

Heavy Construction Wage Schedules : 2006–2007

Coverage

Wage rates and hours of work for employees in the industrial, commercial, and institutional sector of the construction industry are regulated under *The Construction Industry Wages Act*. All construction employees, unless excluded by the code, are covered by *The Employment Standards Code*.

Lower rates prohibited

Employers and employees cannot make deals, contracts or arrangements that result in payment at rates lower than those in this document. They cannot make agreements contrary to or less than the provisions of *The Employment Standards Code* or *The Construction Industry Wages Act*.

Payment of wages

An employer must pay employees their wages within five working days after the end of each pay period or within five working days of the termination of employment.

Employment records

Employers and subcontractors must maintain proper payroll records, including a record of hours worked by employees, for not less than three years after the record is made.

Vacations with pay

For each year employees work for the same employer, they are entitled to a two week paid vacation equal to at least four per cent of wages earned during the qualifying year (excluding overtime). After five years this rises to a three week paid vacation equal to at least 6% of wages earned during the qualifying year (excluding overtime).

General holidays

All construction employees are entitled to be paid general holiday pay based on four per cent of their total wages and vacation allowance (excluding overtime) over the period worked during the year. These wages must be paid no later than December 31 of that year or on termination of employment.

The generally accepted practice of paying four per cent holiday wages on each cheque meets the minimum standard. Employees who work on a general holiday are entitled to 1 1/2 times their regular rate of pay for hours worked on that day.

Termination

Notice of termination of employment is not required by employers or employees employed in the construction industry.

The Heavy Construction Sector

The Construction Industry Wages Act states: the heavy construction sector includes employees engaged in:

- a. the construction and maintenance of highways, roads, railroads, or runways, together with minor drainage divider and retaining works incidental thereto,
- b. the construction and maintenance of wharfs, docks, sidewalks, curbs or gutters,
- c. the paving and maintenance of parking lots and the preparation thereof,
- d. the removal of snow from and blading of highways, roads, railroads, runways or parking lots,
- e. the construction and maintenance of the earth moving and fill portions of irrigation and drainage projects, and minor works incidental thereto,
- f. the use of heavy construction equipment for the construction and maintenance of dams, tunnels, bridges or overpasses, and works incidental thereto, including the moving of earth or rock relating thereto,
- g. the construction and maintenance of water lines, sewer lines, pipelines, sewage lagoons, sewage lift stations, and appurtenances, and underground service lines, but not including the contents thereof,
- h. the use of heavy construction equipment for piling, shoring, building excavation or site preparation, including the stripping of overburden and grading to new contours,
- i. the transportation of rock, gravel, sand, clay, asphalt, or concrete to and from batching plants for use in construction,
- j. the processing and batching of rock, gravel or sand aggregate,
- k. the use or operation of crushers, screeners, wash plants or heavy construction equipment associated with extractions of rock, gravel or sand aggregate for use in construction,
 - l. the transportation of earth, soil, or rubble from a construction site, and the hauling of granular material to a construction site,
- m. the hauling of heavy construction equipment by heavy construction contractors to perform any or all of the tasks or activities described in clauses (a) to (l), (o) and (p),
- n. the repair and maintenance of heavy construction equipment by employees in heavy construction, whether the work is performed in a shop or on a construction site,
- o. the demolition of any building or structure, whether or not heavy construction equipment is used in the demolition,
- p. the construction and maintenance of transmission lines.

Heavy Construction Industry Wages

The following table sets notes the minimum wages rates payable to employees in the heavy construction industry by regulation under *The Construction Industry Wages Act*. The rates came into effect January 1, 2007.

Hours of Work and Overtime (Heavy Construction)

All hours worked over the standard weekly hours must be paid at not less than 1 ½ times the regular wage rate. The standard weekly hours for heavy construction employees are:

- 50 hours outside of Winnipeg
- 50 hours in Winnipeg from April 1 to October 31 of each year,
- 48 hours in Winnipeg from November 1 each year to March 31 the following year.

To determine standard hours, Winnipeg is defined as all the land within one-half mile beyond the Perimeter Highway. The definition of Winnipeg also includes any land that is within the limits of *The City of Winnipeg Act*, even if that land extends more than one-half mile beyond the Perimeter Highway.

Heavy Construction Industry Minimum Wages

	June 1, 2006	January 1, 2007
1. Mobile Crane Operator working on heavy construction	\$16.75	\$17.70
2. Heavy Duty Mechanic or Welder working on heavy equipment	\$15.30	\$16.20
3. Operator of a dragline, clam shell, shovel, hydraulic excavator, pile driver and other equipment requiring similar skills	\$15.10	\$16.00
4. Plant operator, Operator of paving machines, dozer, loader, loader backhoe, grader, scraper, hydro excavator, tractor with controlled attachments, and other equipment requiring similar skills	\$13.50	\$14.25
5. Truck Operator of trucks with four or more axles, fuel truck, distribution truck, truck with hydraulic boom hoist	\$13.30	\$14.00
6. Truck Operator of trucks with less than 4 axles and more than 2,500 kgs	\$12.50	\$13.20
7. Operator of light trucks (less than 2,500 kgs) ride on/tractor pulled compaction equipment and other equipment requiring similar skills	\$11.50	\$12.40
8. Skilled Labourer including Concrete Finisher, Pipelayer, Screedman and jobs requiring similar skills in the heavy construction industry	\$12.10	\$12.80
9. General labourer in heavy construction industry not otherwise classified	\$10.50	\$11.40
10. Watcher, Flagger and Rodman	\$ 9.00	\$ 9.90

For more information contact the Employment Standards Branch:

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

Fax: 204-948-3046

E-mail: Employmentstandards@gov.mb.ca

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* and *The Worker Recruitment and Protection Act*,

or contact the Employment Standards Branch to ask for advice.

Date Published: February 18, 2010