

Residential Caregivers

Residential caregivers live in the homes of the people they help to live independently. They are protected by the employment standards legislation but have conditions related to their hours of work and rest periods.

What are residential caregivers?

Residential caregivers care for or supervise minors or adults who need help to live independently. They must live in the homes of the people they help, at least during working hours.

Are residential caregivers covered by Employment Standards legislation?

Residential caregivers are covered by employment standards legislation. There are unique provisions related to the hours of work and day of rest

What does it mean to reside in the home of the person requiring care?

Employees who help people live independently generally need to stay with them, in their homes, for many hours. Residential caregivers live, at least during working hours, in the homes of the people in their care.

Residential caregivers generally stay in the homes, have their own rooms or places to sleep, leave personal belongings and freely use appliances and common things around the house. Employees who come in only during sleep or rest periods do not live in the homes.

What is the minimum wage?

On October 1, 2009 the minimum wage became \$9.00 per hour.

How are residential caregivers paid?

Generally, residential caregivers must be paid for 12 hours for each day they work. They receive eight hours of regular wages and four hours of overtime wages, regardless of the number of hours worked. If they work more than 12 hours, they are paid overtime wages, for up to four more hours.

Time that employers agree is free of work duties, or time when residential caregivers are eating, resting, sleeping or attending to private business or interests, is not considered time worked and is not included in the calculation of overtime.

When employers agree to give employees time off for part of a day, employees are paid regular wages for the first

eight hours and overtime wages for each hour after.

Do residential caregivers get a day of rest?

Residential caregivers must get 36 consecutive hours each week when they are not required to work. If employers ask, and residential caregivers agree, they can work instead of taking the time off. The caregivers are either paid overtime wages for that time (whether it is overtime or not), or paid regular wages and take off the additional hours worked as part of their rest period, sometime in the next eight weeks.

Can employers charge for room and board?

Employers can charge for room and board and employees can agree to have those charges deducted from their wages. The amount that employers can charge for room and board is limited. The deductions for room and board can not reduce employees earnings below minimum wage for the pay period by more than \$7 per week for the room and by more than \$1 for each meal the employees have.

More information can be found on the [Deductions](#) page

Can employers charge for uniforms?

No, employers cannot charge employees for uniforms nor can they ask or expect workers to buy them. Employers can provide uniforms at no charge to workers. Employers can also require a dress code. For more information on required clothing see the [Deductions](#) page.

Do residential caregivers get vacations?

Residential caregivers get vacations. Unless employers provide a greater benefit, caregivers are entitled to two weeks of vacation each year after working for the employer for one year. They must be paid four per cent of their regular wages as vacation pay. More information can be found on the [Vacations and vacation pay](#) page.

Do residential caregivers get general holidays?

Residential caregivers are entitled to have the day off and to be paid general holiday pay. If they work they are entitled to 1 ½ times their regular wages for the day More information can be found on the [General holidays](#) page.

What are the general holidays in Manitoba?

There are eight general holidays throughout the year:

- New Year's Day
- Louis Riel Day (3rd Monday in February)
- Good Friday
- Victoria Day
- Canada Day
- Labour Day

- Thanksgiving Day
- Christmas Day

Most employees are paid general holiday pay for these days whether they work or not.

Are residential caregivers protected during unpaid leaves?

Residential caregivers have the same job protection as other employees when taking unpaid leave. The five unpaid leaves are maternity, parental, compassionate care, bereavement and family leave. More information, can be found on the [Unpaid leaves](#) page.

For more information contact the Employment Standards Branch:

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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.

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