## HOURS OF WORK AND OVERTIME

[Organization Name] is committed to ensuring that all employees are compensated, at minimum, as per the standards outlined in the *Employment Standards Code of Manitoba*.

DEFINITIONS

"Overtime" means hours of work exceeding an employee's normal 40-hour workweek.

"Overtime wage" refers to the payment of wages paid or payable for overtime;

"Overtime wage rate" means the overtime hourly rate of not less than 150% of the employee's regular wage rate.

"Banked time" means the time an employer has to give an employee instead of overtime wages as a term of payment under this section.

POLICY

At [Organization Name], a work week normally consists of (Insert #) hours for full time employees and (Insert #) hours for part time employees. [Organization Name] employees will at times be requested to work hours above their usual hours of work.

For the purposes of this policy, hours worked beyond an employee’s usual number of hours but below the overtime threshold of 40 hours weekly will be paid in straight time.

Employees are required to report to work on a regular basis, to comply with the provisions of this policy and to adhere to the schedules and work-time related issues as communicated and approved by their respective supervisors.

Work Break

The *Employment Standards Code of Manitoba* prohibits continuous work of more than five

hours without a break for a meal and the required length of the workday cannot be reduced on the premise that staff members will forego their meal break.

The time for a meal break is determined for each staff member by their supervisor, based on the employee’s work schedule, and with due attention being paid to the staff members’

preference.

It is the ultimate responsibility of the employee to ensure they take their meal break at their assigned time. It is the responsibility of the supervisor to ensure the employee follows this term of the policy in the case the employee fails to fulfil their responsibility.

Overtime/Additional Hours Worked

**Non-Exempt**

Hourly-paid employees (i.e., non-salary) will be compensated for all hours worked at their regular hourly rate, to a maximum of 8 hours a day and 40 hours per week.

For both salaried (non-exempt) and hourly employees, any hours worked beyond 8 hours in a day or 40 hours in a work week will be compensated at a rate of 1 and ½ times the employee’s regular hourly rate. The employer may provide lieu time to an employee that has worked these additional hours as an alternative to paying the employee additional monies.

Employees are not permitted to work overtime (beyond 8 hours a day or 40 hours in a week) without prior written approval from a supervisor.

**Exempt**

Exempt employees are expected to adhere to the standard full-time hours for their position and the regular work week of the company. Exempt employees are also required to work any hours necessary to perform the duties of the job. Except in special circumstances, exempt employees generally do not receive overtime, compensatory time, or additional pay for hours worked or travel time outside their regular schedule.

Exempt employers are:

* perform management functions primarily; or
* have substantial control over their hours of work and make at least two times the Manitoba Industrial Average Wage

[**Averaging Agreements**](https://www.gov.mb.ca/labour/standards/doc%2Caveraging_agreements%2Cfactsheet.html)

Employers and employees can enter into a written agreement to change their standard hours of work.  The new schedule may cycle up to a maximum of 12 weeks but must always average back to 40 hours per week.

[**Individual Flex-Time Agreements**](https://www.gov.mb.ca/labour/standards/doc%2Cindividual_flex_time_agreements%2Cfactsheet.html)

Standard hours of work are generally 8 hours per day and 40 hours per week.  Individual employees can ask their employer to enter into a written agreement to alter their daily standard hours of work.  This agreement is intended to provide employees with greater flexibility and help them balance their work and personal life responsibilities.