

Work Break Order

The Employment Standards Code requires that employers provide their employees with a 30 minute work break after every five consecutive hours of work.

Employers may apply to reduce or eliminate the 30 minute work break, if they can demonstrate a particular need, and provide an additional benefit to the affected employees.

What factors will Employment Standards consider in reviewing a Work Break Order application?

Employers must meet very specific conditions for Employment Standards to consider giving an exemption to the work break provision. Prior to applying, employers should consider if, in their workplace:

- Employees have care of someone or something that cannot be abandoned
- Meeting the break requirements is an unreasonable hardship to the employer or unduly restricts the operations of the business
- The timing of the break (within five hours) is the problem, not the length (30 minutes) of the break
- Employees have the discretion to take a break when operations of the work allow
- Employees without a scheduled break are paid for their entire shift

How do I apply?

Download applications forms from www.manitoba.ca/labour/standards/forms.html or by calling Employment Standards. The completed application can be dropped off, mailed, or faxed to the nearest Employment Standards office.

How do I know if there is a permit/order in my workplace?

Permits/orders must be posted at the workplace at all times, in a place where employees can see it. Employers who do not post the permit/order or restrict access to it, risk having it cancelled.

When can the employer start the new schedule?

New schedules can begin once a permit/order is received by the employer and posted in the workplace. Until the permit is received, minimum standards remain in place. The new schedule will be in effect until the permit expires.

Does the permit expire?

The permit/order will show the date it expires. The employer must reapply before the expiry date to avoid any disruptions in their operation. Once the permit has expired, scheduling must go back to minimum standards until a new permit is approved.

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

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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