

Hours of Work Limitations – Know The Laws Of Your Province



Roughly 30% of Canadian employees report feeling tired and overworked, according to a recent study. In addition to burning out employees, demanding longer work hours from staff exposes you to risk of liability. That's because employment standards laws impose limits on how many hours of work you can allow or permit an employee to perform. With skilled labour in short supply and work schedules getting longer, it's critical for HR directors to know the hours of work requirements of their own jurisdiction, particularly since rules vary with regard to:

- Maximum work hours per day and week;
- Minimum rest periods and days off to which employees are entitled;
- Required meal, eating and other breaks;
- The emergency and other exceptions where employers may require employees to exceed these work limits;
- Whether work hour averaging is permitted;
- Employees' schedule notification rights; and
- When and if employees may refuse to work a particular work shift.

Here's a summary of the hours of work rules in each part of Canada.

Hours of Work Requirements by Jurisdiction

FEDERAL

Standard Work Hours: 8 hours per day and 40 hours per week (*Canada Labour Code, Sec. 169*)

Averaging: Permitted

Emergency Work: 1. The maximum hours of work in a week be exceeded, but only to the extent necessary to prevent serious interference with the ordinary working of the industrial establishment affected, in cases of: (a) accident to machinery, equipment, plant or persons; (b) urgent and essential work to be done to machinery, equipment or plant; or (c) other unforeseen or unpreventable circumstances; 2 Where the maximum hours of work in an industrial establishment have been exceeded, employer must report

in writing to the Head, and also to the trade union if the affected employees are subject to a collective agreement, within 15 days after the end of the month in which the maximum was exceeded, stating the nature of the circumstances in which the maximum was exceeded, the number of employees who worked in excess of the maximum and the number of additional hours each of them worked (Sec. 177)

Breaks: 1. 30 minutes of unpaid breaks for every 5 hours of work; 2. Breaks paid if employer requires employee to be at its disposal during break time; 3. Employer may postpone or cancel break if necessary for employee to work to deal with situation that the employer couldn't have reasonably foreseen and that presents or could reasonably be expected to present an imminent or serious (a) threat to life, health or safety; (b) threat of damage to or loss of property; or (c) threat of serious interference with the ordinary working of the employer's industrial establishment (Sec. 169.1)

Rest Period: 1. Employees get rest period of at least 8 consecutive hours between work periods or shifts; 2. Exception: To deal with situation that employer couldn't have reasonably foreseen and that presents or could reasonably be expected to present an imminent or serious: (a) threat to life, health or safety; (b) threat of damage to or loss of property; or (c) threat of serious interference with the ordinary working of the employer's industrial establishment (Sec. 169.2)

Modified Work Schedule: Permitted under collective agreement

Work Schedule & Refusal Rights: 1. Employer must provide employee their work schedule in writing at least 96 hours before the start of the employee's first work period or shift; 2. Employee may refuse to work any work period or shift in their schedule that starts within 96 hours from the time that the schedule is provided to them; 3. Exception. No refusal to work a work period or shift if employer needs them to work to deal with a situation that it couldn't have reasonably foreseen and that presents or could reasonably be expected to present an imminent or serious: (a) threat to life, health or safety; (b) threat of damage to or loss of property; or (c) threat of serious interference with the ordinary working of the employer's industrial establishment (Sec. 173.01)

Shift Changes: 1. Employer must give employee written notice of change in period or shift during which an employee is due to work or to add another work period or shift to the employee's schedule at least 24 hours before: (a) in the case of a change, the employee's original work period or shift is to begin or, if the work period or shift that results from the change is to begin earlier than the original work period or shift, before the period or shift that results from the change is to begin; and (b) in the case of an addition, the work period or shift that was added is to begin; 2. Exception: 24 hour notice not required if the change to or addition of a work period or shift is necessary to deal with a situation that the employer couldn't have reasonably foreseen and that presents or could reasonably be expected to present an imminent or serious: (a) threat to life, health or safety; (b) threat of damage to or loss of property; or (c) threat of serious interference with the ordinary working of the employer's industrial establishment (Section 173.1)

ALBERTA

Standard Work Hours: 8 hours per day and 44 hours per week (*Employment Standards Code*, Sec. 21)

Averaging: Permitted, as is flexible averaging

Maximum Work: 1. Employer must confine an employee's hours of work within a period of 12 consecutive hours in any one work day unless an accident occurs, urgent work is necessary to a plant or machinery, or other unforeseeable or unpreventable circumstances occur; 2. If hours of work must be extended, they must be increased only to the extent necessary to avoid serious interference with the ordinary working of a business, undertaking or other activity; 3. OK for collective agreement to provide for different rules (ESC, Sec. 16)

Notice of Work Times: 1. Employer must notify the employees of work start and end times by posting notices where they can be seen by the employees, or by any other reasonable method; 2. Employer must give at least 24 hours' written notice and 8 hours of rest between shifts to require an employee to change from one shift to another; 3. OK for collective agreement to provide for different notice or hours of rest provisions (ESC, Sec. 17); 4. 24 hours' notice of shift change not required if: (a) the shift change results from an amendment to an averaging arrangement with respect to the scheduled daily and weekly hours of work, and (b) the amendment was made because (i) an accident has occurred, (ii) urgent work is necessary, or (iii) other unforeseeable or unpreventable circumstances exist (*Employment Standard Regs.*, Sec. 13.331)

Rest Periods: 1. Employer must provide employee who works a shift that exceeds 5 hours but is less than 10 hours at least one rest period of at least 30 minutes, whether paid or unpaid; 2. Employer must provide employee who works a shift of 10 hours or more with at least 2 rest periods of at least 30 minutes each, whether paid or unpaid; 3. Employer and employee may agree to allow for the above rest period to be taken in 2 periods of at least 15 minutes each; 4. Rest period under this section may be taken at a time agreed to by an employer and an employee; 5. If employer and employee don't agree on a rest period schedule for a shift: (a) employer must provide a rest period of at least 30 minutes, at a time chosen by the employer, within or immediately following the first 5 hours of the shift, and (b) if required under subsection (2) because shift is 10 hours or more, employer must provide a second rest period of at least 30 minutes, at a time chosen by the employer, after the first 5 hours of the shift; 6. Exception: The above rules don't apply if: (a) an accident occurs, urgent work is necessary or other unforeseeable or unpreventable circumstances occur, (b) different rest provisions are agreed to under a collective agreement, or (c) it's not reasonable for the employee to take a rest period (ESC, Sec. 18)

Days of Rest: Employer must allow each employee at least: (a) one day of rest in each work week, (b) 2 consecutive days of rest in each period of 2 consecutive work weeks, (c) 3 consecutive days of rest in each period of 3 consecutive work weeks, or (d) 4 consecutive days of rest in each period of 4 consecutive work weeks; 2. Employer must allow each employee at least 4 consecutive days of rest after each 24 consecutive work days; 3. Exception: Above rules don't apply if different days of rest provisions are agreed to under a collective agreement (ESC, Sec. 19)

BRITISH COLUMBIA

Standard Work Hours: (Requires or permits to work) 8 hours per day and 40 hours per week (*Employment Standards Act*, Sec. 35)

Averaging: Permitted

Meal Breaks: 1. Employer must ensure that no employee works more than 5 consecutive hours without a meal break, and that each meal break lasts at least a 1/2 hour; 2.

Meal break counts as time worked if employer requires employee to work or be available for work during break (ESA, Sec. 32)

Split Shifts: Employer must ensure that employee working a split shift completes the shift within 12 hours of starting work (ESA, Sec. 33)

Hours Free from Work: 1. Employer must either: (a) ensure that an employee has at least 32 consecutive hours free from work each week, or (b) pay an employee 1 1/2 times the regular wage for time worked by the employee during the 32 hour period the employee would otherwise be entitled to be free from work; 2. Employer must ensure that each employee has at least 8 consecutive hours free from work between each shift worked, except in an emergency (ESA, Sec. 34)

MANITOBA

Standard Work Hours: 1. 8 hours per day and 40 hours per week, unless exemption applies or collective code provides otherwise (*Employment Standards Code*, Sec. 10); 2. Employee not covered by a collective agreement and who regularly works at least 35 hours per week, may request and enter into a written agreement that exempts the employee from the standard hours of work set out in section 10, as long as it doesn't exceed 40 hours per week and 10 hours per day (ESC, Sec. 14.1)

Averaging: Permitted under an averaging agreement or permit

Rest Day: 1. Employer must ensure that each employee has one rest period of not less than 24 consecutive hours in each week (ESC, Sec. 45); 2. Exception: Employer may apply to the director in writing to have the business exempted from the above rule by showing the minimum 24 consecutive hours per week rest period: (a) is an undue hardship to the employer; (b) is of little or no benefit to the employees owing to the remote location of the business; (c) in the case of a business that operates only part of the year, unduly restricts the operation of the business; or (d) causes severe loss to the business owing to the circumstances in which it operates (ESC, Sec. 46); 3. Employer and the employees' bargaining agent may jointly apply to the director in writing to have the business exempted from the minimum 24 consecutive hours per week rest period (ESC, Sec. 47); 4. Employee who, under a director's order issued under Sec. 46 or 47, works on a day that they would otherwise been entitled to as a day of rest under section 45 is entitled in place of the day worked to a day off without pay on a day specified by the employer (ESC, Sec. 48)

Work Breaks: 1. Employer shall not require an employee to work for more than 5 consecutive hours without a break of at least 30 minutes (ESC, Sec. 50(1); *Employment Standards Reg.*, Sec. 20); 2. Exception: Employer can provide for a shorter break if: (a) a shorter period is provided for in a collective agreement; or (b) the director, on application by the employer, by order approves a shorter period (ESC, Sec. 50(2))

NEW BRUNSWICK

Standard Work Hours: None; No maximum hours prescribed, except for children; Overtime required after 44 hours per week for most industries

Averaging: Not expressly permitted

Weekly Rest Period: 1. Employer must give employee a weekly rest period of at least 24 consecutive hours, to be taken, if possible, through Sunday or, if the Director

approves, to be accumulated and taken later, either part at a time or all together; 2. Exception: Weekly rest period not required for: (a) an employee who, in the opinion of the Director, is required to cope with an emergency; or (b) an employee who's not usually employed for more than 3 hours in any one day (*Employment Standards Act*, Sec. 17)

Right to Refuse to Work on Sunday: 1. Employee may refuse to work on a Sunday, whether or not the Sunday is also a prescribed day of rest, if the work is in a retail business or part of a retail business that's exempted from the application of the *Days of Rest Act*: (a) solely under (i) a by-law made under the *Local Governance Act*, or (ii) a permit issued under section 174 of the *Local Governance Act*, (b) solely under subsection 7.1(1) of that Act, or (c) under exemptions referred to in both paragraphs (a) and (b) but under no other provision of the *Days of Rest Act*; 2. Employee may refuse to work only on a Sunday on which the exemption or exemptions apply; 3. Such employee must give the employer verbal or written notice of refusal at least 14 days before any Sunday on which the employee refuses to work; 4. Employee may, at one time, give at least 14 days' notice under subsection (3) in relation to one Sunday, more than one Sunday, all Sundays or any combination of Sundays; 5. No employer or person acting on behalf of an employer may dismiss, suspend, lay off, penalize, discipline or discriminate against an employee because: (a) the employee has refused or attempted to refuse to work on a Sunday, if the employee was permitted to do so under subsection (2), or (b) the employee seeks to enforce the employee's rights under this section (*ESA*, Sec. 17.1)

NEWFOUNDLAND

Standard Work Hours: Varies by industry

Averaging: Not expressly permitted

Maximum Daily Hours: Employer must permit and employee must take at least 8 consecutive hours off work in each unbroken 24 hour period of employment, except in an emergency that constitutes an imminent hazard to life or property (*Labour Standards Act*, Sec. 23)

Rest Day: 1. Employer must give every employee a period of rest of at least 24 consecutive hours during each week of employment ("week" defined as a period of 7 continuous days designated and consistently used by an employer, or a period of 7 continuous days beginning after midnight on a day prescribed by regulations); 2. Rest period must be a Sunday wherever possible; 3. Exception: The 24 hour rest day not required for employees or a class of employees employed in prescribed undertakings or a part of them, or who've received a written exemption or employees engaged in work of an emergency nature that necessitates immediate remedial action (*LSA*, Sec. 22); 4. Exemption: The weekly rest day requirement under Sec. 22 doesn't apply to an employee who is: (a) subject to a collective agreement within the meaning of the *Labour Relations Act* or *Fishing Industry Collective Bargaining Act*; (b) employed in a remote area of the province and who notifies the employer in writing, and doesn't revoke that notification in writing, that the employee doesn't wish section 22 of the Act to apply to the employee; or (c) a crew member of a ferry boat (*Labour Standard Regs.*, Sec. 6)

Rest Period: 1. Employer must let employee take an unbroken rest period of 1 hour immediately following each 5 consecutive hours employed under the contract of service, unless collective agreement provides for a different rest period (*LSA*, Sec. 24); 2. The Sec. 24 rest period rule doesn't apply to an employee who: (a) is a crew

member of a ferry boat; (b) is subject to a collective agreement within the meaning of the *Labour Relations Act* or *Fishing Industry Collective Bargaining Act* ; or (c) works alone and in circumstances where it's impracticable to take a rest period (Regs., Sec. 7)

NOVA SCOTIA

Standard Work Hours: 1. Governor in Council may determine: (a) the number of hours per day or per week during which a person employed in industrial undertakings may work; (b) the kinds of industrial undertakings to which this Section applies; (c) the categories of employees employed in an industrial undertaking to whom this Section applies; (d) the districts of the Province to which this Section applies; (e) the length of time during which this Section applies; 2. Limit of hours of work determined by Governor in Council may be exceeded in those processes which are required by reason of the nature of the processes to be carried on continuously by a succession of shifts (*Labour Standards Code*, Sec. 61); 3. Employer in an industry to which Section 61 is declared to apply must: (a) notify by means of notices posted conspicuously in the establishment, or any other convenient place, or in any other manner determined by or under the authority of the Governor in Council, the hours at which work begins and ends, and, where work is carried on by shifts, the hours at which each shift begins and ends, and no change shall be made in these hours except upon such notice and in such manner as may be approved by or under the authority of the Governor in Council; and (b) notify in the same way the rest intervals accorded during the period of work that are not reckoned as part of the working hours (LSC, Sec. 62)

Averaging: Government [guidelines](#) say fixed cycle averaging agreements are allowed

Rest Period: 1. Employer must give each employee at least 24 consecutive hours of rest in every 7-day period; 2. If employer is an industrial undertaking, whenever possible, employer must grant the rest period simultaneously to all employees in any establishment and on Sunday; 2. Employer may require more than 6 consecutive days of work: (a) in case of an accident; (b) in the case of work required to be done to the machinery or establishment of the employer whose employees are affected; (c) in the case of an occurrence beyond human control, but only to the extent necessary to avoid serious interference with the ordinary working of the employer's undertaking; 4. Employer may require more than 6 consecutive days of work in accordance with an order of the Director (LSC, Sec. 66)

Retail Closing Day: Employer may not require employee, to work or sign a contract requiring the employee to work in a retail business on a uniform closing day unless the retail business is exempt from this Section; 2. An employee covered by subsection 1 that agrees to work on uniform closing days may refuse to work on uniform closing days or a particular uniform closing day if the employee gives the employer at least 7 days notice to that effect before the employee is scheduled to begin such work or, where the employee receives less than 7 days notice of being scheduled for such work, the employee gives the employer notice to that effect within 2 days of receiving the notice from the employer (LSC, Sec. 66A)

Rest or Eating Break: 1. Employees get a rest or eating break of at least one-half hour at intervals so that they don't have to work longer than 5 consecutive hours without a rest or eating break; 2. An employee that works more than 10 consecutive hours gets at least one rest or eating break of at least one-half hour and other rest or eating breaks totalling at least one-half hour for each 5 consecutive hours of work; 3. Exceptions: Subsections 1 and 2 don't apply: (a) where an accident occurs,

urgent work is necessary or unforeseeable or unpreventable circumstances occur; (b) where it's unreasonable for an employee to take a meal break; (c) to an employee whose terms of employment are determined by a collective agreement; or (d) in any other case prescribed by the regulations; 4. Employee is entitled to a rest or eating break at a time or times other than when provided by subsection (1) or (2) if necessary for medical reasons; 5. An employee that has worked 5 hours without a rest or eating break is entitled to eat while working (LSC, Sec. 66B)

ONTARIO

Work Hour Limits: 1. Employer may not require or permit an employee to work more than: (a) 8 hours in a day or, if the employer establishes a regular work day of more than 8 hours, the number of hours in his or her regular work day; and (b) 48 hours in a work week; 2. Exceptions: (a) Employee's daily work hours may exceed the limit set out in clause (1)(a) if the employee has made an agreement with the employer to work up to a specified number of hours in a day in excess of the limit and their hours of work in a day don't exceed the number specified in the agreement; (b) Employee's weekly work hours may exceed the limit set out in clause (1) (b) if the employee has made an agreement with the employer to work up to a specified number of hours in a work week in excess of the limit and their hours of work in a work week don't exceed the number of hours specified in the agreement (*Employment Standards Act*, Sec. 17)

Averaging: Permitted

Hours Free from Work: 1. Employer must give employees a period of at least 11 consecutive hours free from work in each day; 2. The above rule doesn't apply to an employee who's on call and called in during a period in which the employee wouldn't otherwise be expected to perform work for the employer; 3. Employer must give employees a period of at least 8 hours free from work between shifts unless the total time worked on successive shifts doesn't exceed 13 hours or unless the employer and employee agree otherwise; 4. Employer must give employees a period free from work of: (a) at least 24 consecutive hours in every work week; or (b) at least 48 consecutive hours in every period of 2 consecutive work weeks (ESA, Sec. 18); 5. Employer may require an employee to work more than the maximum number of hours permitted under section 17 or during a period that must be free from work under section 18 only as follows, but only so far as is necessary to avoid serious interference with the ordinary working of the employer's establishment or operations: (a) To deal with an emergency; (b) If something unforeseen occurs, to ensure the continued delivery of essential public services, regardless of who delivers those services; (c) If something unforeseen occurs, to ensure that continuous processes or seasonal operations aren't interrupted; (d) To carry out urgent repair work to the employer's plant or equipment (ESA, Sec. 19)

Eating Periods: 1. Employer must give employees an eating period of at least 30 minutes at intervals that will result in the employee working no more than 5 consecutive hours without an eating period; 2. Exception: The required eating period doesn't apply if the employer and employee agree, whether or not in writing, that the employee will get 2 eating periods that together total at least 30 minutes in each consecutive 5-hour period (ESA, Sec. 20); 3. Employer doesn't have to pay employees for an eating period in which work isn't being performed unless the employment contract requires such payment (ESA, Sec. 21)

PRINCE EDWARD ISLAND

Standard Work Hours: 48 hours per week (*Employment Standards Act*, Sec. 15)

Averaging: Not expressly permitted

Rest Day: 1. Employer must provide each employee an unpaid rest period of at least 24 consecutive hours in every period of 7 days and, whenever possible, that rest period must include Sunday; 2. Employer must not require an employee to remain at place of employment during an unpaid rest period (ESA, Sec. 16)

Eating Period: 1. Employer must provide each employee an unpaid eating period of at least 1 half hour at intervals that ensure employee doesn't work longer than 5 consecutive hours without an unpaid eating or rest period; 2. Employer must not require an employee to remain at place of employment during an unpaid eating period (ESA, Sec. 16)

Refusal to Work Sundays: 1. Employees engaged in a retail business to which the *Retail Business Holidays Act* applies may refuse to work on any Sunday if they give the employer verbal or written notice of refusal at least 7 days before any Sunday to which the refusal applies (ESA, Sec. 16.1)

QUÉBEC

Standard Work Hours: 1. 40 hours, for purposes of computing overtime (*Labour Standards Act*, Sec. 52)

Averaging: Employer may, with CNESST authorization or via collective agreement, stagger working-hours of employees on an other than weekly basis, provided that the average working-hours is equivalent to the standard provided for in the law or the regulations (LSA, Sec. 53)

Refusal to Work: 1. Employee may refuse to work: (a) more than 2 hours after regular daily working hours or more than 14 working hours per 24 hour period, whichever period is shortest or, for an employee whose daily working hours are flexible or non-continuous, more than 12 working hours per 24 hour period; (b) more than 50 working hours per week or, for an employee working in an isolated area or in the James Bay territory, more than 60 working hours per week; (3) if the employee wasn't informed at least 5 days in advance that the employee would be required to work, unless the nature of their duties requires the employee to remain available, the employee is a farm worker, or the employee's services are required within the limits set out in subparagraph a; 2. Subsection 1 doesn't apply where there's a danger to the life, health or safety of employees or the population, a risk of destruction or serious deterioration of movable or immovable property or in any other case of superior force, or if the refusal is inconsistent with the employee's professional code of ethics (LSA, Sec. 59.0.1)

Rest Periods: 1. Employee gets weekly minimum rest period of 32 consecutive hours; 2. Unless a collective agreement or decree provides otherwise, employer must give employee a rest period of 30 minutes, without pay, for meals, for a period of 5 consecutive hours of work; 3. The above 30-minute rest period must be paid if the employee is not authorized to leave their work station during the period (LSA, Secs. 78 and 79)

SASKATCHEWAN

Work Hour Limits: 1. Without employees' consent, employer may not require the employee to work or to be at the employer's disposal for more than: (a) 44 hours in a week; or (b) in a week that contains a public holiday, 44 hours reduced by 8 hours for each public holiday in that week.; 2. This rule doesn't apply if unexpected, unusual or emergency circumstances arise (*Sask. Employment Act, Sec. 2-12*)

Averaging: Permitted

Work Schedules: 1. Employer must give employee notice of a work schedule containing: (a) the time when work begins and ends; (b) if work is done in shifts, the time when each shift begins and ends; and (c) the time when a meal break begins and ends; 2. The required notice must cover at least one week; 3. If the days or times when an employee is required or permitted to work or at the employer's disposal change, employer must provide the employee written notice of the change: (a) given in a schedule that contains the information required under subsection 1 above covering at least one week; (b) given at least one week before the start of the schedule; (c) if the schedule mentioned in clause (a) changes after the schedule is provided as required pursuant to clause (b), given one week before the employee is required or permitted to work or to be at the employer's disposal; and (d) personally given to the employee, posted in the workplace, posted online on a secure website to which the employee has access or provided in any other manner that informs the employee of the schedule; 3. Employer may provide notice of less than one week of a variation to an employee's schedule if unexpected, unusual or emergency circumstances arise; 4. Director of employment standards may permit a variation from the requirements of this section if the employer gets written consent to the variation from the employees' union (*Act, Sec. 2-11*)

Rest Period: 1. Employer may not require or permit an employee to work or to be at the employer's disposal for periods that are scheduled so that the employee doesn't have a period of 8 consecutive hours of rest in any day, unless there are emergency circumstances; 2. Employer must give one day off every week to an employee who usually works or is at the disposal of the employer for 20 hours or more in a week, unless an exemption applies; 3. In certain workplaces with more than 10 employees, or for certain categories of employees, employer must give employees in the workplace or to the category of employees 2 consecutive days off every week (*Act, Sec. 2-13*)

Meal Breaks: 1. Employer must give an employee an unpaid meal break of at least 30 minutes within every 5 consecutive hours of work; 2. Exception: Above meal break not required: (a) in unexpected, unusual or emergency circumstances; or (b) if it's not reasonable for an employee to take a meal break; 3. If the employer doesn't grant the meal break mentioned in subsection 1 and the employee works 5 or more consecutive hours, employer must let employee eat while working; 4. Employer must provide to an employee an unpaid meal break at times necessary for medical reasons (*Act, Sec. 2-14*)

NORTHWEST TERRITORIES

Standard Work Hours: 8 hours per day and 40 hours per week (*Employment Standards Act, Sec. 7*)

Maximum Work Hours: 1. Maximum hours are 10 per day and 60 per week; 2. First Exception: Employer may require or allow an employee to exceed maximum hours, if the employee is required to continue working because of: (a) an accident to machinery, equipment, a plant or a person; (b) urgent and essential work required to be done to

machinery, equipment or a plant; or (c) other unforeseen or unavoidable circumstances; 3. Second Exception: Employer may require or allow an employee to exceed maximum hours to the extent necessary to prevent serious interference with the ordinary working of the industrial establishment; 4. Third Exception: Employment Standards Officer may, by order, authorize an employer to increase the hours to be worked by any class of employees in an industrial establishment above the maximum hours of work if: (a) the nature of the work in the industrial establishment is seasonal or intermittent in nature; or (b) there are exceptional circumstances that justify the working of additional hours (ESA, Secs. 8 & 10)

Averaging: Permitted

Rest Days: Employer must ensure that each employee has at least: (a) 1 day of rest in each work week; (b) 2 consecutive days of rest in each period of 2 consecutive work weeks; or (c) 3 consecutive days of rest in each period of 3 consecutive work weeks (ESA, Sec. 21)

Meal Breaks: 1. Employer shall not require or permit an employee to work, or to be at the disposal of the employer, without a meal break, for a period greater than 5 hours; 2. Minimum time for a meal break is 30 minutes; 3. Above meal break requirements don't apply if either a collective bargaining agreement provides for or the Employment Standards Officer approves a different arrangement (*Employment Standards Regs.*, Sec. 12.4)

NUNAVUT

Standard Work Hours: 8 hours per day and 40 hours per week (*Labour Standards Code*, Sec. 4)

Maximum Work Hours: 1. Employer may require or permit an employee to work more than the standard hours of work provided that the total work hours don't exceed 10 in a day and 60 in a week; 2. First Exception: Labour Standards Officer may issue permit allowing more than the maximum hours listed in subsection 1 if: (a) the nature of the work in an industrial establishment is seasonal or intermittent, or (b) there are exceptional circumstances to justify the working of additional hours; 3. Second Exception: Maximum hours may be also exceeded in the case of: (a) an accident to machinery, equipment, plant or persons, (b) urgent and essential work to be done to machinery, equipment or plant, or (c) other unforeseen or unpreventable circumstances, but only to the extent necessary to prevent serious interference with the ordinary working of the industrial establishment (LSC, Secs. 5, 6 & 9)

Averaging: Permitted

Rest Day: 1. Hours of work in a week must be scheduled and actually worked so that each employee has at least one full day of rest in a week; 2. Wherever practicable, Sunday must be that normal day of rest (LSC, Sec. 10)

Meal Breaks: 1. Every employee entitled to meal break of at least 30 minutes duration following each period of 5 continuous hours of work; 2. Employee taking meal break must not work during tea meal break; 3. Labour Standards Officer may issue written waiver of exemption (*Labour Standards Meal Regs.*)

YUKON

Standard Work Hours: 8 hours per day and 40 hours per week (*Employment Standards Act, Sec. 6*)

Averaging: Permitted, as are short work week agreements

Rest Days: 1. Hours of work must wherever practicable be scheduled and actually worked so that each employee has at least 2 full days of rest in a week and wherever practicable Sunday must be one of the normal days of rest in the week; 2. Exception: If the employer requires or permits the employee to work regularly in excess of the daily standard hours of work, the employer: (a) may require the employee to work up to 28 continuous days without a day of rest; and (b) may require the employee to work up to 7 more days continuous with the period of 28 days described in paragraph (a), when the additional work is necessary to complete the project on which the employee was employed during those 28 days; 3. An employee required or permitted to work a work schedule under subsection (2) is entitled: (a) to at least one day of rest for each continuous 7 days of work; and (b) to take the employee's accrued days of rest continuously with each other (ESA, Sec. 12)

Eating Periods: 1. Employer must ensure that each employee has an eating period of at least one-half hour at intervals that will ensure that: (a) if the employee works 10 hours or less on the day in question, the employee won't work longer than 5 consecutive hours between eating periods; and (b) if the employee works more than 10 hours, the employee won't work longer than 6 consecutive hours between eating periods; 2. For the purpose of computing hours worked, the period allowed the employee for eating doesn't count as hours worked unless the employee is required to work during those periods (ESA, Sec. 13)

Rest Periods: 1. Employer must ensure that each employee has a rest period of at least 8 consecutive hours free from work between each shift worked; 2. Exception: Employer may apply to the director for a shorter rest period of 6 hours by showing that the required 8 consecutive hours would impose an unreasonable hardship on the employer because of the specific circumstances surrounding a specific project or piece of work (ESA, Sec. 14)

Split Shifts: 1. If an employee works a split shift, employer must limit the employee's standard hours of work to the 12-hour period immediately following the start of the employee's shift; 2. Exception: If employer applies and employee consents to the application, the director may order a split shift which extends beyond 12 hours and which allows the employee to work standard hours at any time during the split shift in such a manner as prescribed in the order (ESA, Sec. 15)

Limited Work Hours Order: 1. Employees who think they're being required to work hours that are excessive or detrimental to their health or safety may file a complaint with the director; 2. If director agrees, it may issue an order to: (a) require an employer to limit hours to 8 per day and/or 40 per week; and (b) require the employer to post and keep posted a copy of the order in a conspicuous place to which all employees have ready access (ESA, Sec. 16)