

What is the Labour Board?

Many people confuse the provincial Employment Standards Branch and the Manitoba Labour Board. The Employment Standards Branch enforces minimum standards and investigates disagreements between employers and employees about them. The Manitoba Labour Board adjudicates decisions made by the Employment Standards Branch, and gives employers and employees a chance to present evidence at a hearing.

Who answers questions about things like wages, hours of work, holidays, or terminating employment?

The Employment Standards Branch, can answer your questions. It investigates complaints and gives employers and employees information about minimum standards like general holidays, vacations, hours of work, leaves of absence, terminations and the minimum wage. The Employment Standards Branch is a neutral party required to enforce the legislation without taking sides.

What is the Manitoba Labour Board?

The Manitoba Labour Board is a special three–person board (tribunal), separate from the Employment Standards Branch. It's powers are like those of a judge or court, which re–hears disagreements that could not be resolved by the Employment Standards Branch. *The Employment Standards Code* is one of several acts the board administers.

How do employees and employers file a complaint?

Employees and employers should first discuss the issue to see if it can be settled without an Employment Standards investigation. Either party can call the branch to get more information or explanation about an issue.

If employers or employees cannot settle a matter, and believe their rights are being violated, it is best to speak with the Employment Standards Branch, and perhaps file a claim. A complaint form must be filled out and sent to the branch to begin an investigation. Forms are available from any Employment Standards Office, or online at the [Claim form](#) page. More information can be found on the [Filing a claim](#) page.

How are complaints investigated?

Employment standards officers investigate the complaints. Both the employee and the employer involved are generally contacted to gather information. After investigating, the Employment Standards Branch officer determines if the legislation has been followed.

How are complaints resolved?

Officers try to settle complaints by explaining the legislation to employers and employees. Often the parties involved voluntarily agree, once they understand the legislation. If the matter is not settled this way, or is too complicated, there will be an investigation and the Employment Standards Branch will order the payment of any owed wages and an administration fee.

Can an order be appealed?

Yes; either party named in an order has the right to appeal. An appeal must be made within seven days of receiving an order. Employers who appeal, must include a deposit equal to the wage amount owing.

A request must be made in writing to have the matter heard by the Manitoba Labour Board. It must include detailed reasons for the appeal. Send the request to the director of the Employment Standards Branch by the appropriate date.

For more information contact the Employment Standards Branch:

Phone: 204-945-3352; or toll free in Manitoba 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: June 25, 2009