

ICI Construction Industry

The Construction Industry Wages Act, along with The Employment Standards Code, sets wages and working conditions on most Manitoba construction sites. The industrial, commercial and institutional (ICI) construction sector has its own minimum standards and wage levels.

What types of construction activities are included in the industrial, commercial and institutional sector?

The industrial, commercial, and institutional sector (ICI) is defined by The Construction Industry Wages Act. It includes most industrial, commercial and institutional construction projects in Manitoba and is often called the building construction sector.

Activities under the ICI sector must take place onsite and include building, decorating, removing and relocating of buildings or other structures other than houses.

Employers and employees who need information about their individual situations should see the [ICI wage schedule](#) page or contact the Employment Standards Branch directly.

What construction activities are excluded from the ICI sector?

The following construction activities are specifically excluded:

- house building
- onsite maintenance, redecorating, renovating, remodelling and repair of an ICI building or other structure that does not require a blueprint or a structural or architectural change.
- prefabrication of structures away from the building site.
- regular maintenance and repair of buildings, which is paid by the owner, tenant or occupant
- construction of farm buildings

What is the minimum wage in the ICI construction sector?

The minimum wage depends on employees job classifications, where the jobs are located and size of the jobs. The classifications and wage rates can be found on the [ICI wage schedule](#) page.

How are the ICI classifications categorized?

1. Journeyperson: anyone with a journeyperson certificate from a recognized authority (usually a provincial apprenticeship branch) or anyone who has learned the skills by working in the trade, for at least six years
2. Skilled tradesperson: anyone who has worked at least 2,400 hours in one of the following trades: asbestos abatement; elevator construction; floor covering; insulating; specialty labour (assistant bricklayer); general construction; marble, tile and terrazzo installation; plastering; pre-fabricated metal building erecting; sheeting, decking and cladding; and scaffolding.
3. Trainee: anyone training to become a skilled tradesperson There are two trainee wage levels:
 - Trainee 1 for less than 1,200 hours of work in a trade
 - Trainee 2 for between 1,200 and 2,400 hours in a trade.Employers may not have more than one trainee for each skilled tradesperson.
4. Construction worker: anyone working on a construction site who is not a journeyperson, skilled tradesperson, trainee, or apprentice

Can employers have unlimited numbers of trainees and construction workers on a job site?

No, legislation limits the number of trainees and construction workers. Employers can only employ one trainee for each skilled tradesperson working on a job site. They can also only employ one construction worker for every 10 employees working on a site. Staff not working in construction, (Ex: administrative or bookkeeping), should not be counted in the ratio.

For example: if an employer has three carpenters, two carpenter apprentices, two plasterers and one plasterer trainee on a worksite, there can also be one construction worker at that site.

What do trainees in the journeyperson trades get paid?

People in training to become journeypersons are called apprentices. The wage rates and staffing ratios are set by The Apprenticeship and Trades Qualifications Act. For more information contact the Apprenticeship Branch in Winnipeg at 945-3337; 1-877-978-7233 toll free. . Internet at www.gov.mb.ca/tradecareers.

Are the minimum wages for ICI the same for all projects across Manitoba?

No, there are two wage schedules for ICI: the Winnipeg/Major Building Project Schedule and the Rural Schedule.

What projects are covered by the Winnipeg/major building project schedule?

The Winnipeg/major building project schedule applies in Winnipeg and on major building projects anywhere in Manitoba. The Winnipeg area is considered to be within a 48 kilometer (30 mile) radius of the citys Osborne Street and Broadway Avenue.

A major building project is any building larger than 2,325 square meters (25,000 square feet). Please note: the

major building project definition has changed. It previously covered buildings greater than 4,650 square metres (50,000 square feet).

Some large scale projects, such as oil refineries, chemical plants and steel mills, are also considered major building projects, regardless of their size or location. A complete list can be found in the [Construction Industry Minimum Wage Regulation \(PDF\)](#).

What projects are covered by the rural wage schedule?

The rural wage schedule applies to all industrial, commercial and institutional construction projects in Manitoba that are not in the Winnipeg area or on a major project.

There used to be separate ICI wage schedules for rural, northern Manitoba, and Brandon/Portage la Prairie. These three schedules are now integrated into the single Rural Wage Schedule.

What are the hours of work and overtime rules for the ICI sector?

The standard hours of work are 10 hours per day and 40 hours per week. All additional hours are overtime and must be paid at the overtime rate. More information on calculating the regular and overtime hours can be found on the Overtime page

Before 2006, different trade classifications and areas in Manitoba had different hours of work and overtime standards. The standards are now the same for all employees working in the industrial, commercial and institutional construction sector.

How is the termination of employment handled in the construction industry?

Employees who do construction work are excluded from the notice requirements. Construction workers and their employers, can terminate employment at any time without notice. The number of years employers and employees work together does not affect the notice requirement.

How are general holidays paid in the construction industry?

Construction employees who work on general holidays are entitled to overtime wages for all hours worked.

Unlike employees in other industries, construction employees are paid their general holiday pay as a percentage of regular earnings. Regular earnings include vacation wages but do not include overtime wages. Employers can pay the four per cent at the end of the year or on every cheque.

What are the general holidays in Manitoba?

There are eight general holidays throughout the year:

- New Year's Day
- Louis Riel Day (3rd Monday in February)

- Good Friday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Christmas Day

Most employees are paid general holiday pay for these days whether they work or not.

When are construction employees paid general holiday pay?

Construction employees must be paid all general holiday pay by the end of the year. Some employers give general holiday pay on every pay cheque, others pay it all at the end of the year, or in smaller amounts throughout the year. Employees who are not sure how holidays are paid should ask their employers.

Do construction employees have to work on the general holiday to get general holiday pay?

Construction employees earn general holiday pay as four percent of their regular wages. They receive this pay, even if they never work on a general holiday. For example: if employees work from June 1 to June 30, a period where there is not a general holiday, they would still receive their general holiday pay.

Can employers pay vacation pay and general holiday pay together?

Employers can pay employees vacation pay and general holiday pay once a year or on every cheque. For vacation pay, employees earn two per cent of their total wages for each week of vacation. Employees who get two weeks vacation receive four per cent of their total wages for vacation pay. Employees who get three weeks vacation earn six per cent.

For example: a construction employee earns \$10,000 in wages, not including overtime. That employee receives \$400 vacation pay and \$416 general holiday pay.

<i>Total gross regular wages (excluding overtime)</i>	<i>\$10,000</i>
<i>Vacation allowance (6% after 5 years)</i>	<i>\$10,000 X 4% +400</i>
<i>Subtotal</i>	<i>\$10,400</i>
<i>General holiday pay</i>	<i>(\$10,400 X 4%) +416</i>
<i>Total pay</i>	<i>\$10,816</i>

More information can be found on the [Vacations and vacation pay](#) page.

Are construction employees entitled to vacation or unpaid leave?

Yes, *The Employment Standards Code* does apply to employers and employees in construction.

This includes rules on deductions, unpaid leave, vacations and wages for reporting for work.

For more information contact the Employment Standards Branch:

Phone: 204-945-3352; or toll free in Manitoba 1-800-821-4307

Fax: 204-948-3046

E-mail: Employmentstandards@gov.mb.ca

Website: www.manitoba.ca/labour/standards

This is a general overview and the information used is subject to change. For detailed information, please refer to current legislation including *The Employment Standards Code*, or contact the Employment Standards Branch to ask for advice

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