Model Agreement for Paying Overtime



Where overtime averaging is allowed by law—all jurisdictions except Alberta, New Brunswick, Newfoundland and PEI—it must be by written agreement. Each jurisdiction has different legal requirements and every situation is unique. So it's impossible to provide a Model Agreement that will work for all places and situations. What we can do, however, is offer you a sample that you can use as a template for creating your own averaging agreements with employees. This model comes from Ontario and applies to non-union employees for use in an individual employment contract (as opposed to a collective agreement). Remember to modify it for your own situation, including by attaching as Attachment A an information sheet from the government agency that describes employee overtime rights in your jurisdiction.