



Manitoba Heavy Construction Wage Rates and Employment Conditions

under

The Construction Industry Wages Act

Effective June 1, 2006

GENERAL INFORMATION ABOUT *THE CONSTRUCTION INDUSTRY WAGES ACT*

Coverage: Wage rates and hours of work for employees in the Heavy Construction sector of the construction industry are regulated under *The Construction Industry Wages Act*. Additionally, all construction employees, unless specifically excluded by the Code, are covered by the provisions of *The Employment Standards Code*.

Lower rates prohibited: Employers and employees cannot make deals, contracts or arrangements that result in payment at rates lower than those in this document. Nor can they make agreements contrary to or less than the provisions of *The Employment Standards Code* or *The Construction Industry Wages Act*.

Payment of wages: An employer must pay an employee wages within five working days after the end of each pay period or within five working days of the termination of employment.

Employment records: Employers and sub-contractors must maintain proper payroll records, including a record of hours worked by employees, for not less than three years after the record is made.

Vacations with pay: For each year worked for the same employer, an employee is entitled to a 2-week paid vacation equal to at least 4% of wages earned during the qualifying year (excluding overtime). After 5 years this rises to a 3-week paid vacation equal to at least 6% of wages earned during the qualifying year (excluding overtime).

General holidays: All construction employees are entitled to be paid general holiday pay based on 4% of their total wages and vacation allowance (excluding overtime) over the period worked during the year. These wages must be paid no later than December 31 of that year or on termination of employment. The generally accepted practice of paying 4% holiday wages on each cheque meets the minimum standard.

Additionally, employees that work on a general holiday are entitled to one and one-half times their regular rate of pay for hours worked on that day.

Termination: Notice of termination of employment is not required by employers or employees employed in the construction industry.

Further information and filing complaints: Employers or employees seeking more information about *The Construction Industry Wages Act* or *The Employment Standards Code* or seeking to file a complaint should contact the Employment Standards Branch, Manitoba Labour, Room 604 Norquay Building, 401 York Avenue, Winnipeg Manitoba, R3C 0P8. Winnipeg telephone: 945-3352. For the location of regional offices, or for inquiries outside of Winnipeg please call 1-800-821-4307. Web: <http://www.gov.mb.ca/labour/standards>.

THE HEAVY CONSTRUCTION SECTOR

According to *The Construction Industry Wages Act* the heavy construction sector includes that portion of the construction industry engaged in:

- (a) the construction and maintenance of highways, roads, railroads, or runways, together with minor drainage divider and retaining works incidental thereto,
- (b) the construction and maintenance of wharfs, docks, sidewalks, curbs or gutters,
- (c) the paving and maintenance of parking lots and the preparation thereof,
- (d) the removal of snow from and blading of highways, roads, railroads, runways or parking lots,
- (e) the construction and maintenance of the earth moving and fill portions of irrigation and drainage projects, and minor works incidental thereto,
- (f) the use of heavy construction equipment for the construction and maintenance of dams, tunnels, bridges or overpasses, and works incidental thereto, including the moving of earth or rock relating thereto,
- (g) the construction and maintenance of water lines, sewer lines, pipelines, sewage lagoons, sewage lift stations, and appurtenances, and underground service lines, but not including the contents thereof,
- (h) the use of heavy construction equipment for piling, shoring, building excavation or site preparation, including the stripping of overburden and grading to new contours,
- (i) the transportation of rock, gravel, sand, clay, asphalt, or concrete to and from batching plants for use in construction,
- (j) the processing and batching of rock, gravel or sand aggregate,
- (k) the use or operation of crushers, screeners, wash plants or heavy construction equipment associated with extractions of rock, gravel or sand aggregate for use in construction,
- (l) the transportation of earth, soil, or rubble from a construction site, and the hauling of granular material to a construction site,
- (m) the hauling of heavy construction equipment by heavy construction contractors to perform any or all of the tasks or activities described in clauses (a) to (l), (o) and (p),
- (n) the repair and maintenance of heavy construction equipment by employees in heavy construction, whether the work is performed in a shop or on a construction site,
- (o) the demolition of any building or structure, whether or not heavy construction equipment is used in the demolition,
- (p) the construction and maintenance of transmission lines.

HEAVY CONSTRUCTION INDUSTRY WAGES

The following table sets out the minimum wages rates payable to employees in the heavy construction industry by regulation under *The Construction Industry Wages Act*. The rates come into effect on June 1, 2006 and are increased on January 1, 2007.

HOURS OF WORK AND OVERTIME

All hours worked in excess of the standard weekly hours shall be paid for at not less than one and one-half times the regular rate of wages. The standard weekly hours for heavy construction employees shall be:

- 50 hours outside of Winnipeg
- 50 hours in Winnipeg from April 1 to October 31 of each year,
- 48 hours in Winnipeg from November 1 in each year to March 31 in the following year.

For the purpose of determining standard hours, Winnipeg is defined as all the lands lying within one-half mile beyond the Perimeter Highway. The definition of Winnipeg also includes any land that is within the limits of Winnipeg as defined in *The City of Winnipeg Act*, even if that land extends more than one-half mile beyond the Perimeter Highway.

	June 1, 2006	January 1, 2007
1. <i>Mobile Crane Operator working on heavy construction</i>	\$16.75	\$17.70
2. <i>Heavy Duty Mechanic or Welder working on heavy equipment</i>	\$15.30	\$16.20
3. <i>Operator of a dragline, clam shell, shovel, hydraulic excavator, pile driver and other equipment requiring similar skills</i>	\$15.10	\$16.00
4. <i>Plant operator, Operator of paving machines, dozer, loader, loader backhoe, grader, scraper, hydro excavator, tractor with controlled attachments, and other equipment requiring similar skills</i>	\$13.50	\$14.25
5. <i>Truck Operator of trucks with 4 or more axles, fuel truck, distribution truck, truck with hydraulic boom hoist</i>	\$13.30	\$14.00
6. <i>Truck Operator of trucks with less than 4 axles and more than 2,500 kgs</i>	\$12.50	\$13.20
7. <i>Operator of light trucks (less than 2,500 kgs) ride on/tractor pulled compaction equipment and other equipment requiring similar skills</i>	\$11.50	\$12.40
8. <i>Skilled Labourer including Concrete Finisher, Pipelayer, Screedman and jobs requiring similar skills in the heavy construction industry</i>	\$12.10	\$12.80
9. <i>General labourer in heavy construction industry not otherwise classified</i>	\$10.50	\$11.40
10. <i>Watcher, Flagger and Rodman</i>	\$ 9.00	\$ 9.90