan. These plans cover circumstances such as natural disasters (earthquakes, tornados, etc), power outages, terrorism, etc. We ask you to comply with their instructions to the best of your ability and to notify Direct Staffing Solutions Inc. as soon as it is safe to do so.

In Case of an Injury

If you are injured or ill because of work, your first priority is to seek medical attention. You must also inform Direct Staffing Solutions Inc. and your workplace supervisor, so that they can give you assistance and fulfill their responsibilities regarding the incident.

In Case of Injury or Illness You Should:

1. Get proper medical treatment

- Go to the nearest first aid station immediately and notify a staff member trained in first aid. An accurate record should be kept of the treatment you received.
- If your injury or illness is serious (or you are not sure how serious it is) go to a doctor or hospital. Your workplace supervisor is responsible for providing transportation to medical treatment and may have to call an ambulance or assign someone to accompany you.

Direct Staffing Solutions Inc. Employees Should Know (Con't)

2. Report the incident to your employer

- Direct Staffing Solutions Inc. and the workplace supervisor needs to know about your injury or illness to provide help, fulfill their employer responsibilities under the Workplace Safety and Insurance Act, <http://www.wsib.on.ca/wsib/wsibsite.nsf/Public/WorkplaceSafetyandInsuranceAct> and take measures to prevent further incidents. Report the incident to your supervisor immediately

Return to Work

Direct Staffing Solutions Inc. has a return to Work Program for you if you are injured while on assignment with us. The goal of this program is to match your physical abilities with either a shorter workday, less strenuous work or both until you have recuperated sufficiently to resume normal duties. In some cases alternative work may be available as well until recuperated.

Our Return to Work Program allows for the gradual improvement of your physical condition and return to work. Returning to work for a shorter workday or lighter day will mean that you are back to work sooner.

While we strive to include all workers in this program sometimes due to client limitations we cannot offer alternative or light duties. In these cases we work with the WSIB to bring your condition back to pre-injury as soon as possible. If you do remain off work it is important to keep in contact with Direct Staffing Solutions Inc.

Discipline

Direct Staffing Solutions Inc. believes in progressive discipline and as such our Discipline Policy provides for progressive action to correct unacceptable behavior. Refer to “Responsibilities of the Worker” in the “Health and Safety Roles and Responsibilities” Safety infringements and violations are considered severe actions and are covered by this policy. The disciplinary process is designed to support associates in changing their behavior so that they can continue to be a valued part of our organization.

Disciplinary Actions in order of severity are:

1. Verbal Warning (recorded to file)
2. Letter of Reprimand (copy to file)
3. 2nd Letter of Reprimand (copy to file)
4. Optional Suspension (where warranted, recorded to file)
5. Termination

The preceding Disciplinary Actions are only in order and numbered to indicate the options available to Management when unacceptable behavior is at issue. The list in no way represents a progression that will be followed in all cases. Certain behavior will result in immediate dismissal. An Assignment Employee(s) warned of behavior which is of a grossly serious nature with verbal corrective counseling may, on the second occasion, be suspended or terminated.

The disciplinary actions taken vary with the severity of the offense, Assignment Employee(s), attitude, and other factors. Disciplinary Actions taken are at the sole discretion of Direct Staffing Solutions Inc. and are done in the interest of both the Assignment Employee(s) and the company.

ADDITIONAL HEALTH AND SAFETY PRACTICES and PROCEDURES

Activities of your job including should properly match your Human Capabilities to prevent injury. DSS Inc. is committed to your health and safety at the workplace. This can be achieved by fitting the job requirement to your physical capabilities. DSS Inc. encourages workers to provide input on your job assignment as you know your own comfort and stress levels best.

You should know:

- Understand that proper lifting is part of your job requirement.
- Mechanical handling devices such as hoists pump trucks and forklifts should be used only by authorized and trained persons.
- Ensure you know the approximate weight of any item that you are lifting to prevent yourself from injury.
- Use authorized Personal Protective Equipment such as safety shoes, gloves, protective clothing etc, to protect yourself against potential injury.

Safe Lifting and Moving Procedure:

- Stand close to the load/object to be lifted, stand over the object and bend your knees(See figure –A)
- Place your feet shoulder-width apart, with one foot slightly forward and your head up.
- Squat down to the level of the object and test the weight of the load.(See figure-A)
- Use the strength of your leg and arm muscles to smoothly and slowly lift the load.(See figure –A)
- Keep your back straight with your feet and body pointing in the same direction.(See figure-B)
- Keep the load close to your body.(See figure-B & C)
- Avoid twisting your body while carrying the load; use your feet/legs when turning.
- Turn to face the intended direction of travel and proceed with short steps with the load. (See figure B & C)
- When putting object down, bend your knees and slowly lower the load to its intended place. (See figure –A)
- When placing a load/object on a shelf above your waist, place load on shelf by extending your arms and keep your back straight.(See figure -D)
- **Never attempt to lift a load that is heavy for you.... GET HELP.**

Correct Procedure (Marked '✓') and Wrong Procedure (Marked 'X') for lifting loads

Figure A

Step -1
At the time of lifting load, keep your back straight, bend from your knees.



Figure B

Step-2
Grip with your whole hands NOT just your fingers

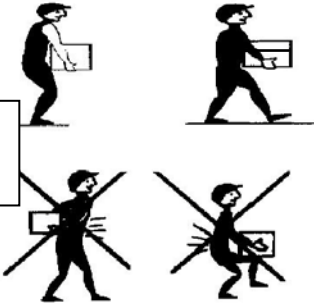


Figure C

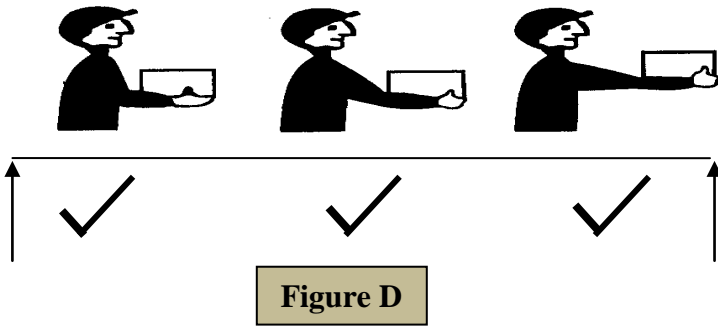
Step-3
Face in the directions of travel, grip under the object

Do not lift/carry behind back

Do not balance on knee

Grasp under (see A)

Correct Procedure to place a load/object on shelf/table above waist height.

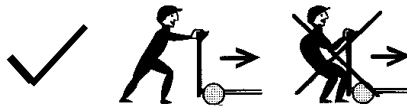


Pushing and Pulling of Pump Trucks:

- Use Pump Truck for moving objects that involves distance, only if you are authorized to do so.
- If you have to move heavy or unstable materials on pump truck. Ensure that materials on pump truck are properly secured.

Correct procedures (Marked “✓”) - Wrong procedure (Marked “X”) to use Pump Trucks.

- Prefer to push rather than pull the Pump Truck.



- Keep your back straight all the times when you are pulling /pushing the Pump Truck

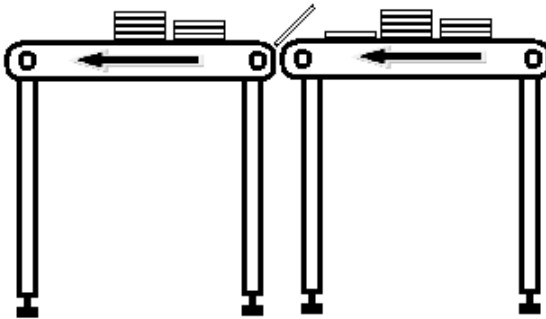


- Always face the directions of travel when pushing or pulling the Pump Truck.



Pinch Point Conveyor/Rollers/Machinery

A pinch point is a point at which it is possible for a part of the body (**hand, finger, hair, clothes etc**) can be caught between moving parts and/or stationary parts of equipment/machines which can cause serious injury.



When working near any Conveyor/Rollers/Machinery:

- Properly tie up/back hair that is shoulder length or longer. (**Hair Nets, Clips, Elastics etc**), your hair must not be able to come in contact or have any chance of entering a pinch point, conveyor or any type of machinery while working.
- **Know the location** of the **emergency "shut-off" devices and how to use them.**
- No wearing of loose clothing or jewellery which can trap in moving parts.
- Do not climb/walk on moving or non moving conveyor belts.
- Do not pass underneath the moving belt/conveyor, for any reason.
- **Do not attempt** to take out items trapped in moving parts.
- Wear authorized Personal Protective Equipments(Safety Shoes, etc)

Working Safely With Utility Knives:

Utility Knives, corners of metal sheet are examples of sharp edges, you must be carefully. Sharp edges are one of the safety hazards while working and using them. Improper use of sharp edge tools can cause injuries such as cut, scratch etc.



To avoid any injury hold knife properly and firmly.

Ensure the edge of the knife touches the surface of the object for safe cutting.

Hold utility knife properly and firmly in such a way that the blade will not touch your fingers (See photo above)

Procedure for safe use of utility knives: · set the material to be cut on a flat, steady surface.



- Examine the material to be cut to determine its thickness. Adjust adequate length of blade from holder.
- Place one hand on the material, away from cutting path. Use the other hand to firmly hold the utility knife.
- Begin cutting holding the handle of the knife firmly and angled slightly upward.

· Always pull/cut in the direction towards you, **ensure that your body does not come in contact with blade.** Make several passes when cutting thicker materials.

· With each cut, be sure that your body, clothing/others are not in the path of the knife:

· To prevent slippage, make sure blades are secured properly before use/get assistance.

· Always wear safety glasses when using utility knives. Blades can snap off unexpectedly which can enter your eye and cause severe damage.

· Always use sharp blades. Dull blades are a safety hazard; excessive force can lead to knife slippage.

· Never leave a utility knife unattended, especially with the blade exposed.

Do not try to touch the sharp edge of blade with your fingers.

WHMIS SYMBOLS

WHMIS SYMBOLS

RISKS



Compressed Gas

A GAS WHICH IS KEPT UNDER PRESSURE

- explosion hazard, because the gas is being held under pressure
- may cause its container to explode if heated
- may cause its container to explode if dropped



Flammable and Combustible Material

A SOLID, LIQUID, OR GAS THAT MAY IGNITE IF EXPOSED TO A FLAME

- may burst into flame spontaneously
- may burn at relatively low temperatures
- could release a flammable gas on contact with water



Oxidizing Material

A SUBSTANCE THAT MAY CAUSE ANOTHER SUBSTANCE TO BURN

- fire and/or explosion risk in the presence of flammable or combustible material
- may react violently or cause an explosion when it comes into contact with combustible materials such as fuels
- may burn skin and eyes if contact is made



Toxic Immediate and Severe

POISONS / POTENTIALLY FATAL MATERIALS WHICH CAUSE IMMEDIATE AND SEVERE HARM

- a potentially fatal poisonous substance
- may be fatal or cause permanent damage if ingested or inhaled
- May be absorbed through the skin
- Small volumes have a toxic effect



Toxic Long Term Concealed

MAY CAUSE HARMFUL EFFECTS DAYS, MONTHS OR YEARS AFTER ONE OR MORE EXPOSURES

- a poisonous substance that is not immediately dangerous to health
- may cause death or permanent damage if repeated exposure takes place over time
- may cause cancer
- may cause birth defects or sterility



Biohazardous Infectious Material

AN ORGANISM OR ITS TOXINS THAT MAY CAUSE SERIOUS INFECTIOUS DISEASE

- may cause a serious disease which can result in illness or death



Corrosive Materials

A SUBSTANCE THAT MAY DESTROY METAL OR HUMAN TISSUE

- may cause severe eye and skin irritation on contact
- may be harmful if inhaled



Dangerously Reactive Material

MATERIAL THAT MAY REACT VIOLENTLY TO HEAT, SHOCK OR PRESSURE

- material is very unstable
- may react with water to release a toxic or flammable gas
- may explode if heated in a closed container
- may explode as a result of shock, friction or heat

Qualifying for Public Holiday Entitlements while employed through DSS Inc.

Direct Staffing Solutions Inc. Assignment Employee(s) are paid in accordance to the provisions set out in the Employment Standards Act 2000. The following are provisions from the Employment Standards Act 2000, and are for your review and understanding. Compliance is required in order to qualify for Public Holiday Entitlement; not complying may result in non qualification of entitlement.

Qualifying for Public Holiday Entitlements

Generally, employees qualify for the public holiday entitlement unless they:

- **fail** without reasonable cause **to work all of their last regularly scheduled day of work *before* the public holiday or all of their first regularly scheduled day of work *after* the public holiday** (this is called the "Last and First Rule");
or
- **fail** without reasonable cause **to work their entire shift** on the public holiday if they agreed to or were required to work that day.

Definition of Reasonable Cause

An employee is generally considered to have "**reasonable cause**" for missing work when something beyond his or her control prevents the employee from working. Examples include, but are not limited to: absences related to personal emergency leave (i.e. personal illness, injury or medical emergency, and the death, illness, injury, medical emergency or urgent matter relating to certain family members and dependent relatives) as well as absences for family medical leave.

Employees are responsible for showing that they had reasonable cause for staying away from work. If they can do so, they still qualify for public holiday entitlements. **It is mandatory to inform DSS Inc. immediately by phone or email** in the event you have "**reasonable cause**", for missing work. Failing to follow these procedures **may result in non entitlement.**

If you require further understand in relation to **Public Holiday Pay** under the provisions of The Employment Standards Act 2000, ask a staffing coordinator at the office of DSS Inc., or further information can be found in/under the Ontario Employment Standards Act 2000 and/or www.labour.gov.on.ca

PUBLIC HOLIDAY PAY

Ontario has 9 Public Holidays:

- New Year's Day
- Family Day
- Good Friday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Christmas Day
- Boxing Day

INFORMATION FOR EMPLOYEES



Ontario

About Hours of Work and Overtime Pay

March 1, 2005

This document is produced by the Director of Employment Standards as required by section 21.1 of the Employment Standards Act, 2000. Please read this document carefully and make sure you understand your rights. If you have any questions, contact the Ministry of Labour.

These are the general rules in Ontario about

- hours of work and
- overtime pay.

Maximum Daily Hours of Work

You do not have to work more than:

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

If you choose to, you can agree with your employer in writing to work more hours. If you do not want to work more hours, you do not have to sign an agreement.

Maximum Weekly Hours of Work

You do not have to work more than 48 hours a week.

If you choose to, you can agree with your employer in writing to work more hours.

If you sign an agreement, your employer must also get approval from the Ministry of Labour's Director of Employment Standards. If you do not want to work more hours, you do not have to sign an agreement.

If you agree in writing to work more than:

- 48 hours a week, up to 60 hours a week – Your employer can ask you to start working the excess hours 30 days after applying for the Director's approval, as long as certain conditions are met.
- 60 hours a week – Your employer must have the Director's approval before you can start working more than 60 hours a week.

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.

Your employer must post the application for the Director's approval where you can see it. If and when your employer gets approval from the Director, the approval form must then be posted where you can see it.

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.

There are exceptions and special rules for some employees under the Employment Standards Act, 2000.

For more information, contact the Ministry of Labour toll-free at 1-800-531-5551.

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”). Even if you agree in writing to work more than 48 hours a week, your employer must pay you overtime pay for every hour you work over 44 hours a week.

You can agree with your employer in writing to average the hours you work over periods of two or more weeks to calculate overtime pay. If you sign an agreement, your employer must also get approval from the Ministry of Labour’s Director of Employment Standards. If you do not want to have your overtime hours averaged, you do not have to sign an agreement.

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

Unionized Employees

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

Rest Periods and Eating Period

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 the total time worked on the shifts is not more than 13 hours or you and your employer have otherwise agreed in writing); 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.

Your Rights are Protected

Your employer **cannot** intimidate you, fire you, suspend you, reduce your pay, punish you in any way or threaten any of these actions because you:

- refuse to work more than the maximum daily or weekly hours of work;
- refuse to sign an agreement to work more than the maximum daily or weekly hours of work;
- refuse to work more than the number of excess hours you agreed to work; or
- ask questions about your rights under the ESA.

If this happens, contact the Ministry of Labour. Ministry staff can help you understand your rights, answer your questions and investigate your complaint.

Note: If you are represented by a union and you think your rights have been violated, you should talk to your union representative before contacting the Ministry of Labour.

Contacts

- Call the Ministry of Labour Employment Standards Information Centre at 416-326-7160 or toll-free at 1-800-531-5551, or Hearing Impaired TTY 1-866-567-8893.
- Visit a ServiceOntario Government Information Centre.
- Visit www.labour.gov.on.ca/english for more information and to contact the Ministry by e-mail.

Your Employment Standards Rights: Temporary Help Agency Assignment Employees

Information Sheet

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 (or clients) of the agency. You have an employment relationship with the agency even when you do not have an assignment and are not actually working at a client.

When you are on an assignment the agency is still your employer; the client is not your employer.

You stop being an assignment employee if you quit the agency or if the agency terminates your employment relationship.

This information sheet gives a summary of your new Employment Standards Act, 2000 (ESA) rights that became law in 2009. You also have rights under the ESA to things such as the minimum wage, limits on hours of work, overtime pay, vacations, and unpaid leaves from work for certain reasons. (Some exemptions may apply depending on what kind of work you do.)

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. To calculate the amount of your holiday pay, please see our calculator at http://www.labour.gov.on.ca/english/es/tools/php_calc.php.

If you agree in writing 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.

If a public holiday falls on a day when you are on an assignment but would not ordinarily be working (or are on vacation), you have a right to a substitute day off with public holiday pay, or you may agree (in writing) to public holiday pay only. If the public holiday falls on a day that you are not on an assignment, you may be entitled to public holiday pay.

You have these public holiday rights even if you are called an "elect-to-work" employee by the agency.

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, or 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). How long you are employed by the agency determines how many weeks of notice you must get, not the length of time you have been working on assignments at the agency's client(s).

You may also have a right to mass notice of termination. For further information on your entitlement to mass notice, please visit our website at

<http://www.labour.gov.on.ca/english/es/pubs/guide/tempagencies.php>.

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.

You have these rights even if you are called an "elect-to-work" employee by the agency.

An agency cannot charge you certain fees

An agency cannot charge you a fee for being its employee or for helping you to 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. It cannot charge you even if you can choose whether or not to get this information or advice from the agency.

If a client of an agency wants to give you a job reference

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

If a client of an agency wants to hire you to be its employee

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

If a client 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 wants to hire you.

Information you must get from the agency

If you become an assignment employee of an agency, the agency must give you certain information including this information sheet; written information on the agency's legal name and contact information. The agency must give you this information in writing as soon as possible after you become an assignment employee.

When the agency offers you an assignment with one of its clients, it must give you certain information, including the client's 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, it must be provided in writing as soon as possible.

An agency client cannot punish you for asking about or asserting your ESA rights

If you ask about your employment standards rights or ask that you be given your rights, the client cannot punish you in any way, including by ending your assignment. (You also continue to have the right not to be punished by your agency for asking about or asserting your ESA rights.)

If you have a question or want to make a claim

If you have any questions about this information, or believe you have not received your rights and want to make a claim to the Ministry of Labour, please contact the Employment Standards Information Centre at (416) 326-7160 (toll-free at 1-800-531-5551) or, for the hearing impaired, at TTY 1-866-567-8893. You may also visit www.labour.gov.on.ca for more information, to contact the ministry by e-mail, or to file a claim on-line. You can also get an Employment Standards claim form at a ServiceOntario Centre. To locate the Centre nearest you, please call 1-800-267-8097.

This information is provided as a public service. Although we endeavour to ensure that the information is as current and accurate as possible, errors do occasionally occur. Therefore, we cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.



**885 Progress Avenue UPH 6
Scarborough, ON M1H 3G3**

T: (416) 759-1500

F: (416) 759-8300

www.directstaffingsolutions.com