
Kent Stacey
travail avec leurs responsabilités familiales, les maintenant ainsi dans un cercle vicieux de précarité. De plus, l’auteure permet aux lectrices et aux lecteurs de mieux saisir les dynamiques qui s’opèrent en ayant recours à une multitude de citations des participantes tout au long de l’ouvrage. Certaines personnes pourraient cependant être déçues parce que l’auteure fait souvent référence au rôle des réseaux dans le soutien personnel et dans l’accès à l’emploi mais qu’elle n’explore jamais en profondeur cet aspect. Néanmoins, cet ouvrage demeure très intéressant et porteur de réflexions fort pertinentes en matière d’inclusion sociale et économique de groupes historiquement désavantagés.

Carol-Anne Gauthier
Université Laval

Employee Rights and Employer Wrongs: How to Identify Employee Abuse and How to Stand Up for Yourself

Kleinberg and Kreiman’s manual is about the federal and provincially-derived rights and responsibilities of employees and employers. The work is dichotomously structured to address the concerns of each party to the employment relationship. It places special emphasis on employee entitlements. The scope of this treatment includes remuneration, holidays and leave (e.g., maternity, paternity, adoption, and personal). Chapters consists of tables which straightforwardly lay out the provincial/territorial and Federal obligations of employers. Insofar as leave is concerned, accompanying text explains pay entitlements and other benefits associated with planned employee absence. For example, on the one hand, during maternity leave in some jurisdictions, employment insurance benefits can be paid for up to 15 weeks. On the other hand, paternity leave may cover part of a father’s salary for up to 35 weeks.

In some cases employers may “provide a supplemental unemployment benefit plan that partially or wholly makes up the difference between EI maternity (and/or paternity) benefits and the workers salary” (p. 55).

For employers, the manual presents strategy concerning pay, drug and alcohol testing, and personal relationships within the workplace. These issues each have a privacy dimension that is controversial in Canada. The key legal elements of employee privacy address marital status, personal relationships in the workplace, monitoring of emails and internet use and drug testing. These matters are comprehensively dealt with. The authors conclude that employers cannot monitor the keystrokes of their employees whilst they are working; irrespective of whether they can justify such an intrusion on the grounds of improving organizational performance. Kleinberg and Kreimeh use case law to illustrate to employers what may constitute a privacy breach.

There are some weaknesses in the manual. For example, it would have been better if it had acknowledged upfront that any violations of the rights that are outlined by the federal and/or the respective provincial governments are considered anti-social behaviour on the part of the employer toward their employees. Notwithstanding this concern, a gap in the anti-social behaviour literature exists. To date, such material has mostly focused on the anti-social behaviours of employees and not employers. Kleinberg and Kreiman’s manual does a solid job of addressing this omission. It acknowledges that employer conduct that intentionally breaches employee rights – and/or could reasonably be assessed as negatively impacting their well-being – can be viewed as anti-social. From a more critical perspective, Kleinberg and Krieman have not adequately delineated anti-social behaviour as a concept. Doing so would have better helped the reader to get a sense of what is wrong with their workplace which, in turn, would have better
empowered them to hold their organiza-
tion accountable.

A noticeable shortcoming of the manual
is found in the section addressing work-
place aggression. Here the book does not
adequately stress the adverse impact that
such behaviour may have on employees as
well as other contextual elements. It does
not highlight that workplace aggression is
a growing social pandemic throughout the
world. There is evidence that it lowers an
employee’s commitment to their organiza-
tion which, in turn lessens their productivity.
This problem is dealt with only superficially
in the chapter

“Workplace Bullying/Mobbing.” The
narrative here portrays bullying as repeated
instances of aggressive behaviour. A better
definition would have been “any behav-
ior that intentionally targets an individual,
eliciting negative emotions in order to
capitalize on them as a way to limit his/her
options can be considered to be acts of
aggression (see Einarsen, 2000; Einarsen
et al., 2003).” Such acts may be circuitous
in nature; making them difficult to define
and/or pinpoint (Baron and Neuman,
1996). If the authors had discussed this
view – and perhaps given examples of the
range of disparate workplace behaviours
that may be interpreted as aggressive –
they would have produced a more
sophisticated book.

Kleinberg and Kreiman’s manual is highly
readable. It clearly indicates how different
Canadian jurisdictions deal with notions
such as workplace equity and fairness.
In so doing it highlights a comparative
perspective on the interpretation of federal
workplace law and the Canadian Charter
of Rights and Freedoms. The manual gives
an all-encompassing notion that Canada is
an egalitarian culture; and that this is desir-
able. In short, it is a quick ‘go to’ manual
that educators, employees, and employers
can use with ease and confidence.

Kent Stacey
Griffith University