

Leaves

Employees have the right in some circumstances to an unpaid leave of absence from their job during which they cannot legally be terminated. Employees may be entitled to employment insurance benefits through Service Canada while they take these leaves.

Sick Leave: Nova Scotia provides only 3 unpaid sick days a year to employees. Employers are permitted to ask employees to submit a note from a medical practitioner to support the sick leave.

Maternity Leave: Employees are entitled to 16 weeks of unpaid pregnancy leave. There is no minimum time period of employment required to be eligible for this leave.

Parental Leave/Adoption Leave/Child Care Leave: Employees are entitled to 61 weeks of unpaid parental leave if they also took sixteen weeks of pregnancy leave. Parents who did not take a pregnancy leave may take up to 77 weeks for parental leave. There is no minimum time period of employment required to be eligible for this leave.

Compassionate Leave/Family Medical Leave: Employees who have worked for the same employer for three or more months are entitled to 28 weeks of unpaid leave to provide care for a critically ill family member whose death is expected in the near future.

Critical Illness Leave: Employees who have worked for the same employer for three or more months are entitled to 37 weeks of unpaid leave to provide care for a critically ill child and 16 unpaid weeks to provide care for a critically ill adult family member.

Domestic Violence Leave: Employees who have worked for the same employer for three or more months and who are experiencing domestic violence may be entitled to up to sixteen weeks of unpaid, continuous domestic violence leave, or up to 10 days of leave in a calendar year, taken in a row or broken up.

Bereavement Leave: Employees are entitled to 5 unpaid days off work after the death of some members of the employee's family.

We believe that Nova Scotia's labour standards are unjust to workers. We believe in organizing collectively to improve working conditions for all working people.

Need Help?

Phone:

(902) 221-0755

Website:

<http://HalifaxWorkersAction.ca>

The Halifax Workers' Action Centre is located on Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People.



**The Halifax Workers'
Action Centre**

Your Basic Rights at Work

The Halifax Workers' Action Centre is committed to improving the lives and working conditions of low-waged and marginalized workers.

Signing a contract

You cannot sign away your rights. If you sign a contract that has conditions below minimum standards, your employer is breaking the law and the contract is unenforceable.

Minimum wage

In Nova Scotia, there is a minimum wage for “inexperienced” and “experienced” workers. The current minimum wage for “inexperienced” workers is \$11.05/hour, and \$11.55/hour for “experienced” workers. Workers employed by their employer for less than three months may be paid the “inexperienced” wage rate. *Some exclusions to this rule exist.*

Weekly hours and overtime

After 48 hours of work in one week, employees are entitled to be paid 1.5 times their regular wage rate. A week is defined as a consistent 7-day period. *Some exclusions to this rule exist.*

Wages and tips for service workers

Servers are entitled to be paid the regular minimum wage rate. However, Nova Scotia does not have legislation to prevent bosses from stealing tips from service workers, unlike some provinces.

Daily hours and breaks

Employers must grant employees a rest period of at least 24 consecutive hours every 7 days of work. *Some exclusions to this rule exist.* Employees are entitled to a 30-minute break every 5 hours. *Some exclusions to this rule exist.*

Call-ins and waiting for work

The entire time an employee is required by the employer to wait for work counts as time worked and the employee must be paid at least minimum wage for their time.

If a worker is called in outside of their scheduled hours, the employer must pay the worker for at least three hours' wages at least the minimum wage rate.

Vacation time

Employees are entitled to two weeks of vacation each year if they have been employed for 12 months or more by the same employer. Once an employee has been employed for eight years or more by the same employer they are entitled to three weeks of vacation each year.

Employers must pay employees vacation pay worth at least 4 percent of their gross wages. This vacation pay increases to 6 percent of the gross wages at the start of an employee's 8th year of employment.

Statutory and public holidays

There are 6 public holidays in Nova Scotia. They are: New Year's Day, Nova Scotia Heritage Day, Good Friday, Canada Day, Labour Day, and Christmas Day. Special rules apply for Remembrance Day.

Employees who work on statutory holidays must receive their regular wages plus either pay at one and a half times their regular wage or an alternative day off.

Employees are eligible for holiday pay in Nova Scotia if they have worked at least 15 of the 30 calendar days before the holiday and worked on their last scheduled shift on the day before and the day after the holiday. Workers with irregular shifts and earnings have their holiday pay calculated according to a set formula.

If an employee qualifies for the holiday and is given the day off, the employer must pay a regular day's pay for that holiday.

Termination and notice pay

Employees who have been employed for less than ten years by the same employer and who are not unionized may be terminated without cause as long as they are provided proper notice.

The amount of notice that employers are required to provide an employee ranges from 1 week to 8 weeks, depending on the length of time the employee has been working for the employer. If the employer doesn't provide this amount of notice, they are required to provide the equivalent amount of pay in lieu of notice. Special notice periods apply in the case of the layoffs of groups of employees.

Who is covered under the law?

Exemptions to some of these rules apply to industries like:

- construction workers;
- farm workers;
- domestic workers;
- the fishing industry; and
- the logging and forestry industry.

Complaints process and enforcement

In Nova Scotia, employees have six months from the time of the labour standards violation to file a complaint. Nova Scotia allows employees to file anonymous complaints in some circumstances so the employer is not able to identify the complainant.