

WORKING FOR CASH? YOU HAVE RIGHTS AT WORK

It is legal to be paid in cash. Workers can get paid in cash for many kinds of jobs - in construction, cleaning, day labour work, through temp agencies, or in the service industry, and more. If you get paid in cash, don't have a Social Insurance Number, valid Work Permit, or don't have immigration status, you still have rights under basic labour laws. It is important to be prepared in case your rights are violated at work. Keeping detailed records about your work, pay, and employer will help you defend your rights, get the wages you are owed, or file a complaint.

PROTECT YOURSELF:

- Keep your own record of the hours, dates and location where you worked, and any problems that happen. Keep this information at home or on your personal cell phone.
- Write down how much you have been paid. Keep copies of any email transfers, receipts from payday loan or cash stores, or other evidence that shows your employer pays you. If possible, deposit all your cash into a bank account so that you can use your bank statements as evidence.
- Write down any information about your boss and the company that you can find: name, title, work and home address, phone numbers, license plate number.
- Keep records of any communication you have with your employer: texts, emails, phone calls, letters.
- If you have been working for cash, you may still qualify for EI. It is very important to have your own record of your hours worked and wages paid. Apply for EI as soon as you stop working.
- Your employer does not need to know your address. You can give your employer another address if you do not feel safe providing your real one. You may want to use an address where you can collect your mail.
- Only share information about your immigration status with people you trust.
- If you think your rights have been violated, call the Workers' Action Centre immediately to get help. All calls are free and confidential.

GETTING PAID

It is legal to be paid in cash but you must still be paid at least the minimum wage. Your employer must give you a record or "pay slip" every time you are paid. It should say how many hours you have worked, your pay rate, overtime, public holiday pay, vacation, and deductions taken for taxes, Employment Insurance (EI) and Canada Pension Plan (CPP). A boss who pays you in cash may not want to give you a pay slip because they want to avoid paying their employer contributions, such as EI or taxes. Even if you don't get a pay slip, you still have rights. It is important to have your own record of your hours worked and wages paid.

NO STATUS? UNDOCUMENTED? NO WORK PERMIT?

If you are working without a valid social insurance number (SIN) or work permit, or you do not have any status, you still have rights under basic labour laws. This includes employment standards, health and safety, human rights and the Workplace Safety and Insurance Board (WSIB), which pays compensation to workers who have been injured on the job. You can file a claim at the Ministry of Labour if your rights have been violated. WSIB and the Ministry of Labour are not supposed to share immigration information with the federal government. The Ministry of Labour can get you the wages you are owed even if you have left the country. Many of us who are undocumented are afraid of losing our jobs or being deported if we speak out about problems at work. But there are ways to protect ourselves when we are fighting for our unpaid wages or defending our rights. Call us for help. All calls are confidential.

WHERE TO GET HELP

Workers' Action Centre:

416-531-0778 | Toll Free: 1-866-531-0778
www.workersactioncentre.org

Migrant Workers Alliance for Change:

1-855-567-4722
www.migrantworkersalliance.org