

How to Comply with Call-In & Reporting Pay Requirements



Myth: Simply showing up for work isn't enough to earn employees a pay cheque.

Reality: Employees who come to the workplace at their employer's call are entitled to at least 2 hours of regular pay regardless of how much work they're actually required to perform once they report.

The reason for this are so-called call-in pay, aka, reporting pay, (which we'll refer to as "call-in pay") [rules contained in the employment standards laws of each jurisdiction](#). Here's what payroll and HR managers must know to keep their organizations compliant with call-in pay rules. There's also a [policy template](#) on the HR Insider site that you can adapt for your own use.

The Law of Call-In Pay

There may be situations where employers summon staff to work but then can't actually assign them any work once they arrive. Maybe there's a blackout, a natural disaster or a regulatory shutdown order or some other unforeseen reason. The idea is that getting to the site ready, willing and able to do the job is itself an investment of time, energy and effort worthy of some compensation. And since it's the employer that makes the schedule, it should also bear the risk of things not working out as planned. Although the idea of compensating employees for the sacrifice they make in physically getting themselves to work at their employers' call is decades-old, it especially resonates in this post-pandemic era where [telework](#) has become so prevalent.

Accordingly, the employment standards laws of each jurisdiction require employers to pay employees a minimum number of hours for reporting to work no matter how much actual work they're asked to do after they arrive—and even if they do no work at all. However, call-in pay rules also differ slightly from place to place. Specifically, there are 6 key differences that you need to understand to ensure compliance.

1. Which Employees Are Eligible for Call-In Pay

Employees generally don't qualify for call-in pay if they regularly work or are expected to work in increments of 2 to 3 hours or less, such as students working during the school year. Many jurisdictions treat call-in pay as an extension of minimum wage rules and don't require it for employees who aren't subject to the

[minimum wage requirements](#). Other exceptions:

- **BC:** Employees that are [unfit for duty](#) or who commit violations of the OHS laws; and
- **Nova Scotia:** Firefighters, police officers and hospital employees required to work in an emergency, as well as farm employees whose employment is directly related to primary production of eggs, milk, grain, seeds, fruit, vegetables, Christmas trees, Christmas wreaths, maple products, honey, tobacco, pigs, cattle, sheep, poultry or animal furs.

2. What Eligible Employers Must Do to Be Entitled to Call-In Pay

Typically, employees become entitled to call-in pay not because they show up but because they show up at their employer's demand, either under their normal work schedule or outside their normal hours at the employer's express request or demand.

Exceptions: In PEI and Yukon, call-in pay is required any time an employee reports to work for a work activity. By contrast, 4 jurisdictions limit the kind of reporting that qualify for call-in pay:

- **Manitoba:** The employee must be scheduled to work 3 hours or more for that day;
- **Nova Scotia:** Call-in pay is required only for work hours outside the employee's regularly scheduled work hours; and
- **Northwest Territories and Nunavut:** Call-in pay required only for work hours requested by the employer that weren't scheduled in advance.

3. How Many Hours of Call-In Pay Employees Get

Eligible employees who meet reporting rules are entitled to pay for the minimum number of hours specified in the employment standards law. In most jurisdictions (FED, AB, MB, NB, NL, NS, ON, PEI, QC), that's 3 hours (the requirement is even called the "3-Hour Rule" in Ontario). However, exceptions apply:

- 2 hours: Yukon;
- 4 hours: Northwest Territories and Nunavut;
- In BC, minimum call-in pay is 2 hours unless the employee was scheduled to work more than 8 hours, in which case it's 4 hours; and
- Each hour the employee is required to work or permitted to work or be at the employer's disposal: Saskatchewan.

4. The Call-In Hours' Pay Rate

In 9 jurisdictions (Fed, AB, BC, MB, PE, QC, NT, NU, YK), employees are entitled to call-in pay at their regular wage rate. Five provinces follow unique rules:

- **New Brunswick:** 3 hours at regular wage or minimum wage, whichever is greater, if the employee: i. has a regular wage rate of less than twice the minimum wage rate, and ii. is regularly employed for more than 3 consecutive hours in a shift;
- **Newfoundland:** Regular wage for the worked portion of 3 hours and minimum wage for the unworked portion;
- **Nova Scotia:** 3 hours at minimum straight time rate, including waiting time;
- **Ontario:** Whichever is greater: i. 3 hours' regular wages; and ii. the amount earned for the time worked + regular rate wages for the remainder of the time; and
- **Saskatchewan:** At least the prescribed minimum wage for each hour or part of hour the employee is required or permitted to work or to be at the employer's disposal + at least the prescribed minimum sum when the employee reports for

duty.

Strategic Pointer for Alberta:

In Alberta, a meal period of 1 hour or less doesn't count toward the 3 consecutive hours of work, but hours of work immediately after the meal period count as hours of work following consecutively the hours of work before the meal period. In addition, employees employed for less than 2 consecutive hours of work only entitled to 2 hours' minimum wage if they're:

- Employed in a recreation or athletic program on a part time basis by a municipality, Metis settlement or community service organization that's not operated for profit;
- Employed as a school bus driver; or
- An individual ages 13, 14 or 15 employed when they're required to attend school.

5. The Overtime Implications of Call-In Pay

In 4 jurisdictions (QC, NB, NL, YK) call-in pay hours also count toward [overtime](#).

Example: Manuel, who works in Newfoundland, has a normal rate of pay of \$15.00 per hour. His employer calculates overtime on a Saturday to Friday basis. Overtime in NL is payable after 40 hours per week. Manuel works 39 hours between Saturday, August 14 and Thursday, August 19. He also reports for work on August 20 but is sent home after only 1 hour's work. Under NL call-in pay requirements, Manuel's pay for August 20 would include 1 hour at his regular rate, \$15.00, plus 2 hours at the overtime minimum wage rate, \$22.50, for a total of \$60.00.

6. The Exceptions to Call-In Pay Requirements

Even if employees are eligible for call-in pay, there are 4 jurisdictions—British Columbia, Ontario, Quebec and Yukon—that make exceptions for situations in which the employer can't provide the employees work due to circumstances beyond its control, such as a flood, fire, power outage or lightning strike. In Yukon, the exception also applies if an employer provides or tries to provide the employee reasonable notice not to report to work.