

Course
Rights and Responsibilities at Work

PRS-P121-1

Presecondary



“Every one of us is responsible for all.”

Saint-Exupéry

Presentation of the Course *Rights and Responsibilities at Work*

The course *Rights and Responsibilities at Work* is designed to help adult learners deal competently with real-life situations in which they must be familiar with the regulations governing disputes in the workplace.

This course prepares adults to assume their social responsibilities and defend their rights at work. It is specifically designed for adults who intend to enter the work force at the end of their studies, regardless of their level of work experience.

By the end of the course, adults will be able to demonstrate summary knowledge of occupational health and safety regulations and standards. They will be able to assess a situation and file a claim or exercise recourse in the event of prohibited practices or disputes that may affect them or others. Finally, adults will also be aware of their responsibilities regarding prevention in the workplace.

Dealing With the Real-Life Situations

Dealing effectively with real-life situations is based on actions. These actions are grouped into categories and make use of a set of resources that include operational competencies and essential knowledge. During the learning process, adults are expected to construct knowledge related to these resources in order to be able to deal appropriately with their real-life situations.

The class of situations, categories of actions, operational competencies and essential knowledge constitute the compulsory elements of the course. These elements are explained in detail under their respective headings.



Class of Situations Addressed by the Course

This course addresses a single class of situations: *Disputes in the workplace*.

Adults who have little schooling often find themselves in precarious job situations where exercising their responsibilities and defending their rights can prove difficult. The situations in this class will help adults recognize the need to be familiar with the basic regulations governing working conditions and prepare them to adopt appropriate behaviours and judge with discernment various situations involving disputes.

The real-life situations dealt with in this course focus on the regulations contained in two laws governing most salaried workers in Québec: *An Act respecting labour standards* and *An Act respecting occupational health and safety*. Some real-life situations involve disputes associated with one or both acts, such as pregnancy, working “under the table,” discrimination or harassment.

Class of Situations	Examples of Real-Life Situations
Disputes in the workplace	<ul style="list-style-type: none">▪ Failure to comply with salary rates▪ Leaves of absence▪ Job loss▪ Discrimination▪ Harassment▪ Pregnancy▪ Working “under the table”▪ High-risk jobs▪ Work-related accidents▪ Occupational illnesses

Categories of Actions

The *categories of actions* are groups of actions that are appropriate for dealing with the real-life situations addressed in the course. *Examples of actions* are provided to illustrate the scope of the category in a variety of contexts.

Categories of Actions	Examples of Actions
<ul style="list-style-type: none"> ▪ Determining rights and responsibilities at work 	<ul style="list-style-type: none"> ▪ Examines the responsibilities of employers and employees in a company ▪ Consults resource persons in the field ▪ Reads summaries explaining sections of the law ▪ Obtains information based on concrete examples ▪ Attends a lecture ▪ Decodes information related to labour standards ▪ Recognizes occupational health and safety conditions ▪ Identifies preventive behaviours
<ul style="list-style-type: none"> ▪ Examining a situation that could lead to a dispute 	<ul style="list-style-type: none"> ▪ Identifies questionable work environments ▪ Examines working conditions ▪ Defines contentious issues ▪ Defines the share of responsibility of each party involved ▪ Identifies different types of prohibited practices ▪ Discusses the facts surrounding a dispute ▪ Considers the consequences of a prohibited practice on the health and safety of the persons involved ▪ Evaluates the financial consequences of a prohibited practice

Categories of Actions	Examples of Actions
<ul style="list-style-type: none"> ▪ Preparing to file a claim or exercise recourse 	<ul style="list-style-type: none"> ▪ Determines the actions that need to be taken ▪ Formulates his or her view of the facts ▪ Uses appropriate language ▪ Chooses the appropriate recourse ▪ Consults a resource person ▪ Considers the procedures for filing a complaint ▪ Obtains information about time limits ▪ Uses the proper forms ▪ Recognizes the behaviours to adopt

Compulsory Elements and End-of-Course Outcomes

The compulsory elements are those that the teacher must absolutely take into account when designing learning situations.

Class of Situations

Disputes in the workplace

Categories of Actions

- Determining rights and responsibilities at work
- Examining a situation that could lead to a dispute
- Preparing to file a claim or exercise recourse

Operational Competencies

Communicates

- Looks for information on labour and occupational health and safety standards
- Exchanges information on working conditions
- Validates his or her understanding with individuals in the field
- Asks for help

Exercises critical and ethical judgment

- Considers the responsibilities of the parties involved
- Forms an objective judgment on working conditions
- Evaluates the consequences of a prohibited practice
- Defines his or her position
- Determines whether a claim or recourse is necessary

Essential Knowledge

- Working conditions
- Procedures for filing a complaint

The end-of-course outcomes describe how adults make use of the compulsory elements to deal with the real-life situations addressed in the course.

End-of-Course Outcomes

In order to deal with the class of situations *Disputes in the workplace*, adults learn to follow a process that will enable them to be prepared to exercise their rights and assume their responsibilities as workers.

To determine their rights and responsibilities at work, adults read about occupational health and safety standards, observe various relevant situations and exchange information on working conditions with resource persons. Thus, they familiarize themselves with information related to a given context. The information comes essentially from summaries that explain sections of two laws: the *Act respecting labour standards* and the *Act respecting occupational health and safety*. During exchanges, adults also make sure they understand the issues by consulting individuals in their field and asking for help if necessary.

When adults analyze a work situation that could become the object of a dispute, they consider the responsibilities of the parties involved. They form an objective judgment about the facts surrounding the working conditions at issue, and accurately assess the consequences that the prohibited practices may have on individuals and the workplace.

To be prepared to exercise recourse or file a claim, adults must first determine if such action is necessary. They then consider the procedures for filing a complaint that will allow them to uphold conditions they believe to be fair and equitable. They consult the right resource person for help, and use an appropriate level of language and the correct forms. They learn to define their position clearly and keep the documents they produce, as these contain evidence of their critical analysis. They will then be able to refer to those documents and reinvest what they have learned when preparing to exercise their responsibilities and defend their rights, should these be threatened in the workplace.

Evaluation Criteria

- Correctly determines his or her rights and responsibilities at work
- Objectively examines a situation that could lead to a dispute
- Is adequately prepared to file a claim or exercise recourse

Operational Competencies

The contribution of each operational competency is described in terms of the actions that are appropriate for dealing with the real-life situations in this course. These operational competencies are addressed in other courses and therefore all of the courses taken together contribute to their development.

In this course, only the following operational competencies are addressed: *Communicates* and *Exercises critical and ethical judgment*.

Contribution of the Operational Competency *Communicates*

The operational competency *Communicates* helps adult learners understand others and make themselves clearly understood when dealing with real-life situations related to the class *Disputes in the workplace*.

To be prepared to defend their rights and assume their responsibilities, adult learners exchange information about working conditions, situations that may lead to disputes, and applicable procedures. They gather information about the laws governing labour standards and occupational health and safety in order to identify the legislative provisions that govern these issues. During exchanges, adults ask for the help they need to locate useful information in summary documents and verify that they have understood information obtained from resource persons.

Contribution of the Operational Competency *Exercises critical and ethical judgment*

The operational competency *Exercises critical and ethical judgment* helps adult learners evaluate facts with discernment, question issues surrounding disputes and adopt an objective view of the working conditions they may face when dealing with real-life situations related to the class *Disputes in the workplace*.

Adult learners form an objective judgment about working conditions based on provisions of the acts respecting labour standards and occupational health and safety. They consider the responsibilities of the parties involved, in accordance with a given context and in light of what seems fair and equitable. They define their position, taking care to document it, and thus evaluate the consequences that a prohibited practice may have on them and on others. They also determine whether a claim or recourse is necessary.

Essential Knowledge

The text in parentheses defines the scope and meaning of the essential knowledge listed below. It refers to the main sections of the law summarized in documents and Web sites designed for the general public.

Working conditions

- Mission of the Commission des normes du travail
- *Act respecting labour standards*
 - wages and tips (regulations governing minimum wage and calculations)
 - duration of work (working hours, workweek, years of service)
 - annual leave (vacation)
 - paid statutory holidays
 - absences owing to sickness or accident
 - absences and leaves for family or parental matters
 - notice of termination of employment
 - notice of collective dismissal
 - employer declaring bankruptcy
 - work done by children (regulations regarding students and 16- to 18-year-olds)
- Mission of the Commission de la santé et de la sécurité du travail
- *Act respecting occupational health and safety*
 - basic regulations concerning ergonomics and the work environment (cleanliness and order, posture, equipment, use of physical strength)
 - preventive behaviours regarding basic regulations
 - work accidents (basic rules)
 - pregnancy and preventive leave (basic rules)
 - right to return to work (following an illness or absence)
 - right to refuse to work (in hazardous situations)

- discrimination (identification and awareness)
- psychological and sexual harassment (identification and awareness)

Procedures for filing a complaint

- Determining types of prohibited practices (practices that violate laws and regulations)
- Complaints filed before both commissions (appeals, forms, letters and requests)
- Time limit

Attitudes

The following attitudes are provided as suggestions only. The development of these attitudes can help adults become more competent in dealing with the real-life situations in this course.

Respect	Discernment
Respect for current laws and regulations is absolutely essential when protecting one's rights and assuming one's responsibilities at work.	In delicate situations, a discerning attitude will make it much easier to evaluate a problematic context and differentiate facts from opinions in versions of events given by an employer or employee.
Tact	Open-mindedness
Adults who demonstrate tact when asking for help or discussing a claim or recourse with a resource person are likely to get their message across more effectively.	Adults who are open-minded will be better able to grasp differences of opinion.

Complementary Resources

The following resources are provided as suggestions only and consist of references that may be consulted in learning situations.

Social Resources	Material Resources
<ul style="list-style-type: none"> ▪ Commission des normes du travail ▪ Commission de la santé et de la sécurité du travail ▪ Organizations defending non-unionized workers' rights ▪ Revenu Québec ▪ Revenue Canada ▪ Human Resources Development Canada ▪ Private companies 	<ul style="list-style-type: none"> ▪ Summary documents on the <i>Act respecting labour standards</i> ▪ Summary documents on the <i>Act respecting occupational health and safety</i> ▪ Company safety codes and regulations ▪ Newspapers ▪ Company newsletters ▪ Regional directories of businesses and organizations ▪ Sample company policies ▪ Sample letters of complaint ▪ Examples of forms ▪ CD-ROMs, videocassettes and E-texts <ul style="list-style-type: none"> - Videos of the <i>Commission des normes du travail</i> (in French) - Videos of the <i>Commission de la santé et de la sécurité du travail</i> (in French) ▪ Government or institutional Web sites <ul style="list-style-type: none"> - <http://www.cnt.gouv.qc.ca> - <http://www.csst.qc.ca> - <http://www.revenu.gouv.qc.ca> - <http://www.cra-arc.gc.ca> - <http://www.hrdc-drhc.gc.ca> - <http://www2.publicationsduquebec.gouv.qc.ca>

Contribution of the Subject Areas

The contribution of other subject areas, in particular knowledge related to Languages and to Mathematics, Science and Technology, is also useful for dealing with the real-life situations in this course. The elements identified for each subject area are not compulsory and do not constitute prerequisites.

Subject Area: Languages

Program of study: *English, Language of Instruction*

- Interacting orally to obtain information and advice, report an event, describe a problem, and participate in a mediation process
- Reading informative texts related to workplace rights and responsibilities (e.g. memos, employer guidelines and procedures, government pamphlets and brochures, health and safety directives)
- Writing informative texts related to workplace disputes (e.g. letters/e-mails of inquiry/complaint/request, incident reports), filling out forms, keeping records or logs of events

Subject Area: Mathematics, Science and Technology

Program of study: *Mathematics*

- Grouping elements using sets and subsets
- Operations on whole numbers and fractions:
 - calculations related to working conditions (wages according to hours worked, leaves of absence, etc.)

Program of study: *Computer Science*

- Basic use of a word-processor and an Internet browser:
 - requests sent by e-mail or using a word processor (letter)
 - on-line search for information related to working conditions (or consultation of appropriate computer media)

Andragogical Context

The *Introduction to the World of Work* program enables adult learners to take a critical look at the working world, particularly that of Québec. Legal issues, the value of work, as well as the evolution and realities of the workplace are all endowed with cultural attributes specific to a given context. In fact, the workplace is a hierarchical world governed by a cultural code. It gives rise to numerous expectations and may be the subject of important legal disputes.

The course *Rights and Responsibilities at Work* provides an opportunity for adults to explore the dynamics of the working world. By becoming familiar with the legal provisions governing the workplace, adults become versed in some of its cultural aspects and learn to identify their impact on working life. As they construct knowledge that is essential for evaluating working conditions, adults prepare themselves to deal with the most common situations likely to arise at work. The course contributes to the development of communication skills and critical and ethical judgment that will allow adults to adopt appropriate behaviours, judge working conditions and denounce prohibited practices; however, it does not cover the unique features of unionized environments.

To prepare themselves to exercise their rights and fully assume their responsibilities, adults will refer to past experiences or to examples of disputes. Various activities, such as case studies, role-playing, hypothetical situations, presentations, or testimonials, may be used

to support adults in their learning process. However, in order to protect adults' right to privacy, these activities will almost always be based on simulated cases. The concepts presented are simple. They concern the basic rules contained in two laws governing the working conditions of most employees and employers in Québec: the *Act respecting labour standards* and the *Act respecting occupational health and safety*. The legal texts and related regulations presented consist of summaries written for the general public.

The teacher's role consists in explaining the legal provisions in everyday terms so that adults can understand their basic concepts. It also involves guiding adults by providing models and objective facts on which adults can base their critical and ethical judgment. Teachers may consult various support organizations for salaried workers or the list of social and material resources to prepare different learning activities. These activities require the use of tools that are easily accessible and available, such as those offered by government agencies or Web sites. For example, two commissions (the CCST and the labour commission) provide a series of short videos (French only) on their Web sites that use terms easily understood by most adults. Various wage calculation tables, summaries of labour regulations and standards and forms are also available on these sites.

Learning Situation

The learning situation that follows is provided as an example to show teachers how the principles of the education reform can be applied in the classroom.

It is authentic in the sense that it addresses a real-life situation (taken from the class of situations in the course) that adults may find themselves in. It is sufficiently open and comprehensive to allow adult learners to explore several important aspects related to dealing with this real-life situation.

The examples of actions presented in the course help the teacher to identify those actions that an adult would take to deal with the real-life situation. The teacher can then refer to these examples in order to develop pertinent learning activities.

The learning situation is organized in terms of the three steps of the teaching-learning process, which are as follows:

- planning learning
- actual learning
- integrating and reinvesting learning

These steps highlight the principles of the education reform insofar as they encourage adults to be active, to reflect on their learning and to interact with their peers when the learning context is suitable. They include learning activities and may also include evaluation activities intended to support adults in the learning process.

These activities help learners to construct knowledge related to the compulsory elements of the course that are targeted by the learning situation concerned: one or more categories of actions, essential knowledge and the actions of the operational competencies associated with the categories of actions.

The example provided also refers to certain teaching strategies—pedagogical methods and techniques—that can be selected according to the learners, the context and the learning environment. Certain learning strategies may also be suggested, as well as a variety of material and social resources.

Example of a Learning Situation

Standards Governing Wages and Absences

The learning situation chosen for the class *Disputes in the workplace* involves a violation of standards governing wages and absences.

In order to help adult learners determine their rights and responsibilities as workers, the teacher asks them to evaluate different situations involving payments by an employer, or leaves of absence at work. The purpose of this analysis is to help adults examine labour standards and their application in common, real-life situations. The adults will be required to use the competencies *Communicates* and *Exercises critical and ethical judgment*.

In the first learning activity, the teacher distributes a simple case study describing three situations that could lead to a dispute. The first situation involves wage calculations, the second, the right to a leave of absence, and the third, a student's work hours. The teacher specifies that these situations deal with certain labour standards, such as those governing wages and tips, the duration of work, annual leave, paid statutory holidays, absences due to sickness or accident or for family or parental matters, and work done by children. The adults are first asked to answer a series of questions to determine what they know about labour standards and their application. They listen to a lecture on a topic related to the learning situation and go over the questions in order to validate their initial answers. The teacher then asks the adults to read about the context surrounding each situation on their own and answer the questions proposed. Once the questions have been answered, the adults discuss their observations and difficulties with the teacher and their classmates.

In the second learning activity, each adult teams up with a partner to draw up a list of questions concerning labour standards, in particular monetary standards and leaves of absence. The teacher walks around the classroom and guides the teams as they work on their questions. The questions are then discussed and pooled, and a list covering the most important elements is finalized. To avoid duplicating work, the teacher divides up the questions among the different teams. The class listens to a lecture on labour standards, during which the adults take notes and ask questions. The teacher then distributes a summary of the concepts associated with the situations discussed. Working with their partner, the adults read the summaries and then answer questions using information from the lecture. To add to their sources of information, the teacher may suggest that adults consult the Web site of the *Commission des normes du travail*, which contains information on wages, leaves and absences. The teacher circulates among the various teams, guiding them in their on-line search. Participants determine whether this information helps them confirm or enrich their answers. Armed with this new knowledge, each adult can further explore the situations presented and answer outstanding issues.

The teacher then distributes an evaluation checklist and asks the participants to validate their answers and compare them to the ones they gave at the beginning of the activity. This enables adults to gauge how much they have learned from the activities. The teacher also discusses the answers with the class to make sure that everyone has interpreted the information correctly.

Elements of the Course Addressed by the Learning Situation

Class of Situations	
Disputes in the workplace	
Learning Situation	
Standards Governing Wages and Absences	
Categories of Actions	
<ul style="list-style-type: none"> Determining rights and responsibilities at work Examining a situation that could lead to a dispute 	
Operational Competencies	Essential Knowledge
<ul style="list-style-type: none"> Communicates Exercises critical and ethical judgment 	<ul style="list-style-type: none"> Working conditions Mission of the Commission des normes du travail <i>Act respecting labour standards</i>
Complementary Resources	
<ul style="list-style-type: none"> Commission des normes du travail 	<ul style="list-style-type: none"> Summary documents on the <i>Act respecting labour standards</i> Government or institutional Web sites



