



This factsheet has been prepared for general information purposes. It is not a legal document. Please refer to the *Employment Standards Act* and Regulation for purposes of interpretation and application of the law.

February 2018

Quick Reference Guide for Employers

Employees are entitled to the protection of the Act whether they are employed on a part-time, full-time, temporary or permanent basis, and whether they are paid by the hour, by salary or commission, or by piece rate. Failure by an employer to comply with the Act may result in penalties being assessed.

Keeping Records

Employers must keep records for each employee showing the wage rate; the hours worked each day; benefits paid; gross and net wages for each pay period; deductions taken; dates of statutory holidays and vacations taken, and amounts paid. These records must be kept whether the employee is paid by the hour, by salary or commission, or by piece rate.

Hours of work

When scheduling employees, employers must observe the requirements regarding meal breaks, time off between shifts, scheduling split shifts, hours free from work each week, minimum daily pay and overtime.

Rates of Pay

Regardless of whether an employee is paid by the hour, by salary or by commission, employers must ensure that payment equals at least minimum wage for all hours worked.

Minimum Wage Rates:

- September 15, 2016 - \$10.85/hr
- September 15, 2017 - \$11.35/hr
- June 1, 2018 - \$12.65/hr

See the *Farm Workers*, *Minimum Wage* and *Liquor Servers* factsheets for further details and other rates.

Paydays

All employees must be paid at least twice a month. A pay period may not exceed 16 days. All money earned, including overtime and statutory holiday pay, must be paid within eight days after the end of the pay period. Wages must be paid in Canadian currency and may be paid by direct deposit to an employee's bank account if authorized in writing by the employee.

Vacation and Vacation Pay

An employer must give an employee an annual vacation of at least two weeks after 12 months of employment, and three weeks after five years of employment. After being employed for five calendar days, an employee is entitled to receive annual vacation pay of at least 4% of all wages earned for the first five years of employment and 6% after that.

Statutory Holidays

Employees who have been employed for 30 calendar days, and have worked 15 of the 30 days before a statutory holiday, are entitled to statutory holiday pay of an average day's pay. In addition, eligible employees who work on a statutory holiday are entitled to be paid time-and-one-half.

Leaves and Jury Duty

Employers must grant the following types of unpaid leaves: pregnancy, parental, family responsibility, compassionate care, bereavement, reservists' and jury duty.

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Deductions from wages

An employer may only deduct wages as required or permitted by this Act or by other legislation (e.g. income tax, CPP, EI). An employer cannot require an employee to pay any portion of an employer's business costs, nor can an employer deduct advances and accidental overpayments from wages unless the employee has given written authorization.

Termination

An employer may terminate an employee if sufficient written notice or compensation in lieu of notice is provided. Employers must pay final wages within 48 hours of terminating an employee or within six days if the employee quits.
