

Paying Wages and Keeping Records

Employers and employees need to keep accurate records of the hours worked and the amount paid for those hours. Employers must pay employees for all hours they work and explain how the pay was calculated. The Employment Standards Branch requires employers to keep some pay records for three years.

Who must keep records?

Employers must keep records of their employees, the hours they work and the wages paid. Although it is not a requirement, it is strongly suggested that employees also keep records of when they work and what they have been paid.

What records are employers required to maintain?

Employers must keep records for all employees that show:

- name, address, date of birth and occupation
- date the employee starts work
- regular wage and overtime wage when employment starts, the dates of changes to the wage and the new wage
- regular hours of work and overtime, recorded separately and daily
- dates wages are paid and the amount paid on each date;
- deductions from wages, dates and reasons for each deduction
- dates of time off taken instead of overtime wages
- dates each general holiday is taken
- dates and wages paid for hours worked or required to be worked on a general holiday;
- start dates of annual vacations, dates work resumes, period of employment in which it is earned, amount of vacation allowance paid and date paid
- amount of outstanding vacation allowance paid upon termination, and payment date
- copies of documents on maternity leave, parental leave, compassionate care leave or other leaves, including dates and number of days taken as leave
- dates of termination of the employment

Employment Standards requires employers to keep these records for at least 3 years. It is important to note that other agencies, such as the Canada Revenue Agency, may require employers to keep different types of records, for different lengths of time.

How often must employers update records?

Employers must ensure their records are accurate and current . Some items, such as hours of work, need daily updates. Others, such as employee addresses, should be updated when there are changes.

How long must employers keep records?

Employers must keep records for at least three years after records are made. Records showing addresses, dates of birth and wage changes are kept for three years after the termination of employment.

When must employees be paid?

Employees must be paid within 10 working days of the end of a pay period, or 10 working days from the end of employment, if the employment is terminated.

How long can a pay period be?

A pay period cannot be longer than 16 days because employees must be paid at least twice a month.

Can employees have monthly or annual salaries?

Although employees must be paid at least twice a month, how that is paid out is up to employers. If an employee is paid based on a monthly salary, it must be divided in at least 2 payments

A monthly or annual salary can be divided into an hourly wage for record keeping. purposes, employers must record the regular and overtime wage for each employee.

Can employers pay their employees differently?

Employers must pay at least minimum wage, but they are free to offer and negotiate different wages and payment plans for each employee. However, employers cannot discriminate between male and female employees. Example: employers cannot pay men on a different wage scale than women, for work that is the same or substantially the same.

Should employees get pay statement with their wages?

Employers must give all employees written pay statements when they are paid wages. Pay statements are sometimes referred to as pay stubs.

What must pay statements show?

Pay statements must show:

- the regular wage and the number of regular hours worked in the pay period
- the overtime wage and any overtime hours worked in the pay period
- all deductions from wages, with a date and reason for each deduction
- the total amount of wages paid to the employee

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