



With Wendy

Employee Rights...Should I get paid for Staff Meetings?

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I often receive calls and enquiries about employees' rights when it comes to attendance at staff meetings. Here are my responses to your questions:

Q: I am a hygienist and I work for a dentist. From time to time, the practice holds staff meetings that all staff members are required to attend. These meetings are often held during our lunch hour and our employer pays for lunch to be brought in. I've noticed on my last several pay stubs that even though I put these meeting times on my time card, I have not been paid for this time. I approached my employer and he indicated that, since the meetings occur during our lunch break, he is not willing to pay staff for this time. Furthermore, he feels that since he pays for lunch, we are not owed any further compensation for attending the staff meetings. Is this correct?

A: A great question. I applaud the office staff and the employer for holding staff meetings - this is an all too often neglected part of a healthy office protocol. The issue of staff members not being paid for this time, however, does require a closer look. There are different rules for unionized employees so for the purpose of this discussion, I am assuming that you are not employed under a union contract. Usually, the first thing I ask a dental hygienist when they contact me about employment related issues is whether or not if they have an employment contract (EC). If you do have an EC, I would hope that office meetings and/or staff meetings are addressed.

In the event that an EC does not exist or that it does not address staff meetings, the BC Labour Standards will apply. Employers in BC who hire dental hygienists must follow the Employment Standards Act (the Act). An important note to mention is that **an Employment Contract cannot violate the minimum standards as outlined in the Employment Standards Act**. For example, an employment contract cannot state that an employee will not receive holiday pay as holiday/vacation pay is a right under the labour laws.

The BC Employment Standards Act indicates that an employee must be paid for all work. Employees are considered to be at work while attending meetings conducted or arranged by their employer where they are instructed or provided information that serves a business purpose. An example might be a meeting to review new charting procedures that the employer requires and is therefore considered to be work. The definition of work, according to the BC Employment Standards Act can be found at:

<https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/igm/esa-definitions/esa-def-work?keyword=definition&keyword=of&keyword=work>

Q: Am I entitled to my regular hourly rate of pay when attending staff meetings?

A: Again, I would refer you to your EC if you have one. The amount you are paid must be agreed upon by the employer and employee ahead of time. I recently spoke with an Employment Standards agent about this topic and they indicated that the Act is silent on salary/wages so long as the employer/employee agree on a wage/salary that is equal to or greater than minimum wage (as of September 15, 2017 the minimum wage in BC is \$11.35 per hour). Therefore, I am suggesting that you speak with your employer prior to the next staff meeting to try and negotiate a mutually agreeable salary/wage for your attendance. Since it is not necessarily assumed that you would be paid the same hourly rate for all types of work, an employer and an employee may mutually agree upon different wages for different types of work. For instance, you and your employer could mutually agree that you get paid \$50/hour when performing patient care services and \$40/hour when performing administrative type of duties (e.g. calling recall patients, filing, attending staff meetings, etc.).

Q: My employer also indicated that I would be able to claim continuing education credits for some of the staff meetings because we often review general competency items like dental software use. Is this type of training eligible for CE?

The software/computer training you mention might be eligible for CE credits, however, CE credits are a requirement of the College of Dental Hygienists of British Columbia (CDHBC) in order to assist the dental hygienist with continuing competency, the question regarding CE credits should be directed to the CDHBC. You could contact CDHBC to inquire; their contact information is 1-800-778-2877 or cdhbc@cdhbc.com.

Q: Where should I go to get more information on my rights as an employee?

A: You can contact the Employment Standards Branch at 1-800-663-3316 for more information. They are very accommodating and are happy to provide answers to employment questions. Additionally, there is lots of helpful information on their website located at:

<https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards>

Q: In the answer to my first question you mention an employment contract (EC). Where would I go to find more information?

A: Great question....BCDHA has just published “The BC Dental Hygienists’ Guide to Employment Contracts.” The purpose of this guide is to assist dental hygienists with entering into an employment contract. This guide is offered to all BCDHA members free of charge. Please visit the BCDHA website at <http://www.bcdha.com/wp-content/uploads/2018/10/GUIDE-to-EMPLOYMENT-CONTRACTS-FINAL.pdf> to download your copy today!

If you have any questions about employment issues please feel free to reach out to me at wjobs@bcdha.bc.ca or 604-415-4579 ext 304.