

If you are working in Ontario and your employer owes you money, such as overtime pay, vacation pay, or termination pay, you can file a claim with the Ontario Ministry of Labour (Ministry) under the *Employment Standards Act*. For wages that became due prior to February 20, 2015, the deadline to file your claim is 6 months and the maximum amount that can be awarded is \$10,000. For wages that became due on or after February 20, 2015, the deadline is 2 years and there is no maximum.

The *Employment Standards Act* cannot deal with employees who are federally regulated. You should speak to a lawyer if you are not sure if you are federally or provincially regulated.

If you were fired from your employment, you may be owed termination pay. You have the option of making a claim with the Ministry or a suing for wrongful dismissal in Small Claims Court or Superior Court. You should speak with a lawyer about your rights.

There are 4 steps you must follow to file an Employment Standards claim:

1. Contact your employer about the issue
2. Collect important documents related to your claim
3. Fill out the claim form
4. Send your claim form to the Ministry of Labour and get your claim submission number

The Ministry wants you to contact your employer about the money you believe you are owed within the *Employment Standards Act*. You should do this in writing and keep a copy of the letter you send for your records. Give your employer 7 to 10 days to respond before you move forward with filing your claim. You can get the claim form and more information about filling out the form on the Ministry website: www.labour.gov.on.ca. There are some situations where you will not have to contact your employer before filing a claim. These include if you are afraid to contact your employer, if the employer's business has closed down, or if the money you believe you are owed was due 5 months ago or more.

Once you have contacted your employer, gathered the important documents that you need for your claim, and filled out the claim form, you must send it to the Ministry.

The Ministry recommends that you file your claim online because you will receive a claim submission number immediately, but you may also file it by fax at 1-888-252-4684, in person at a Service Ontario Centre closest to you, or by mail to the Provincial Claims Centre, Ministry of Labour, 70 Foster Drive, Suite 410, Roberta Bondar Place, Sault Ste Marie, ON, P6A 6V4. Make sure to write your name on the envelope and on each page that you mail.

If you have any questions about filing a claim or any rights you have as a worker, you can call the Community Advocacy & Legal Centre or speak to a private bar lawyer, or contact the Employment Standards Information Centre toll free at 1-800-531-5551, and for the Deaf, TTY: 1-866-567-8893.

Find out more about Employment Standards online. The Ministry of Labour's website (www.labour.gov.on.ca) and the Workers' Action Centre (www.workersactioncentre.org/) contain a lot of information. Another great resource with lots of links to information is <http://yourlegalrights.on.ca/employment-and-work>. Finally, you can consult our website (www.communitylegalcentre.ca/legal_information/WR/ES/Links.htm) for links to these and other resources.

This column is not intended to provide legal advice; it is just general legal information provided by volunteer local lawyers and the staff of community legal clinics and Legal Aid Ontario. The law can change. You must contact a lawyer to determine your legal rights and obligations. If you are living on a low income, you may be eligible for free legal help from Legal Aid Ontario (criminal, family or immigration) or your local community legal clinic (income security programs, employment law, tenants' rights, or human rights). You can reach Legal Aid Ontario at 1-800-668-8258 or visit them online at www.legalaid.on.ca. Contact the Community Advocacy & Legal Centre at 1-877-966-8686 for more information or visit www.communitylegalcentre.ca.

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