

## **Heavy Construction Industry**

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

### **What types of heavy construction sector activities are covered by these standards?**

Activities that fall under heavy construction include: construction of highways and roads; some types of snow removal; transportation of materials such as rock, gravel, earth, and soil; repair and maintenance of heavy construction equipment; demolition of any building or structure; and construction and maintenance of transmission lines.

This is not a complete list – employers and employees who need information about their situations should see the [Heavy construction wage schedule](#) page or contact the Employment Standards Branch directly.

### **What is the minimum wage in the heavy construction sector?**

The minimum wage depends on employees job classifications. The classifications and wage rates can be found on the [Heavy construction wage schedule](#) page.

### **Are the minimum wages for heavy construction the same for all projects across Manitoba?**

Yes. There are 10 classifications for the heavy sector and each has a minimum wage. Wages for these classifications apply to all heavy construction projects in Manitoba.

The previous wage rates, which were based on number of months of experience, have been removed.

### **What are the hours of work and overtime rules for employees in heavy construction sector?**

The standard hours of work in the heavy sector are:

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

All hours worked above the standard hours must be paid at the overtime rate of 1 ½ times the regular wage.

## **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 (3<sup>rd</sup> 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:

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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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