



Legal Information: A Guide For Newcomers



Community Resources

The Journey Project

The Journey Project exists to strengthen justice support for survivors of sexual violence and intimate partner violence in NL. The Journey Project can support survivors of any gender and any age who are exploring their legal options by providing plain-language legal information, individualized support, and system navigation.

Telephone: 1-833-722-2805

Email: support@journeyprojectnl.com

journeyproject.ca

Family Justice Services

Provides help to families with parenting (decision-making and parenting time), visits with your child, and child support outside of court. This is a service that offers family law and mediation.

Free service, counselling, education.

Avalon Region: 709-729-1183

Central Region: 709-256-1205

Western Region: 709-634-4174

Labrador Region: 709-896-7941

court.nl.ca/supreme/family-division/family-justice-services

Immigration, Refugees and Citizenship Canada (IRCC)

Provides information to newcomers to Canada about immigration status and immigration options. The IRCC reviews and makes decisions on all Canadian immigration applications.

Telephone: 1-888-242-2100

canada.ca/en/immigration-refugees-citizenship.html

Residential Tenancies Board

Provides help and information to landlords and tenants who may have questions or concerns about renting an apartment or house. They also provide mediation services for disagreements between landlords and tenants.

Telephone: 709-729-2608
Toll free in NL: 1-877-829-2608
Email: landlordtenant@gov.nl.ca

gov.nl.ca/dgsnl/landlord

Labour Standards Division

Provides information and support about your rights and responsibilities at work. They also provide mediation and investigation for disagreements between employers and employees.

Telephone: 709-729-2742
Toll-Free: 1-877-563-1063
Email: LabourStandards@gov.nl.ca

gov.nl.ca/ecc/labour/nonunion

Newfoundland and Labrador Human Rights Commission

Provides support, mediation, and investigation for situations of discrimination and harassment.

Telephone: 709-729-2709
Toll Free: 1-800-563-5808
Email: humanrights@gov.nl.ca

thinkhumanrights.ca

Service Canada Temporary Foreign Worker Tipline

If you are experiencing or are at risk of abuse in the workplace, or your employer is not following the rules of the Temporary Foreign Worker Program, your rights are protected by law and you have options. You can report your employer to Service Canada and remain anonymous if you wish.

Tip line: 1-866-602-9448

canada.ca/en/employment-social-development/services/foreign-workers/protected-rights.html

Legal Aid

Provides legal support and representation to low-income individuals with serious legal issues who cannot afford a private lawyer. Legal Aid offers legal support in the areas of family, criminal, and immigration law.

St. John's: 709-753-7863

Corner Brook: 709-639-9226

Labrador: 709-896-5323

legalaid.nl.ca





Contact Us

Please note we do not accept walk-in clients at this time. If you would like to meet with someone in person please contact us by phone or email and we will schedule an appointment for you.

Legal Information Phone Line

Monday - Friday

All messages will be returned within one business day.

Lawyer Referral Service

Monday - Friday

One 30-minute consultation with a lawyer for a fee of \$40 (taxes are included).

Lawyers are available in any area of law.

St. John's Office

Suite 301, 140 Water Street (TD Building)
St. John's, NL, Canada A1C 6H6

*Accessible entrance at Water Street

Telephone: 709-722-2643
Toll-Free: 1-888-660-7788
Email: newcomers@publiclegalinfo.com

Labrador Office

45 Grenfell Street
Happy Valley-Goose Bay, NL
Canada A0P 1E0

Telephone: 709-895-5235
Email: labrador@publiclegalinfo.com

Your Rights and Responsibilities Renting a House or Apartment

You and your landlord must follow the terms of the Residential Tenancies Act which includes the legal rights and responsibilities of both landlords and tenants. Your landlord is required to give you a copy of the Act when you begin a rental agreement. It is also available online.

Renter

- ▶ Pay rent on time.
- ▶ Keep the property clean, and repair any damages you or your guests cause.
- ▶ You cannot allow other people to move into the house or apartment without agreement from the landlord.
- ▶ Do not change locks or disconnect heat or water.
- ▶ Tell your landlord in writing if you are going to move out.
- ▶ Give the landlord the appropriate amount of notice if you are going to move out - this depends on the terms of your rental agreement (i.e. monthly or fixed-term agreement).



Landlord

- ▶ Is responsible for making sure the house or apartment is livable, safe, and secure and completing any necessary repairs in a reasonable amount of time.
- ▶ Cannot enter your apartment or house without notice unless it is an emergency (i.e. fire or flooding).
- ▶ Must give you 24 hours notice (in writing) to enter your apartment.
- ▶ Must give you not less than 6 month's notice in writing before increasing the rent.
- ▶ Cannot increase rent in the first 12 months immediately following a rental agreement or more than once in a 12-month period.
- ▶ Cannot disconnect heat, water, or electricity or deny/limit access to common areas (i.e. the kitchen or laundry facilities).
- ▶ Must return your security deposit within 10 days after your rental agreement finishes unless they have filed a Dispute Resolution with the Residential Tenancies Office to keep the security deposit.
- ▶ Can end your rental agreement if you do not follow the terms of your rental agreement or the terms of the Residential Tenancies Act. They must still give you notice in writing. The amount of notice depends on the reason for ending the agreement.
- ▶ Cannot ask you to pay a fee if you want to view or are interested in renting an apartment or house. The only fees a landlord can ask you for are the security deposit and rent after you have agreed to the terms of the rental agreement

You have the right to have a support person and interpreter review your rental agreement and be with

Your Rights at Work

Your employer in Canada must follow the terms of the Labour Standards Act which includes the legal rights of an employee at work. You can ask your employer to show you a copy of the Labour Standards Act any time. It is also available online.

- ▶ Minimum wage is \$15.00 per hour as of December 2023, but may increase.
- ▶ A standard work week is 40 hours per week.
- ▶ You have the right to keep any tips (also called 'gratuities') you earn at your job. You might earn tips in jobs such as restaurant service or housekeeping.
- ▶ Your employer must give you your employment terms and conditions in writing. This includes your job title, responsibilities at work, hours of work, and rate of pay.
- ▶ Your employer must pay you on time on a regular schedule and provide you with a document (paper or digital) that shows the amount you were paid and any deductions from your pay (i.e. taxes).
- ▶ You may take a 1 hour break for every 5 hours worked.
- ▶ You have the right to take paid time off of work for things like vacation, illness, family responsibilities, the illness or death of a family member, parenting a new baby, and family violence.
- ▶ Your employer must give you the proper amount of notice and pay, according to the Labour Standards Act, if they end your employment.
- ▶ You have the right to a workplace free of discrimination and harassment. If you are experiencing any kind of abuse in the workplace you have the right to report it and you will be protected by the law. This includes physical, psychological, financial, and sexual abuse.

- ▶ Your employer cannot take or limit your access to your passport, identity documents, or any immigration documents (i.e. work or study permits).
- ▶ Your employer has no control, power, or influence over your immigration status in Canada in any situation. They cannot cancel your work permit or have you deported. If you are following the terms and conditions of your work permit, you are legally allowed to remain in Canada and are protected by the law until your permit expires.
- ▶ **It is against the law for an employer to threaten or intimidate you in any way.**
- ▶ Your employer cannot ask you to pay them for the fees they paid to recruit you as a foreign worker (i.e. advertising, third-party consultation, etc). They also cannot ask you to pay them for your transportation to Canada (i.e. flight costs) unless this was agreed upon in writing by both you and the employer when you signed the work contract.
- ▶ You have the right to refuse unsafe work.
- ▶ You have the right to job training, including how to use tools or machinery safely.
- ▶ Your employer is required to provide you with safety equipment and proper clothing (i.e. safety goggles or high visibility clothing) if it is needed for you to do your job safely.
- ▶ You have the right to feel safe if you work alone.

If you are a temporary foreign worker and you are experiencing abuse or are at risk of abuse in your workplace, you can apply for an Open Work Permit for Vulnerable Workers through the IRCC. This can help you leave an unsafe workplace and continue working legally in Canada.



Your Rights and Responsibilities as a Family, Spouse, or Partner

In Canada, **family law** means legal issues and decisions related to divorce (the end of a marriage), separation (when a couple breaks up, whether or not they were married), parenting time and decisions for children, financial support for children and/or for a spouse or partner, and child protection.

Some basic things to remember:

- ▶ You have the right to spend time with your child and make decisions about them even if your marriage or relationship ends. However, in some situations, a judge can limit or deny parenting time or give decision making power to only one parent, if it is in the best interest of the child(ren). Usually, a judge will try to make sure both parents spend equal time with their children and make decisions about the lives of their children together.
- ▶ You have the right to have consensual romantic and sexual relationships and get married, regardless of you or your partner's gender identity, sexual orientation, race, religion, or cultural background.
- ▶ You have the right to end a relationship or get a divorce for any reason, even if your spouse or partner doesn't want to end the relationship.

- ▶ You have the right to your own money, property, and belongings while in a relationship or married, and after a relationship or marriage ends. You also have the right to share property and belongings that you and your spouse get during a marriage. In some situations, a judge will help decide how money, property, and belongings are divided when a marriage ends.
- ▶ You have the right to be safe from violence and abuse even if you are married or in a relationship.
- ▶ You have the right to ask the courts for help to settle family law issues.
- ▶ A child can be removed from the home by representatives of the government (the Department of Children, Seniors, and Social Development) if they have been abused or are at risk of harm or neglect.

Many types of violence are a crime in Canada. If you are charged with a crime and found guilty you could receive a sentence which can include going to jail. This can also affect your immigration status and your ability to remain in or return to Canada.

Family Violence includes:

- ▶ Punching, hitting, slapping, or kicking your wife, husband, partner, or child.
- ▶ Psychological, emotional, physical, financial, sexual, and verbal abuse.
- ▶ Harming pets or threatening to harm pets.
- ▶ Damaging property that belongs to someone else.
- ▶ Preventing your spouse or partner from working, having money, having friends, enjoying their culture, leaving your home, or practicing their religion.
- ▶ Unwanted sexual contact. It is illegal to have any sexual contact with someone if they do not want it, even if you are married or in a relationship.



General Legal Information

When you are facing any legal issues or difficulties, it is always a good idea to speak with a lawyer and get some advice about your situation. You can hire a private lawyer who can give you advice or represent you in court/legal matters, you can contact Legal Aid, or you can contact Public Legal Information Association and speak with a lawyer for 30 minutes for \$40.

In Canada, certain criminal charges can have a serious effect on your immigration status and your ability to remain in and return to Canada. For example, criminal charges as a result of drinking alcohol or taking drugs and driving a motor vehicle can result in you being removed from Canada for up to 10 years. In some cases, you may never be able to return to Canada.

If you are arrested by the police, you have the right to speak to a lawyer before you answer any questions. The police are required to inform you of this right when they arrest you. You always have the right to have a lawyer, support person, and/or an interpreter at any legal appointments, police interviews, or court appearances.

It is important to learn your legal rights and follow and understand the law while you are living in Canada. If you are arrested for any crime or have concerns about your immigration status, speak to a lawyer as soon as possible. You always have the right to speak to a Legal Aid lawyer as soon as possible if you cannot afford a private lawyer. You have the right to get the phone number for Legal Aid from the police if you are arrested.

Contact Us

www.publiclegalinfo.com

 1-888-660-7788

 1-709-722-2643

 info@publiclegalinfo.com

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TD Place, St. John's NL A1C 1B9

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