



# INDUSTRIAL WORKERS OF THE WORLD

VANCOUVER GENERAL MEMBERSHIP BRANCH

PO Box 4755

STN Terminal

Vancouver BC V6B 4A4

## Hours Of Work And Overtime

---

*This Employment Standards Factsheet is also available in a [printable pdf format](#)*

This Factsheet explains the rules for hours of work and overtime in effect November 30, 2002.

This factsheet covers the general rules that apply to most employees in British Columbia. There are also special overtime rules for employees in some industries. Information on these special rules is available from any Employment Standards Office or at [www.labour.gov.bc.ca/esb](http://www.labour.gov.bc.ca/esb) on the Internet.

### Meal Breaks

An employee must not work more than five hours in a row without a 30-minute meal break.

An employee does not have to be paid for a meal break unless he or she is required to work or be available for work during a meal break.

Employers are not required to provide coffee breaks.

### Split Shifts

A split shift must be completed within 12 hours of when the shift started.

### Minimum Daily Pay

- An employee who reports for work must be paid for at least two hours, even if the employee works less than two hours.
- If an employee who is scheduled for more than eight hours reports for work, the employee must be paid for at least four hours.
- If work stops for a reason completely beyond the employer's control, the employee must still be paid for two hours or the actual time worked, whichever is greater.
- An employee who reports to work but is unfit for work only has to be paid for time actually worked.
- An employee who is not in compliance with WCB health and safety regulations only has to be paid for the time actually worked.

### Hours Free From Work

An employee must have at least 32 hours in a row free from work each week. If an employee works during this period, he or she must be paid time-and-a-half for all hours worked.

An employee is also entitled to have eight hours off between shifts unless required to work because of an emergency.

## **No Excessive Hours**

An employer must not require or allow an employee to work excessive hours or hours harmful to the employee's health or safety.

## **OVERTIME**

### **Daily Overtime**

After working eight hours in a day an employee must be paid time-and-a-half for the next four hours worked, and double-time for all hours worked in excess of 12 hours in a day.

### **Weekly Overtime**

- An employee who works more than 40 hours in a week must be paid time-and-a-half after 40 hours.
- Only the first eight hours worked each day are used to calculate total hours for weekly overtime.  
For example, An employee who worked six 11-hour days in a week, would be paid 18 hours of daily overtime and eight hours of weekly overtime at time-and-a-half.
- A week runs from Sunday through Saturday for the purposes of calculating overtime.

### **Overtime for Employees working under Averaging Agreements**

For information on this topic please see our factsheet on averaging agreements.

### **Special overtime rules**

Special rules apply to certain employees in industries in British Columbia. These include agriculture, transportation, oil and gas exploration, silviculture and high technology. Factsheets on special rules are available from any Employment Standards Office or at [www.labour.gov.bc.ca/esb](http://www.labour.gov.bc.ca/esb) on the Internet.

### **Banking Overtime**

- At an employee's written request, an employer may establish a time bank and credit the employee's overtime wages to it instead of paying the wages as they are earned.
- An employee can ask an employer at any time to pay out all or part of the wages credited to the bank. The employee may also request time off with pay for some mutually agreed period, or request in writing that the bank be closed. Upon termination, or upon receiving an employee's request to close the bank, the employer must pay the outstanding balance to the employee.
- All banked wages must be drawn out by the employee or paid out by the employer within six months of being earned.
- Overtime used or paid out must be paid or used at the rate it was earned. For example, an employee who banks two hours at time-and-a-half is entitled to three hours off or three hours pay.
- If several employees have time banks, an employer may set a common date for paying out the banked time as long as all wages are paid within six months of being earned.