

## 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 provide care and supervision in the client's residence, not the employer's private residence, and they must reside in the client's home during periods of work.

### Are residential caregivers covered by Employment Standards legislation?

Residential caregivers are covered by *The Employment Standards Code*. However, there are different requirements related to the hours of work and the length of the weekly rest period.

### 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?

Minimum wage is \$15.30 per hour effective October 1, 2023.

## How are residential caregivers paid?

- Residential caregivers are to be paid for 12 hours a day consisting of 8 hours at regular wages and 4 hours at the overtime rate, regardless of how many hours are worked that day.
- If a caregiver works more than 12 hours in a day, the additional hours worked must be paid at overtime, up to a maximum of 4 additional hours.
- If, by agreement or arrangement with the employer, the caregiver is not required to perform duties for all or part of a day, then regular wages are paid for time worked if **less** than 8 hours. If the caregiver works **more** than 8 hours under this arrangement, regular wages are paid for the first 8 hours and the overtime rate for any additional hours.

Overtime is paid at 1 ½ times the employee's regular wage rate.

## Do residential caregivers get a day of rest?

Employers must ensure residential caregivers get 36 consecutive hours of rest each week where they are free from all work duties. Residential caregivers may agree to work during their rest period if requested to do so by the employer; however employers must:

- Pay overtime wages for these hours (whether or not they are hours of overtime), or
- Pay regular wages for these hours and, within the next 8 weeks, lengthen one of the caregiver's rest periods by the number of hours worked.

## 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 employers can charge for room and board is limited. The deductions for room and board cannot reduce an employee's 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.

More information can be found on the [Deductions](#) fact sheet.

## Can employers charge for uniforms?

Employers can require employees to wear a uniform; however, they cannot make an employee pay for it. Uniforms are usually clothing that is unique to a business, identified with the employer's logo, symbol, name, or colours; making it of no practical use outside of that workplace. Employees often have no choice in style, colour, or where to buy it. For more information on required clothing see the [Deductions](#) fact sheet.

## Do residential caregivers get vacations?

Residential caregivers get vacations just like all other employees. Employees start earning vacation pay from the first day of work with that employer based on 4% of their regular wages and are entitled to two weeks of vacation each year after completing one year with the employer. After completing 5 years of work with the same employer, employees must receive a minimum of 3 weeks of vacation each year and be paid 6% of their regular wages as vacation pay. More information can be found on the [Vacations & Vacation Pay](#) fact sheet.

## 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 nine general holidays throughout the year:

- New Year's Day
- Louis Riel Day (3rd Monday in February)
- Good Friday
- Victoria Day
- July 1
- Labour Day
- Orange Shirt Day (National Day for Truth and Reconciliation)
- Thanksgiving Day
- Christmas Day

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

<b>General Holiday</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
New Year's Day	January 1	January 1	January 1
Louis Riel Day	February 20	February 19	February 17
Good Friday	April 7	March 29	April 18
Victoria Day	May 22	May 20	May 19
July 1	July 1	July 1	July 1
Labour Day	September 4	September 2	September 1
Orange Shirt Day	-	September 30	September 30
Thanksgiving Day	October 9	October 14	October 13
Christmas Day	December 25	December 25	December 25

## **Are residential caregivers protected during unpaid leaves?**

Residential caregivers have the same job protection as other employees when taking unpaid leave. The ten unpaid leaves are Maternity Leave, Parental Leave, Family Leave, Compassionate Care Leave, Leave for Organ Donation, Bereavement Leave, Leave for Reservists, Leave for Citizenship Ceremony, Leave Related to the Death or Disappearance of a Child, and Leave Related to Critical Illness of a Child. More information can be found on the [Unpaid Leaves](#) page.

## **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](http://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.

**Available in alternate formats  
upon request.**

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