

Information **Employment Standards**

WORKING TOGETHER



This information is also available in French.
Ces renseignements sont également offerts français.

**Manitoba
Labour
Employment
Standards**



About this Brochure

This brochure outlines minimum employment standards and provides answers to some of the most often - asked questions about the legislation.

Remember, there are exceptions. For example: residential care workers, home care workers and domestic workers have special considerations; construction industry workers are covered by legislation respecting construction industry wages, employment standards and other issues; standards may vary under collective (union) agreements; and some workers in Manitoba are not covered by provincial laws.

If you're not sure if the regulations outlined here apply to you or a specific work situation, contact us.

ABOUT EMPLOYMENT STANDARDS

Manitoba's employment standards laws promote fairness in the workplace for both employees and employers. The Employment Standards Branch is a neutral party that administers laws on minimum wages, hours of work, holidays and other workplace benefits. We are also responsible for investigating complaints of violations of these laws.

WORKING TOGETHER

Our aim is not only to enforce the legislation, but to ensure employees and employers are aware of their rights and responsibilities under these laws. To accomplish these goals, we provide a comprehensive program of client initiated services, pro active services and labour adjustment services.

We believe that fair employment practices benefit all Manitobans, and that cooperation is the key to stable and harmonious employment relations. If a dispute between an employee and employer cannot be resolved, either may contact the Employment Standards Branch to file a claim. Under the *Employment Standards Code*, the jobs and working conditions of employees who initiate or are otherwise involved in a claim are protected.

MINIMUM WAGE

The minimum wage in Manitoba is \$7.60 per hour regardless of age.

FREQUENCY OF PAY

Employees must be paid at least twice a month. Upon termination, all outstanding wages including vacation wages must be paid within 10 working days.

OVERTIME

Overtime can only be worked with the employee's consent and the employer's authorization. Employees receive overtime pay equal to 1.5 times their regular rate of pay for all hours worked more than 8 hours a day or 40 hours a week. With a written agreement, paid time off equalling one and a half times the hours of overtime worked may be given instead of overtime wages.

MEAL BREAK

Employees must have an unpaid meal break of at least 30 minutes for every 5 hours worked.

TERMINATION OR LAYOFF

The employer or the employee usually must give notice equal to at least 1 pay period if either wish to terminate employment unless termination occurs within the first 30 days of employment.

If an employer fails to provide sufficient notice, the employee may be entitled to wages instead of notice. If an employee fails to provide proper notice, the employer may be entitled to withhold or recover an amount equivalent to the employee's wages for 1 pay period. A different notice period can be established if the employer posts a detailed notice in a prominent, permanent location, and provides employees with the policy in writing.

EMPLOYMENT OF CHILDREN

A Child Employment Permit is required to employ anyone under 16 years of age. Permits are only issued after specific employment has been obtained. Applications are available from all Employment Standards offices. Children have the same rights and responsibilities as other employees.

ANNUAL VACATION

Employees are entitled to a minimum 2-week vacation for every year worked for the same employer. After 5 years, paid vacation time is 3 weeks. Employers must pay employees a minimum of 4% of regular wages earned by the employee in the qualifying year excluding overtime. Employees eligible for 3 weeks vacation receive 6% of regular wages.

GENERAL HOLIDAYS

New Year's Day

Good Friday

Victoria Day

Canada Day

Labour Day

Thanksgiving Day

Christmas Day

Easter Sunday, the August Civic Holiday and Boxing Day are not general holidays. Remembrance Day is recognized through *The Remembrance Day Act*.

To be eligible for a paid general holiday, employees must:

- earn wages for part or all of the 15 out of 30 calendar days prior to the holiday;
- be available for work on their regular working days before and after the holiday; and
- report to work on the holiday if the employer requires it.

Eligible employees are entitled to the day off with regular pay, or, if they work on the holiday, a regular day's pay plus 1.5 times the regular wages for all hours worked on the holiday.

Employees of some types of businesses may be paid their regular rate if they are given equal paid time off within 30 days. As well, other eligibility requirements apply to minimum wage earners.

FOR MORE INFORMATION

Call our 24-hour Inquiry Lines

1-800-821-4307 outside of Winnipeg

945-3352 inside Winnipeg

or contact the office nearest you:

■ **Winnipeg** 945-3352

■ **Beausejour** 268-6042

■ **Brandon** 726-6370

■ **Morden** 822-4491

■ **Thompson** 677-6664

You can download more detailed information through our web site:

www.gov.mb.ca/labour/standards/



