Labour Standards – Know The Laws Of Your Province



Employment standards regulations are vital for ensuring fair and consistent working conditions across Canadian workplaces. These regulations require **employers** to provide minimum wages, rest periods, notice of termination, and protection against discrimination in pay or treatment. Key standards include limiting daily and weekly working hours, ensuring timely payment of wages, and guaranteeing equal pay for equal work. While the core principles are consistent nationwide, specific provisions vary by province and territory to reflect local labour priorities and economic conditions. Compliance with these standards supports worker wellbeing, reduces disputes, and promotes a respectful and equitable work environment.

FEDERAL

Under the Canada Labour Code **Part III, Sections 167(1), 168, 169(1), 172, 173, 178, 181.1, 181.2, and 182**, and the Canadian Human Rights Act **Sections 7, 10, and 11**, **employers must** uphold national labour standards by ensuring fair working hours, minimum wage compliance, equal pay for equal work, and unpaid breaks for medical or nursing needs. They are prohibited from discriminatory practices in hiring, wages, or employment conditions, reinforcing their duty to maintain equitable and respectful workplaces.

Canada Labour Code

PART III – Standard Hours, Wages, Vacations, and Holidays

Application

Application of Part

(1) This Part applies:

(a) to employment in or in connection with the operation of any federal work, undertaking or business other than a work, undertaking or business of a local or private nature in Yukon, the Northwest Territories, or Nunavut;

(b) to and in respect of employees who are employed in or in connection with any federal work, undertaking or business described in paragraph (a);

(c) to and in respect of any **employers** of the employees described in paragraph (b);

(d) to and in respect of any corporation established to perform any function or duty on behalf of the Government of Canada other than a department as defined in the Financial Administration Act; and

(e) to or in respect of any Canadian carrier, as defined in section 2 of the Telecommunications Act, that is an agent of Her Majesty in right of a province. **Section 167(1).**

Saving more Favourable Benefits

(1) This Part and all regulations made under this Part apply notwithstanding any other law or any custom, contract or arrangement, but nothing in this Part **shall** be construed as affecting any rights or benefits of an employee under any law, custom, contract or arrangement that are more favourable to the employee than his rights or benefits under this Part.

Where Collective Agreement Applies Exclusively

(1.1) Divisions II, IV, V and VIII do not apply to an **employer** and employees who are parties to a collective agreement that confers on employees rights and benefits at least as favourable as those conferred by those respective Divisions in respect of length of leave, rates of pay and qualifying periods for benefits, and, in respect of employees to whom the third party settlement provisions of such a collective agreement apply, the settlement of disagreements relating to those matters is governed exclusively by the collective agreement.

Sunday

(2) Nothing in this Part authorizes the doing of any work on Sunday that is prohibited by law. **Section 168 (1)(2).**

Canadian Human Rights Act

PART I – Proscribed Discrimination

Employment

It is a discriminatory practice, directly or indirectly,

(a) to refuse to employ or continue to employ any individual, or

(b) in the course of employment, to differentiate adversely in relation to an employee, on a prohibited grounds of discrimination. **Section 7.**

Discriminatory Policy or Practice

It is a discriminatory practice for an **employer**, employee organization or **employer** organization:

(a) to establish or pursue a policy or practice, or

(b) to enter into an agreement affecting recruitment, referral, hiring, promotion, training, apprenticeship, transfer or any other matter relating to employment or prospective employment, that deprives or tends to deprive an individual or class of

individuals of any employment opportunities on a prohibited ground of discrimination. **Section 10.**

For more information:

- DIVISION I – Hours of Work. **Sections 169 to 128.**
- DIVISION II.1 – Breaks for Medical Reasons or Nursing. **Sections 181.1 to 181.2.**
- DIVISION III – Equal Wages. **Section 182.**
- PART I – Proscribed Discrimination. **Section 7.**

Further details on the Canada Labour Code and Canadian Human Rights Act.

ALBERTA

In Alberta, **employer** responsibilities under the **Employment Standards Code** are defined in **Sections 2, 4, 7, 8, 16, 19, 55, and 57**. **Employers must** establish regular pay periods, pay all earnings within set timelines, and ensure employee work hours are confined to a 12-hour window per day unless exceptional circumstances apply. They **must** also provide **required** rest days and follow fair termination procedures by issuing proper notice or termination pay.

Part 1 – Application and Operation of this Act

Application of this Act

(1) This Act applies to all **employers** and employees, including the Crown in right of Alberta and its employees, except as otherwise provided in this Part.

(2) Except for provisions relating to leaves under Divisions 7 to 7.6 and other provisions of this Act necessary to give effect to those provisions, this Act does not apply to:

(a) employees who are members of a municipal police service appointed pursuant to the Police Act and their **employers** with respect to the employment of those employees, or

(b) employees and **employers** to the extent that another Act states that this Act or a provision of it does not apply to them. **Section 2 (1)(2).**

Minimum Standards Cannot be Avoided

An agreement that this Act or a provision of it does not apply, or that the remedies provided by it are not to be available for an employee, is against public policy and void. **Section 4.**

Division 1 – Paying Earnings

Pay Periods

(1) Every **employer must** establish one or more pay periods for the calculation of wages and overtime pay due to an employee.

(2) A pay period **must** not be longer than one work month. **Section 7(1)(2).**

Payment of Wages, Overtime Pay, and General Holiday Pay

(1) Wages, overtime pay and general holiday pay earned in a pay period **must** be paid by an **employer** not later than 10 consecutive days after the end of each pay period.

(2) When an employee's employment terminates, the **employer must** pay the employee's earnings within whichever of the following periods the **employer** chooses:

(a) 10 consecutive days after the end of the pay period in which the termination of employment occurs;

(b) 31 consecutive days after the last day of employment.

Division 3 – Hours of Work

Hours of Work Confined

(1) An **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 have to be extended, they are to be increased only to the extent necessary to avoid serious interference with the ordinary working of a business, undertaking or other activity.

(3) This section does not apply if different hours of work confinement provisions are agreed to under a collective agreement. **Section 16 (1) to (3).**

Days of Rest

(1) Every **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) Every **employer must** allow each employee at least 4 consecutive days of rest after each 24 consecutive workdays.

(3) This section does not apply if different days of rest provisions are agreed to under a collective agreement. **Section 19 (1) to (3).**

For more information:

- Division 8 – Termination of Employment – Options for employer to terminate employment. **Sections 55.**
- Termination pay. **Sections 57.**

Further details on the Employment Standards Code can be found at canlii.org.

BRITISH COLUMBIA

In British Columbia, **employer** responsibilities under the **Employment Standards Act** are outlined in **Sections 2, 4, 16, 16.1, 27, 34, and 63**. **Employers must** ensure employees

receive at least the minimum wage of $16.75/hour, provide clear wage statements each payday, and meet requirements for daily minimum pay even when work is reduced or cancelled. They are also obligated to provide compensation or notice upon termination based on the employee's length of service.

Purposes of this Act

The purposes of this Act are as follows:

(a) to ensure that employees in British Columbia receive at least basic standards of compensation and conditions of employment;

(b) to promote the fair treatment of employees and **employers**;

(c) to encourage open communication between **employers** and employees;

(d) to provide fair and efficient procedures for resolving disputes over the application and interpretation of this Act;

(e) to foster the development of a productive and efficient labour force that can contribute fully to the prosperity of British Columbia;

(f) to contribute in assisting employees to meet work and family responsibilities. **Section 2 (a) to (f).**

Requirements of this Act Cannot be Waived

The requirements of this Act and the regulations are minimum requirements and an agreement to waive any of those requirements, not being an agreement referred to in section 3 (2), has no effect. **Section 4.**

Part 3 – Wages, Special Clothing, Records, and Gratuities

Employers Required to pay Minimum Wage

(1) An **employer must** pay an employee at least the minimum wage as set out in sections 16.1 and 16.2.

(2) An **employer must** not, directly or indirectly, withhold, deduct or require payment of all or part of an employee's wages in a pay period to comply with subsection (1) in relation to any other pay period. **Section 16(1)(2).**

Minimum Wage

(1) Subject to subsection (2) and section 16.2, the minimum wage is $16.75 per hour.

(2) Subject to section 16.2, the minimum wage for a prescribed class of employees is the amount specified in, or calculated in accordance with, the regulations. **Section 16.1 (1)(2).**

Wage Statements

(1) On every payday, an **employer must** give each employee a written wage statement for the pay period stating all of the following:

(a) the **employer**'s name and address;

(b) the hours worked by the employee;

(c) the employee's wage rate, whether paid hourly, on a salary basis or on a flat rate, piece rate, commission, or other incentive basis;

(d) the employee's overtime wage rate;

(e) the hours worked by the employee at the overtime wage rate;

(f) any money, allowance or other payment the employee is entitled to;

(g) the amount of each deduction from the employee's wages and the purpose of each deduction;

(h) if the employee is paid other than by the hour or by salary, how the wages were calculated for the work the employee is paid for;

(i) the employee's gross and net wages;

(j) how much money the employee has taken from the employee's time bank and how much remains.

(2) An **employer** may provide a wage statement to an employee electronically if the **employer** provides to the employee, through the workplace,

(a) confidential access to the electronic wage statement, and

(b) a means of making a paper copy of that wage statement.

(3) [Repealed 2002-42-8.]

(4) If a wage statement would be the same as the wage statement given for the previous pay period, another wage statement need not be given until a change occurs. **Section 27 (1) to (4).**

Part 4 – Hours of Work and Overtime

Minimum Daily Hours

(1) Subject to subsections (2) and (3), if as **required** by an **employer** an employee reports for work on any day, the **employer must** pay the employee for a minimum of 2 hours at the regular wage whether or not the employee starts work, unless the employee is unfit to work or fails to comply with Part 2 of the *Workers Compensation Act*, or a regulation under that Part.

(2) Whether or not the employee starts work, the **employer** under subsection (1) **must** pay the employee for a minimum of 4 hours at the employee's regular wage if the **employer** had previously scheduled the employee to work for more than 8 hours that day, unless:

(a) the employee is unfit to work or fails to comply with Part 2 of the *Workers Compensation Act*, or a regulation under that Part, or

(b) the work is suspended for reasons completely beyond the **employer**'s control, including unsuitable weather conditions.

(3) If the circumstance set out in subsection (2) (b) applies, the **employer must** pay the employee for a minimum of 2 hours at the employee's regular wage.

(4) If:

(a) the employee under subsection (1) is **required** to work longer than 2 hours, or

(b) the circumstances described in subsection (2) are applicable and the employee is **required** to work longer than 4 hours, the **employer must** pay the employee for the entire period the employee is **required** to work. **Section 34 (1) to (4).**

For more information:

- Part 8 – Termination of Employment. **Sections 63 (1) to (6).**

Further details on the Employment Standards Act can be found at gov.bc.ca.

MANITOBA

In Manitoba, **employer** responsibilities under the **Employment Standards Code** are outlined in **Sections 2, 6, 10, 14.1, 45, 50, 60.1, 82, and 86. Employers must** pay at least the minimum wage, ensure standard hours of work do not exceed 8 hours per day or 40 per week, and allow one full day of rest per week. They **must** also provide breaks after five consecutive hours of work, pay employees within 10 working days after each pay period or termination, and ensure equal pay for equal work regardless of gender.

Application of this Code

(1) Except as otherwise provided in this Code, this Code applies to all **employers** and employees, including the Crown, and an agency of the Crown, and its employees.

Meaning of "Agency of the Crown"

(2) In subsection (1), "agency of the Crown" means a board, commission, association or other body of persons, whether incorporated or unincorporated, all the members of which, or all the members of the board of management or board of directors of which,

(a) are appointed by an Act of the Legislature or by order of the Lieutenant Governor in Council; or

(b) in the discharge of their duties, are public officers or servants of the Crown or for the proper discharge of their duties are, directly or indirectly, responsible to the Crown.

No Application to Independent Contractor

(3) For greater certainty, this Code does not apply to an independent contractor. **Section 2 (1) to (3).**

PART 2 – MINIMUM STANDARDS

DIVISION 1 – MINIMUM WAGE

Payment of Minimum Wage

(1) An **employer shall** not pay an employee less than minimum wage for standard hours of work, unless this Code authorizes otherwise.

Minimum Wage

(2) The minimum wage is:

(a) the minimum wage determined under section 7, plus the additional amount prescribed under section 7.1, if any; or

(b) in the case of a prescribed class of employees referred to in subsection 7(5), the minimum wage prescribed for that class by regulation.

One-Time Adjustment of Minimum Wage

(3) Despite clause (2)(a), the minimum wage is deemed to be $14.15 as of April 1, 2023.

Application

(4) For certainty, the minimum wage established under subsection (3) is subject to the ongoing adjustment under section 7. **Section 6 (1) to (4).**

DIVISION 2 – STANDARD HOURS OF WORK

Standard Hours of Work

The standard hours of work for an employee are:

(a) 40 hours per week, or any greater number of hours per week prescribed by regulation or permitted by the director under section 13; and

(b) eight hours per day, or any greater number of hours per day:

(i) provided for in a collective agreement that applies to the employee, or

(ii) prescribed by regulation or permitted by the director under section 13, if no collective agreement applies to the employee. **Section 10.**

Individual Flextime Arrangements

(1) At the request of an employee who is not covered by a collective agreement and who regularly works at least 35 hours per week, an **employer** may enter into a written agreement with the employee that exempts the employee from the standard hours of work set out in section 10.

Agreement may Provide Alternative Hours

(2) An agreement **must:**

(a) establish alternative standard hours of work for the employee, which:

(i) **must** not exceed 40 hours per week,

(ii) **must** not exceed 10 hours per day, and

(iii) may specify a different number of hours per day for each day of the week that the employee works; and

(b) clearly specify that the employee or the **employer** may terminate the agreement at any time by giving the other party at least two weeks’ written notice.

Terminating the Agreement with Less Notice

(3) An agreement may be terminated with less than two weeks’ notice if both parties agree.

Adjustments Permitted

(4) At the request of an employee who has entered into an agreement, the **employer** may make occasional adjustments to the employee's hours of work set out in the agreement, as long as they do not exceed 10 hours per day or 40 hours per week. The agreement is deemed to be amended to provide for such adjustments.

Director may Terminate or Prohibit an Agreement

(5) The director may, by written notice to the **employer**,

(a) terminate an agreement at any time;

(b) prohibit the **employer** from entering into an agreement under this section. **Section 14.1 (1) to (5).**

For more information:

- Exemption – standard hours of work and overtime. **Sections 2 (4).**
- Application to agricultural workers. **Sections 2 (5).**
- DIVISION 6 – WEEKLY DAY OF REST. **Sections 45.**
- DIVISION 7 – WORK BREAKS. **Sections 50.**
- DIVISION 10 – TERMINATION OF EMPLOYMENT. **Sections 60.1.**
- DIVISION 13 – EQUAL WAGES. **Sections 82.**
- DIVISION 1 – TIME AND METHOD OF PAYMENT OF WAGES. **Sections 86.**

Further details on the Employment Standards Code can be found at gov.mb.ca.

NEW BRUNSWICK

In New Brunswick, **employer** responsibilities under the **Employment Standards Act** are established in **Sections 9, 15, 17, 28, 30, 35, and 37.1**. **Employers must** pay at least the regulated minimum wage, observe weekly rest periods of 24 consecutive hours, ensure wages are paid at intervals not exceeding 16 days, and refrain from unjust dismissal or discriminatory actions when employees exercise their legal rights. They are also **required** to provide proper notice before termination and ensure equal pay for equal work regardless of sex.

III – EMPLOYMENT STANDARDS

WEEKLY REST PERIOD

Requirement of Weekly Rest Period

(1) Where an **employer** employs an employee other than:

(a) an employee who, in the opinion of the Director, is **required** to cope with an emergency; or

(b) an employee who is not usually employed for more than three hours in any one day; the **employer shall** give to the employee a weekly rest period of at least twenty-four 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) Nothing in this section authorizes any work to be done on Sunday that is now prohibited by law. **Section 17 (1)(2).**

Unjust Dismissal and Related Unfair Employer Action

Despite anything in this Act, an **employer shall** not suspend, lay off, penalize, dismiss or otherwise terminate the employment of an employee or impose disciplinary measures or discriminate against an employee if the reason for the suspension, layoff, penalty, dismissal, termination of employment, disciplinary measures or discrimination is related in any way to:

(a) the application by an employee for any leave to which the employee is entitled under this Act;

(b) the making of a complaint or the giving of information or evidence by the employee against the **employer** with respect to any matter covered by this Act; or

(c) the giving of information or evidence by the employee against the **employer** with respect to the alleged violation of any Provincial or federal Act or regulation by the **employer** while carrying on the **employer**'s business; or if the suspension, layoff, penalty, dismissal, including termination of employment, disciplinary measures or discrimination constitutes in any way an attempt by the **employer** to evade any responsibility imposed on the **employer** under this Act or any other Provincial or federal Act or regulation or to prevent or inhibit an employee from taking advantage of any right or benefit granted to the employee under this Act. **Section 28.**

Notice of Termination or Layoff

(1) Except where cause for dismissal exists, and subject to subsection (3) and to sections 31 and 32, an **employer shall** not terminate or lay off an employee without having given at least:

(a) two weeks' notice in writing, where the employee has been employed by the **employer** for a continuous period of employment of six months or more but less than five years; and

(b) four weeks' notice in writing, where the employee has been employed by the **employer** for a continuous period of employment of five years or more.

(2) Where an **employer** dismisses an employee for cause the **employer shall** do so in writing, setting out the reasons for such action, and, subject to section 31, unless this section is complied with no dismissal without notice is valid notwithstanding that cause for such action exists.

(3) Where an employee is given notice of termination or layoff by the **employer** but continues to work for the **employer** for a period of one month or more beyond the end of the notice period, the notice is extinguished and the **employer shall** only terminate or lay off the employee after giving a new notice in accordance with subsection (1). **Section 30 (1) to (3).**

PROMPT PAYMENT OF WAGES

Payment of Wages

(1) Subject to subsection (4), an **employer shall** pay its employees at such times that the interval between pays is of not more than sixteen days.

(2) An **employer shall**, when paying an employee, include all wages earned up to and

including a day that is not more than seven calendar days prior to the time fixed for payment.

(3) An employee who is absent at the time fixed for payment or who, for any other reason, is not paid at that time, is entitled to be paid on demand any time thereafter during regular hours of work.

(4) An **employer** is not **required** to comply with subsections (1) and (2) if the payments are otherwise made in accordance with the terms of a practice existing at the time this section comes into force or under the terms of a collective agreement or in accordance with the provisions of an order of the Director with respect thereto granted on application. **Section 35 (1) to (4).**

Equal Pay for Equal Work

(1) No **employer shall** pay an employee of one sex at a different rate of pay from that which the **employer** pays to an employee of the other sex for work that:

(a) is performed in the same establishment,

(b) is substantially the same in nature,

(c) requires substantially the same skill, effort and responsibility, and

(d) is performed under similar working conditions except where the payment is made pursuant to

(e) a seniority system,

(f) a merit system,

(g) a system that measures earnings by quantity or quality of production, or

(h) any other system or practice that is not otherwise unlawful.

(2) No **employer shall** reduce the rate of pay of an employee in order to comply with subsection (1).

(3) No person **shall** attempt to influence an **employer** to violate subsection (1).

(4) If an **employer**'s violation of this section results in an employee receiving a lower amount of pay than the employee would have received if the **employer** had not committed the violation, the Director may make any order that the Director considers appropriate and just in the circumstances, including an order that the **employer** compensate the employee for the loss in pay. **Section 37.1 (1) to (4).**

For more information:

- Minimum wage regulations. **Sections 9 (1) to (4), 15 (1)(2).**

Further details on the Employment Standards Act can be found at laws.gnb.ca.

NEWFOUNDLAND & LABRADOR

In Newfoundland and Labrador, **employer** responsibilities in labour relations are set out in **Sections 21, 22, 23, 24, 27, 33, 34, 49, and 50** of the **Labour Standards Act**. **Employers must** not interfere with union activities, discriminate against union

members, or deny reinstatement without proper cause. They are also obligated to comply with board orders and respect the exclusive bargaining authority of certified unions. These provisions ensure fair treatment, protect employee rights, and promote stable labour relations.

PART II – LABOUR RIGHTS AND PRACTICES

Unfair Labour Practices

(1) An **employer** or **employers**‘ organization, and a person acting on behalf of an **employer** or **employers**‘ organization, **shall** not:

(a) participate in or interfere with the selection, formation or administration of a trade union; or

(b) contribute financial or other support to a trade union.

(2) An **employer shall** not be held to contravene subsection (1) by reason only that the **employer:**

(a) in respect of a trade union or a council of trade unions that is the bargaining agent for a unit comprising or including employees of the **employer**,

(i) permits an employee or representative of that bargaining agent to confer with him or her during working hours or to attend to the business of the bargaining agent during working hours, without deduction of time so occupied, in the calculation of the time worked for the **employer** and without deduction of wages in respect of the time so occupied,

(ii) provides free transportation to representatives of the bargaining agent for purposes of collective bargaining, the administration of a collective agreement and related matters, or

(iii) permits the bargaining agent to use his or her premises for the purposes of the bargaining agent; or

(b) contributes financial support to a pension, health or other welfare trust fund, the sole purpose of which is to provide pension, health, or other welfare rights or benefits to employees. **Section 23 (1)(2).**

Discrimination and Restraints

(1) An **employer** and a person acting on behalf of an **employer shall** not:

(a) refuse to employ or to continue to employ a person, or otherwise discriminate against a person in regard to employment because that person is a member of a trade union; or

(b) impose conditions in a contract of employment seeking to restrain an employee from exercising his or her rights under this Act.

(2) An **employer** and a person acting on behalf of an **employer shall** not deny pension rights or benefits to which he or she would otherwise be entitled to an employee by reason only of his or her stopping work:

(a) as the result of a lockout, whether or not that lockout is prohibited under this Act;

(b) while taking part in a legal strike as a result of an industrial dispute after

all steps provided or contemplated by law have been taken through collective bargaining and conciliation to settle the dispute; or

(c) by reason only of dismissal contrary to this Act. **Section 24 (1)(2).**

Right to Suspend

Except as otherwise expressly provided, nothing in this Act affects the right of an **employer** to suspend, transfer, lay off or discharge an employee for proper and sufficient cause. **Section 27.**

Non-Union Employees' Seniority

(1) Notwithstanding another Act or a collective agreement that is otherwise binding on an **employer** or other law, an **employer** who is a party to a collective agreement may employ a person who is not a member of the union that is a party to the collective agreement where he or she is otherwise qualified for employment and applies for membership in the union, whether or not the union accepts that person into its membership.

(2) Nothing contained in subsection (1) excuses an employee from complying with the constitution, rules and by-laws of a union of which the employee becomes a member.

(3) Notwithstanding another Act, a provision in the constitution, rules or by-laws of a union that is designed or that operates to exclude a person referred to in subsection (1) from membership in the union is void.

(4) Nothing in this Act invalidates a provision in respect of seniority of employees that is contained in a collective agreement. **Section 33 (1) to (4).**

For more information:

- Enforcement of board or panel order. **Section 21.**
- Rules of general application. **Section 22.**
- Access order. **Section 34 (1)(2).**
- Certification of council. **Section 49.**
- Exclusive authority. **Section 50.**

Further details on the Labour Standards Act can be found at assembly.nl.ca.

NOVA SCOTIA

In Nova Scotia, **employers must** follow labour standards set out in **Sections 3, 6, 7, 8, 21, and 37** of the **Employment Standards Act**. These sections establish minimum employment conditions, authorize the Director to investigate and enforce compliance, and require **employers** to grant paid holidays. **Employers** cannot contract out of these standards, **must** comply with any Director's orders, and are expected to treat employees fairly, particularly regarding complaints, wages, and statutory leaves.

Powers and Duties of Minister

The Minister of Labour, Skills, and Immigration is charged with the administration of this Act and **shall** exercise the powers and perform the duties imposed on the Minister by this Act. **Section 3.**

Effect of Act

This Act applies notwithstanding any other law or any custom, contract or arrangement, whether made before, on or after the first day of February, 1973, but nothing in this Act affects the rights or benefits of an employee under any law, custom, contract or arrangement that are more favourable to him than his rights or benefits under this Act. **Section 6.**

ADMINISTRATION

Complaint to or Inquiry by Director

(1) Where the Director receives a complaint in any form alleging that there has been a failure to comply with this Act, he or a person designated by him **shall** inquire into the complaint and may endeavour to effect a settlement.

(2) Where the Director has reasonable grounds to believe that there has been a failure to comply with this Act, he or a person designated by him may inquire into the matter and endeavour to effect a settlement.

(3) Notwithstanding Section 72, where, after inquiry pursuant to subsection (1) or (2), the Director concludes that any person has contravened a provision of this Act and he has been unable to effect a settlement, or any person has contravened the terms of a settlement under this Section, the Director may, in writing, order the contravening person, or the person responsible under this Act, to:

(a) do any act or thing that in the opinion of the Director constitutes full compliance with this Act;

(aa) pay an administrative penalty in accordance with the regulations;

(b) rectify an injury caused to the person injured or make compensation therefore; and

(c) for greater certainty and without limiting the generality of clauses (a) and (b), reinstate an employee who is the object of the contravention, but where the Director concludes that a complaint under Section 81 is made out he **shall** order the **employer** to pay over to the Board by a specified date the amount of pay found to be unpaid.

(3A) Where the Director makes an order under subsection (3) in respect of a licensee, the Director may, in accordance with the regulations,

(a) declare a letter of credit, cash or other security provided by the licensee under this Act forfeited; and

(b) use the proceeds realized to reduce or satisfy the amount recoverable under the order.

(3B) Where the Director is unable to determine the amount recoverable because the person against whom the order is to be made has failed to:

(a) keep or maintain complete and accurate records; or

(b) make the records available for inspection, the Director may determine the amount to be recovered, in a reasonable and appropriate manner, by order in writing under this Section.

(3C) Subsection (3B) applies mutatis mutandis to the Board when acting pursuant to this Act.

(3D) The Director **shall** not make an order pursuant to this Section unless the failure to comply with the Act occurred within the six months preceding:

(a) the receipt of the complaint by the Director; or

(b) the initiation of an inquiry by the Director.

(4) The Director **shall**, in any order made under this Section, specify the provision or provisions of this Act or the terms of any settlement which have, in his opinion, been contravened and advise the person against whom the order is made of his right to appeal to the Board.

(5) Any person against whom the Director has made an order under this Section may, within ten days after the order is served on the person, file an appeal to the Board in accordance with the regulations and, where no such appeal is filed, the Director's order is deemed to be an order of the Board for the purpose of Section 88.

(6) Notwithstanding subsection (5), the Board may, either before or after the ten days referred to in that subsection, extend the time for filing an appeal.

(7) Where, in the opinion of the Director, there has been no failure to comply with this Act or the terms of any settlement under this Section he **shall** so inform the complainant and advise him of his right to make a complaint to the Board and that he may wish the advice of legal counsel.

(8) The Director is not **required** to serve notice upon or hear any person before making an order under this Section or advising a complainant that there has been no failure to comply with this Act.

(9) Any person against whom the Director has made an order under this Section **shall** comply with the order unless the person has filed an appeal with the Board.

(10) Subject to the rights under subsection (4) of Section 90 of persons other than persons against whom an order of the Director has been made, an order of the Director under this Section is final and conclusive and not open to review by any court by certiorari or otherwise or to appeal except to the Board as provided by this Section. **Section 21 (1) to (10).**

HOLIDAYS WITH PAY

Employer to Grant General Holiday

(2) Except as provided by Section 39 and Section 41, every **employer shall** grant each of his employees a holiday with pay on each general holiday falling within any period of his employment. **Section 37 (2).**

For more information:

- General Regulations. **Sections 7 (a) to (i).**
- Service of document. **Sections 8.**

Further details on the Employment Standards Act can be found at nslegislature.ca.

NORTHWEST TERRITORIES

In the Northwest Territories, **employers must** comply with labour standards under

Sections 4, 7, 13, 21, and 37 of the **Employment Standards Act**. These sections set out minimum requirements for work hours (8 per day, 40 per week), timely wage payments within 10 days of a pay period or termination, days of rest (at least one per week), and proper notice or pay in lieu for terminations after 90 days of employment. **Employers are also obligated** to uphold any more favourable benefits or obligations beyond these minimums, reinforcing their duty to maintain fair and lawful employment practices.

Minimum Standards

(1) The provisions of this Act are to be considered minimum standards and do not restrict:

(a) any benefit provided or available to an employee that is equal to or better than those provided under this Act; or

(b) any obligation or duty owed by an **employer** to an employee that is equal to or better than those imposed under this Act.

Duty of Employer

(2) An **employer shall:**

(a) provide or make available to the employee any benefit referred to in paragraph(1)(a); and

(b) perform any obligation or duty referred to in paragraph (1)(b).

Interpretation

(3) For greater certainty, a benefit, obligation or duty includes a civil remedy, a right at common law, a right under an agreement, and a custom. **Section 4 (1) to (3).**

PART 2 – PAY AND WAGES

Hours of Work

Standard Hours of Work in a Day

(1) The standard hours of work in a day for an employee are eight hours.

Standard Hours of Work in a Week

(2) The standard hours of work in a week for an employee are 40 hours.

Overtime

(3) Subject to section 8, an **employer** may require or allow an employee to work more than the standard hours of work. **Section 7 (1) to (3).**

Pay Periods

Minimum Pay Period

(1) An **employer shall** calculate an employee’s wages for a pay period not exceeding one month, unless a longer pay period is approved by the Employment Standards Officer.

Payment of Wages

(2) An **employer shall**, within 10 days after the pay period, pay to the employee all wages earned by the employee in that period.

Payment after Termination

(3) If the employment of an employee is terminated, the **employer shall**, within 10 days after the termination, pay to the employee all wages earned by the employee.

Entitlement to Pay

(4) An employee who is absent or unable to receive the wages in accordance with subsection (2) is entitled, on request, to receive payment of his or her wages during normal working hours.

Salaried Employees

(5) Where an employee is employed on a salaried basis and his or her employment is terminated, the employee **shall** be paid the corresponding hourly equivalent of his or her salary for every hour of work for which he or she was employed but not remunerated.

Method of Payment

(6) Every **employer shall** pay all wages, in Canadian currency, in the form of:

(a) cash;

(b) a cheque or bill of exchange drawn on a financial institution; or

(c) a direct deposit in a financial institution to an account designated by the employee. **Section 13 (1) to (6).**

For more information:

- PART 3 – DAYS OF WORK, LEAVE AND HOLIDAYS. **Section 21.**
- PART 4 – TERMINATION AND LAYOFFS. **Section 37.**

Further details on the Employment Standards Act can be found at gov.nt.ca.

NUNAVUT

In Nunavut, **employers must** comply with labour standards under **Sections 4, 7, 13, 21, and 37** of the **Employment Standards Act**. These sections set out minimum requirements for work hours (8 per day, 40 per week), timely wage payments within 10 days of a pay period or termination, days of rest (at least one per week), and proper notice or pay in lieu for terminations after 90 days of employment. **Employers are also obligated** to uphold any more favourable benefits or obligations beyond these minimums, reinforcing their duty to maintain fair and lawful employment practices.

Minimum Standards

(1) The provisions of this Act are to be considered minimum standards and do not restrict:

(a) any benefit provided or available to an employee that is equal to or better than those provided under this Act; or

(b) any obligation or duty owed by an **employer** to an employee that is equal to or better than those imposed under this Act.

Duty of Employer

(2) An **employer shall:**

(a) provide or make available to the employee any benefit referred to in paragraph(1)(a); and

(b) perform any obligation or duty referred to in paragraph (1)(b).

Interpretation

(3) For greater certainty, a benefit, obligation or duty includes a civil remedy, a right at common law, a right under an agreement, and a custom. **Section 4 (1) to (3).**

PART 2 – PAY AND WAGES

Hours of Work

Standard Hours of Work in a Day

(1) The standard hours of work in a day for an employee are eight hours.

Standard Hours of Work in a Week

(2) The standard hours of work in a week for an employee are 40 hours.

Overtime

(3) Subject to section 8, an **employer** may require or allow an employee to work more than the standard hours of work. **Section 7 (1) to (3).**

Pay Periods

Minimum Pay Period

(1) An **employer shall** calculate an employee’s wages for a pay period not exceeding one month, unless a longer pay period is approved by the Employment Standards Officer.

Payment of Wages

(2) An **employer shall**, within 10 days after the pay period, pay to the employee all wages earned by the employee in that period.

Payment after Termination

(3) If the employment of an employee is terminated, the **employer shall**, within 10 days after the termination, pay to the employee all wages earned by the employee.

Entitlement to Pay

(4) An employee who is absent or unable to receive the wages in accordance with subsection (2) is entitled, on request, to receive payment of his or her wages during normal working hours.

Salaried Employees

(5) Where an employee is employed on a salaried basis and his or her employment is terminated, the employee **shall** be paid the corresponding hourly equivalent of his or her salary for every hour of work for which he or she was employed but not remunerated.

Method of Payment

(6) Every **employer shall** pay all wages, in Canadian currency, in the form of:

(a) cash;

(b) a cheque or bill of exchange drawn on a financial institution; or

(c) a direct deposit in a financial institution to an account designated by the employee. **Section 13 (1) to (6).**

For more information:

- PART 3 – DAYS OF WORK, LEAVE AND HOLIDAYS. **Section 21.**
- PART 4 – TERMINATION AND LAYOFFS. **Section 37.**

Further details on the Employment Standards Act can be found at gov.nt.ca.

ONTARIO

In Ontario, **employers must** follow labour standards under **Sections 5, 11, 17, 23, 42, and 54** of the **Employment Standards Act**. These provisions **require** that employees be paid at least the minimum wage on a regular pay schedule, limit work hours to 8 per day and 48 per week unless specific agreements are made, ensure equal pay for equal work regardless of sex, and prohibit termination without proper notice. **Employers** cannot contract out of these protections, reinforcing their duty to uphold fair, lawful, and transparent employment practices across all workplaces.

No Contracting Out

(1) Subject to subsection (2), no **employer** or agent of an **employer** and no employee or agent of an employee **shall** contract out of or waive an employment standard and any such contracting out or waiver is void. **Section 5.**

PART V – PAYMENT OF WAGES

Payment of Wages

(1) An **employer shall** establish a recurring pay period and a recurring pay day and **shall** pay all wages earned during each pay period, other than accruing vacation pay, no later than the pay day for that period.

Method of Payment

(2) An **employer shall** pay an employee’s wages,

(a) by cash;

(b) by cheque payable only to the employee;

(c) by direct deposit in accordance with subsection (4); or

(d) by any other prescribed method of payment.

Place of Payment by Cash or Cheque

(3) If payment is made by cash or cheque, the **employer shall** ensure that the cash or cheque is given to the employee at his or her workplace or at some other place agreeable to the employee.

Direct Deposit

(4) An **employer** may pay an employee's wages by direct deposit into an account of a financial institution if,

(a) the account is selected by the employee and is in the employee's name;

(b) no person other than the employee or a person authorized by the employee has access to the account; and

(c) the account meets the prescribed criteria, if any. **Section 11 (1) to (4).**

PART XII – EQUAL PAY FOR EQUAL WORK

Equal Pay for Equal Work

(1) No **employer shall** pay an employee of one sex at a rate of pay less than the rate paid to an employee of the other sex when,

(a) they perform substantially the same kind of work in the same establishment;

(b) their performance requires substantially the same skill, effort and responsibility; and

(c) their work is performed under similar working conditions.

Exception

(2) Subsection (1) does not apply when the difference in the rate of pay is made on the basis of,

(a) a seniority system;

(b) a merit system;

(c) a system that measures earnings by quantity or quality of production; or

(d) any other factor other than sex.

Reduction Prohibited

(3) No **employer shall** reduce the rate of pay of an employee in order to comply with subsection (1).

Organizations

(4) No trade union or other organization **shall** cause or attempt to cause an **employer** to contravene subsection (1).

Deemed Wages

(5) If an employment standards officer finds that an **employer** has contravened

subsection (1), the officer may determine the amount owing to an employee as a result of the contravention and that amount **shall** be deemed to be unpaid wages for that employee. **Section 42 (1) to (5).**

No Termination Without Notice

No **employer shall** terminate the employment of an employee who has been continuously employed for three months or more unless the **employer**,

(a) has given to the employee written notice of termination in accordance with section 57 or 58 and the notice has expired; or

(b) has complied with section 61. **Section 54.**

For more information:

- PART VII – HOURS OF WORK AND EATING PERIODS. **Sections 17 (1) to (9).**
- PART IX – MINIMUM WAGE. **Sections 23.**

Further details on the Employment Standards Act can be found at ontario.ca.

PRINCE EDWARD ISLAND

In Prince Edward Island, **employers must** comply with the **Employment Standards Act**, specifically **Sections 2, 5.2–5.3, 15–17, and 29**. These sections require **employers** to pay wages in Canadian currency, provide detailed pay statements, ensure a 48-hour maximum work week unless exempted, allow for regular rest breaks and unpaid eating periods, and pay at least three hours' wages when an employee reports to work. Terminations require written notice of up to eight weeks depending on the employee's length of service.

Application

(1) Except as otherwise expressly provided by this Act or the regulations, this Act and the regulations apply to all **employers** and employees. **Section 2.**

Employment Standards Board

(1) The Lieutenant Governor in Council **shall** establish, and appoint the members of, a board that **shall** be known as the Employment Standards Board and that board **shall** consist of not less than six persons equally representative of employees and **employers** respectively, and one additional person who **shall** be chairperson. **Section 4.**

PAY AND PROTECTION OF PAY

Payment of Pay

(1) An **employer shall** pay to an employee the pay to which an employee is entitled:

(a) in lawful currency of Canada; **Section 5.2.**

Pay Statement

(1) Every **employer shall** give to every employee, at the time pay is being paid to the employee in accordance with subsection 5.2(3), a statement, in writing, showing:

(a) the name and address of the **employer** and the name of the employee;

(b) the period of time or the work for which the wages are being paid;

(c) the regular rate of wages to which the employee is entitled and the number of hours worked;

(d) the gross amount of wages to which an employee is entitled;

(e) the gross amount of any vacation pay being paid to the employee;

(f) the gross amount of any pay in lieu of notice of termination being paid to the employee;

(g) the amount and purpose of each deduction;

(g.1) the amount of any paid sick leave to which the employee is entitled;

(h) any bonus, gratuity, living allowance, or other payment to which the employee is entitled; and

(i) the net amount of money being paid to the employee. **Section 5.3 (1).**

HOURS OF WORK

Standard Number of Hours of Work

(1) The standard number of hours of work that an **employer** may require of an employee during a work week is 48 hours.

Exemptions

(2) The board may, by order,

(a) prescribe standard work weeks, other than the one established in subsection (1), comprising the number of hours of work in excess of the number established in subsection (1) that the board considers appropriate;

(b) prescribe:

(i) the specific **employers** or classes of **employers**, and

(ii) the specific employees or classes of employees of such **employers**, to whom a standard work week prescribed under clause (a) applies; and

(c) exempt the **employers** and employees, or any classes thereof, for whom a standard work week is prescribed in an order made under this subsection from the standard work week established in subsection (1).

Factors Considered

(3) Before making an order under subsection (2), the board **shall** take into account the following factors:

(a) the seasonal nature of the work;

(b) the effect of the extended hours on the health and safety of workers and the public;

(c) work requirements that include the need to have employees in the work premises

while not always engaged in work-related activities; and

(d) the duration of the work schedule customary in the industry. **Section 15 (1) to (3).**

For more information:

- REST PERIODS. **Section 16.**
- REPORTING PAY. **Section 17.**
- NOTICE OF TERMINATION. **Section 29.**

Further details on the Employment Standards Act can be found at princeedwardisland.ca.

QUÉBEC

In Québec, **employers must** follow the **Act Respecting Labour Standards**, specifically **Sections 2, 40 to 54, 78, 79, and 82 to 84**. These sections mandate minimum wage compliance, equal pay regardless of employment status, regular payment intervals, detailed pay statements, and restrictions on wage deductions. **Employers must** also observe a 40-hour regular workweek, ensure meal and weekly rest periods, and provide up to eight weeks' notice or compensation for terminations based on an employee's length of service.

CHAPTER IV — LABOUR STANDARDS

DIVISION I — WAGES

The minimum wage payable to an employee **shall** be determined by regulation of the Government.

An employee is entitled to be paid a wage that is at least equivalent to the minimum wage. **Section 40.**

No benefit having pecuniary value may be taken into account in computing the minimum wage. **Section 41.**

No **employer** may remunerate an employee at a lower rate of wage than that granted to his other employees performing the same tasks in the same establishment solely because of the employee's employment status, and in particular because the employee usually works fewer hours each week. **Section 41.1.**

No personnel placement agency may remunerate an employee at a lower rate of wage than that granted to the employees of the client enterprise who perform the same tasks in the same establishment solely because of the employee's employment status, and in particular because the employee is remunerated by such an agency or usually works fewer hours each week. **Section 41.2.**

Wages **must** be paid in cash in a sealed envelope, by cheque or by bank transfer.

An employee is deemed not to have received payment of the wages due to the employee if the cheque delivered to the employee is not cashable within the two working days following issue. **Section 42.**

Wages **must** be paid at regular intervals of not over sixteen days, or one month in the

case of managerial personnel or of workers contemplated in subparagraphs i, ii, and iii of paragraph 10 of section 1. However, any amount in excess of the regular wages, such as a bonus or premium for overtime, earned during the week preceding payment of the wages may be paid with the subsequent regular payment or, where that is the case, at the time prescribed by a particular provision of a collective agreement or decree.

Notwithstanding the first paragraph, an **employer** may pay an employee within one month following the commencement of their employment. **Section 43.**

The wages of an employee **must** be paid directly to the employee, at the employee's place of employment and on a working day, except where the payment is made by bank transfer or is sent by mail.

The wages of an employee may also, at the employee's written request, be remitted to a third person. **Section 44.**

If the usual day of payment of wages falls on a general statutory holiday, the wages are paid to the employee on the working day preceding that day. **Section 45.**

The **employer must** remit to the employee, together with their wages, a pay sheet containing sufficient information to enable the employee to verify the computation of their wages. That pay sheet **must** include, in particular, the following information, where applicable:

(1) the name of the **employer**;

(2) the name of the employee;

(3) the identification of the employee's occupation;

(4) the date of the payment and the work period corresponding to the payment;

(5) the number of hours paid at the prevailing rate;

(6) the number of hours of overtime paid or replaced by a leave with the applicable premium;

(7) the nature and amount of the bonuses, indemnities, allowances or commissions that are being paid;

(8) the wage rate;

(9) the amount of wages before deductions;

(10) the nature and amount of the deductions effected;

(11) the amount of the net wages paid to the employee;

(12) the amount of the tips reported by the employee pursuant to section 1019.4 of the Taxation Act (chapter I-3);

(13) the amount of the tips he has attributed to the employee under section 42.11 of the Taxation Act.

The Government, by regulation, may require any other particular it deems pertinent. It may also exempt a category of **employers** from the application of any of the above particulars. **Section 46 (1) to (13).**

No signing formality other than that establishing that the sum remitted to the employee corresponds to the amount of net wages indicated on the pay sheet may be **required** upon payment of the wages. **Section 47.**

Acceptance of a pay sheet by an employee does not entail the employee's renunciation of the payment of all or part of the wages that are due to the employee. **Section 48.**

No **employer** may make deductions from wages unless he is **required** to do so pursuant to an Act, a regulation, a court order, a collective agreement, an order or decree or a mandatory supplemental pension plan.

The **employer** may make deductions from wages if the employee consents thereto in writing, for a specific purpose mentioned in the writing.

The employee may at any time revoke that authorization, except where it pertains to membership in a group insurance plan, or a supplemental pension plan. The **employer shall** remit the sums so withheld to their intended receiver. **Section 49.**

Any gratuity or tip paid directly or indirectly by a patron to an employee who provided the service belongs to the employee of right and **must** not be mingled with the wages that are otherwise due to the employee. The **employer must** pay at least the prescribed minimum wage to the employee without taking into account any gratuities or tips the employee receives.

Any gratuity or tip collected by the **employer shall** be remitted in full to the employee who rendered the service. The words gratuity and tip include service charges added to the patron's bill but do not include any administrative costs added to the bill.

The **employer** may not impose an arrangement to share gratuities or a tip-sharing arrangement. Nor may the **employer** intervene, in any manner whatsoever, in the establishment of an arrangement to share gratuities or a tip-sharing arrangement. Such an arrangement **must** result solely from the free and voluntary consent of the employees entitled to gratuities or tips.

However, an indemnity provided for in any of sections 58, 62, 74, 76, 79.7, 79.16, 80, 81, 81.1, 83 and 84.0.13 is computed, in the case of an employee who is an employee referred to in section 42.11 or 1019.4 of the Taxation Act (chapter I-3), on the basis of the wages increased by the tips attributed under that section 42.11 or reported under that section 1019.4. **Section 50.**

No **employer** may require an employee to pay credit card costs. **Section 50.1.**

No **employer** may refuse to receive a written report made pursuant to section 1019.4 of the Taxation Act (chapter I-3). **Section 50.2.**

The maximum amount that an **employer** may require for room and board from one of his employees is that which is fixed by regulation of the Government. **Section 51.**

Notwithstanding section 51, an **employer** may not require an amount for room and board from a domestic who is housed or takes meals in the **employer**'s residence. **Section 51.0.1.**

No **employer** may, directly or indirectly, be reimbursed by an employee for the contribution provided for in Chapter III.1. **Section 51.1.**

For more information:

- DIVISION II — HOURS OF WORK. **Sections 52, 53, 54.**
- DIVISION V — REST PERIODS. **Sections 78, 79.**
- DIVISION VI — NOTICE OF TERMINATION OF EMPLOYMENT OR LAYOFF, AND WORK CERTIFICATE. **Sections 82 to 84.**

Further details on the Act Respecting Labour Standards can be found at gouv.qc.ca.

SASKATCHEWAN

In Saskatchewan, **employers must** follow the **Saskatchewan Employment Act, Sections 22-1, 2-8, 2-11, 2-13, 2-14, 2-16, 2-21, 2-33, 2-60, and 2-61**. They are responsible for providing proper schedules, rest breaks, minimum wage, timely pay, and fair termination notice or pay in lieu. Discrimination in pay is prohibited, and employees **must** receive accurate wage statements.

Subdivision 2 — Hours of Work

Work Schedules

(1) An **employer shall** give notice to an employee of a work schedule containing the following:

(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 notice **required** pursuant to subsection (1) **must** cover at least one week.

(3) If the days or times when an employee is **required** or permitted to work or to be at the **employer**'s disposal change, the **employer shall** provide to the employee written notice of the change.

(4) The notice **required** pursuant to subsection (3) **must**:

(a) be given in a schedule that contains the information **required** pursuant to subsection (1) covering at least one week;

(b) be 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), be given one week before the employee is **required** or permitted to work or to be at the **employer**'s disposal; and

(d) be 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.

(5) An **employer** may provide notice of less than one week of a variation to an employee's schedule if unexpected, unusual or emergency circumstances arise.

(6) The director of employment standards may permit a variation from the requirements of this section if the **employer** has obtained the written consent to the variation from the union that is the bargaining agent for the employees. **Section 2-11 (1) to (6).**

Required Period of Rest

(1) Subject to subsection (2), no **employer shall** require or permit an employee to work or to be at the **employer**'s disposal for periods that are scheduled so that the employee does not have a period of eight consecutive hours of rest in any day.

(2) Subsection (1) does not apply in emergency circumstances.

(3) Subject to subsections (4) to (6), an **employer shall** grant 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.

(4) Subsection (3) does not apply to any prescribed workplace or prescribed category of **employers** or employees.

(5) In prescribed workplaces with more than 10 employees, or for prescribed categories of employees, an **employer shall** grant to employees in the workplace or to the category of employees two consecutive days off every week.

(6) On receipt of a written application from an **employer** and the employees or a representative of the employees, the director of employment standards may:

(a) issue a written authorization exempting the **employer** from subsection (3); and

(b) impose any conditions that the director considers appropriate on the written authorization issued pursuant to clause (a). **Section 2-13 (1) to (6).**

Meal Breaks

(1) Subject to subsections (2) and (4), an **employer shall** provide to an employee an unpaid meal break that is of at least 30 minutes' duration within every five consecutive hours of work.

(2) An **employer** is not **required** to grant a meal break pursuant to subsection (1):

(a) in unexpected, unusual or emergency circumstances; or

(b) if it is not reasonable for an employee to take a meal break.

(3) If the **employer** does not grant the meal break mentioned in subsection (1) and the employee works five or more consecutive hours, the **employer shall** permit an employee to eat while working.

(4) An **employer shall** provide to an employee an unpaid meal break at a time or times necessary for medical reasons. **Section 2-14 (1) to (4).**

Minimum Wage

(1) An **employer shall** pay an employee:

(a) at least the prescribed minimum wage for each hour or part of an hour in which the employee is **required** or permitted to work or to be at the **employer**'s disposal; and

(b) at least the prescribed minimum sum when the employee reports for duty.

(2) Subject to subsection (3), if an **employer** pays an employee on any basis other than by the hour, the **employer** is deemed to have satisfied clause (1)(a) if the **employer** has, for the period covered by the payday, paid the employee an amount at

least equal to the amount TP calculated in accordance with the following formula:

TP = MW x HW

where:

MW is the prescribed minimum wage; and HW is the number of hours or parts of an hour in which the employee is **required** or permitted to work or to be at the **employer**'s disposal during the period covered by the payday.

(3) An **employer shall** not include in the calculation made pursuant to subsection (2) any payment the **employer** made to the employee for the purposes of:

(a) annual vacation pay;

(b) any pay **required** pursuant to clause (1)(b) for an amount exceeding the time worked;

(c) the premium component of overtime and public holiday pay; or

(d) public holiday pay. **Section 2-16 (1) to (3).**

For more information:

- DIVISION 2 – Conditions of Employment. **Sections 2-8 (1)(2).**
- Subdivision 4 – Discrimination in Pay Prohibited. **Sections 2-21 (1) to (5).**
- Subdivision 8 – Payment of Wages. **Sections 2-33 (1) to (4).**
- Subdivision 12 – Layoff and Termination. **Sections 2-60 (1), 2-61 (1).**

Further details on the Saskatchewan Employment Act can be found at saskatchewan.ca.

YUKON TERRITORY

In Yukon, under the **Employment Standards Act**, **Sections 2, 4, 6, 7, 11, 12, 14, 44, 45, 48, 49, and 50**, **employers must** ensure employees work no more than 8 hours per day or 40 per week unless agreed otherwise, and provide proper rest days and breaks. Equal pay **must** be provided for similar work regardless of sex, and any termination after six months of employment requires written notice ranging from one to eight weeks based on years of service. These standards promote fair treatment and protect employee rights.

Application of the Act

(1) This Act applies to every employee employed in the Yukon and to the **employer** of every such employee.

(2) This Act does not apply to the Government of the Yukon or to the employees of the Government of the Yukon. **Section 2 (10(2).**

PART 2 – HOURS OF WORK

Application of this Part

(1) This Part does not apply to:

(a) an employee who is a member of the **employer**'s family;

(b) a travelling salesperson;

(c) an individual whose duties are primarily of a supervisory or managerial character;

(d) a member or student of those professions designated by the regulations as professions to which this Part does not apply; and

(e) those other persons or classes of persons designated by the regulations as persons or classes of persons to which this Part does not apply.

(2) An individual to whom paragraph 4(1)(c) applies is not included in the application of this Part solely because of the occasional performance of duties other than those of a supervisory or managerial character. **Section 4 (1)(2).**

Standard Hours of Work

Subject to this Part, the working hours of an employee **shall** not exceed eight hours in a day and 40 hours in a week. **Section 6.**

Work in Excess of Standard Hours

Subject to this Part, no **employer shall** cause or permit an employee to work in excess of the standard hours of work unless the **employer** complies with section 8 or section 9 or the employee's hours of work are permitted under sections 10 or 11. **Section 7.**

Short Work Weeks

(1) An employee or a majority of a group of employees may, as part of a collective agreement or if there is no collective agreement, in a written agreement between the employee or group of employees and the **employer** agree that the employee or group of employees may work a regular day of work in excess of eight hours but not in excess of 12 hours provided that the total hours of work of each employee **shall** not exceed 80 hours in a two week period.

(2) If under subsection (1) an **employer** requires or permits an employee to work in excess of 80 hours in a two week period, the **employer shall** pay the employee one and one-half times the employee's regular wages for all hours worked in excess of 80 hours.

(3) Subsections 9(2) to (4) as modified to suit the case apply to this section. **Section 11 (1) to (3).**

Days of Rest

(1) Except if otherwise prescribed by regulations, hours of work **shall** wherever practicable be so scheduled and actually worked so that each employee has at least two full days of rest in a week and wherever practicable Sunday **shall** be one of the normal days of rest in the week.

(2) Despite subsection (1), 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 seven more days continuous with the period

of 28 days described in paragraph (a), when the additional work is necessary in order to complete the project on which the employee was employed during those 28 days.

(3) An employee who is **required** or permitted to work a work schedule under subsection (2) is entitled:

(a) to at least one day of rest for each continuous seven days of work; and

(b) to take the employee's accrued days of rest continuously with each other. **Section 12 (1) to (3).**

Rest Periods

(1) Except for an emergency and subject to subsection (2), an **employer shall** ensure that each employee has a rest period of at least eight consecutive hours free from work between each shift worked.

(2) If, on the application of an **employer**, the director is satisfied that the rest period of eight consecutive hours referred to in subsection (1) would impose an unreasonable hardship on the **employer** because of the specific circumstances surrounding a specific project or piece of work, the director may order that the rest period be shortened to six consecutive hours for the period of time during which the director considers the specific circumstances will continue to exist. **Section 14 (1)(2).**

For more information:

- PART 7 – EQUAL PAY. **Sections 44, 45.**
- PART 8 – TERMINATION OF EMPLOYMENT. **Sections 48, 49, 50.**

Further details on the Employment Standards Act can be found at saskatchewan.ca.