

Wage for reporting for work

Sometimes employees are scheduled to work a shift and then the shift is cancelled or shortened. In other situations employees are called in to work when they were not scheduled. Employees who report for work are paid for at least three hours work, or their full shift, whichever is less.

What are wages for reporting to work?

Employees must be paid for at least 3 hours at their regular wage rate if the scheduled shift is longer than 3 hours. For example, an employee is scheduled to work for 6 hours, but is sent home after 2 hours. The employee is entitled to wages for 3 hours of work.

If the scheduled shift is shorter than 3 hours, employees are entitled to be paid for the length of the scheduled shift. For example, the employee is scheduled for 2 hours but is sent home after 1 hour. The employee is entitled to wages for 2 hours of work because this was the length of the scheduled shift.

Some situations where reporting wages apply include:

- When an employer sends employees home before the end of their scheduled shift because business is slow
- When an employer has too many people scheduled to work and sends one or more employees home
- On-call situations where employees report to work
- When weather conditions or changes affect how work can be done, resulting in employees being sent home

If prior to employees reporting to work, the employer advises the employees the shift has been cancelled, wages for reporting to work do not apply.

When do wages for reporting to work apply?

Wages for reporting to work are intended to compensate an employee who is normally scheduled to work greater than 3 hours and is sent home early without performing work, or is permitted to work for less than 3 hours.

Employees are generally entitled to 3 hours of reporting pay unless the employer has scheduled a shorter shift. If employees are not told of the length of their shift in advance, they must be paid for 3 hours or for the time they worked, whichever is more.

Employers have the right to schedule and change shifts to meet their business needs. At the same time, employees are assured of being paid a minimum amount if they are scheduled to work a shift that is **cancelled or shortened by the employer**, or if they are called in to work without prior notice. Employers cannot avoid reporting pay by asking for volunteers to go home.

If an **employee** asks to leave, and the employer permits, then the employer is only required to pay for the actual hours worked.

How much are employees paid for reporting to work?

When an employer decides to cancel shifts or to send employees home early, those scheduled to work more than 3 hours, and

- Work less than 3 hours, must be paid for at least 3 hours
- Work more than 3 hours, must be paid for all hours worked

If employees are scheduled to work less than 3 hours, they must be paid for their entire scheduled shift.

The following table explains what an employee is entitled to be paid if the employer cancels or cuts the shift short. When employees are notified of the change in schedule before reporting to work, they are not entitled to reporting pay.

| Scheduled to work | Actually worked | Must be paid for |
|--------------------------|---------------------------|-------------------------|
| 3 hours or more | Less than 3 hours | 3 hours |
| <i>Example: 4 hours</i> | <i>Half an hour</i> | <i>3 hours</i> |
| | | |
| Scheduled to work | Actually worked | Must be paid for |
| Less than 3 hours | Less than scheduled hours | Entire scheduled shift |
| <i>Example 2.5 hours</i> | <i>Half an hour</i> | <i>2.5 hours</i> |

Do employers need to post schedules?

Employers control scheduling and the hours employees work, but they are not required to post a schedule. Employers can create a schedule every day or weeks in advance, but they must tell employees how long they are expected to work when they are scheduled for shifts.

Shifts will be deemed to be at least three hours in length when employees are not told the length of the shift before they report to work.

Can an employer have an open-ended schedule?

Yes. However, employees will be entitled to wages equal to the total number of hours they worked that shift, or for 3 hours, whichever is more.

For example, an employer can schedule an employee to start work at 5 p.m. and not say when the shift will end. This shift will be considered at least 3 hours in length, so even if the employee only works for 1 hour, the employee must be paid for 3 hours.

Can an employer change the work schedule?

Yes. Employers control work schedules and can change them at any time. If, prior to the employee reporting to work, the employer advises the employee their shift has been cancelled, wages for reporting to work do not apply.

Does an employer need to pay an employee when they are on-call?

No. Employees are only paid for hours they have worked; being on-call is not considered time worked.

Do wages for reporting to work apply to an on-call employee?

Yes. When on-call employees are called in to work, wages for reporting to work apply. If the employer has not told employees how long they will work when they get a call, employees must be paid for at least 3 hours when they report for work.

The employer can, however, establish a schedule for on-call work. For example, an employer can tell on-call employees they will be paid for 1 hour when they are called to work. The employees are then paid for 1 hour, even if they only work for 20 minutes.

The established on-call schedule must accurately reflect the length of time it takes to complete an average on-call response. For example, if employees are scheduled for 1 hour of work but the calls regularly take longer, applicable reporting pay would default to the standard 3 hours of reporting pay.

Do wages for reporting for work apply to staff meetings?

Yes. Wages for reporting for work apply when employers require employees to come to work to attend staff meetings. Mandatory staff meetings are considered time worked. If an employer does not tell staff how long the meeting will take, employees are paid for at least 3 hours.

If employees are told how long the meeting will last, they are paid for the length of the staff meeting or for the number of hours they were told it would last, whichever is more.

For more information contact Employment Standards:

Phone: 204-945-3352 or toll free in Canada 1-800-821-4307

Fax: 204-948-3046

Website: www.manitoba.ca/labour/standards

This is a general overview and the information used is subject to change. For detailed information, please refer to current legislation including The Employment Standards Code, The Construction Industry Wages Act , The Worker Recruitment and Protection Act, or contact Employment Standards.

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