



Facts about Industrial, Commercial, and Institutional Construction Wages and Employment Conditions

The Construction Industry Wages Act, along with *The Employment Standards Code*, sets wages and working conditions on most Manitoba construction sites. New regulations, including updated trade classifications, wage rates, and hours of work come into effect on June 1, 2006. The wage rates increase on October 1, 2006.

This fact sheet outlines minimum standards as set out in the *Industrial, Commercial and Institutional Minimum Wage Regulation* and identifies major changes to that regulation.

What types of construction activities are covered by the *Industrial, Commercial, and Institutional Construction Minimum Wage Regulation*?

The Industrial, Commercial, and Institutional sector (ICI) is defined by *The Construction Industry Wages Act*. As the name suggests it includes most industrial, commercial and institutional construction projects in Manitoba—and has often been referred to as the Building Construction Sector, as opposed to the Heavy Construction sector. Some activities that fall under the ICI sector include: the on-site building, erection, decoration, removal or relocation of a building, structure, apartment building or complex.

Please note that this definition is not exhaustive. Employers or employees that need further clarification on whether they fall under the *Industrial, Commercial, and Institutional Minimum Wage Regulation* should contact the Employment Standards Branch for further information.

What construction activities are excluded from *The Construction Industry Wages Act* and the *Industrial, Commercial, and Institutional Minimum Wage Regulation*?

The following construction activities are specifically excluded from the *Construction Industry Wages Act* and the *Industrial, Commercial, and Institutional Minimum Wage Regulation*:

- Persons employed in the on-site maintenance, redecoration, renovation, remodelling or repair of an ICI, public building or structure or apartment building or complex, unless the work involves the structural or architectural alteration or architectural remodelling of the building (i.e. the work requires a blueprint).
- Persons employed in the prefabrication of a structure elsewhere than on the site on which the completed structure is to be situated.
- Regular maintenance staff employed by the owner, tenant, or occupant of a premises to do maintenance and repair work on the premises.
- Persons employed in the construction of farm buildings.
- Persons employed in the house-building sector.

These types of activities are excluded *only* from the wage rates and employment conditions found in *The Construction Industry Wages Act* and the *Industrial, Commercial, Institutional Minimum Wage Regulations*. All other minimum standards of *The Employment Standards Code* apply.

What are the main employee categories in the *Industrial, Commercial, and Institutional Construction Minimum Wage Regulation*?

There are four main employee categories in the *Industrial, Commercial, and Institutional Construction Minimum Wage Regulation*.

Journey person: A journey person is a person that holds a certificate of qualification from a recognized authority (usually a provincial apprenticeship branch) or has acquired the skills of the trade by working in it for a period of not less than six years.

Skilled tradesperson: A skilled tradesperson has worked at least 2,400 cumulative hours in one of the following trades: Asbestos Abatement Worker; Elevator Constructor; Floor Coverer; Insulator; Specialty Labourer (assisting Bricklayer); General Construction Labourer; Marble, Tile and Terrazzo; Plasterer; Pre-fabricated Metal Building Erector; Sheeter, Decker and Cladder; and Scaffolder.

Trainee: A trainee is an individual in training to become a skilled tradesperson that has not completed at least 2,400 cumulative hours at the trade. There are two trainee rates. A Trainee 1 is a person who has worked for less than 1,200 hours in a trade. A Trainee 2 has worked between 1,201 and 2,400 hours in a trade. There can only be one trainee for each skilled tradesperson employed by the employer at the worksite.

Construction Worker: A Construction Worker is an individual employed on a construction site who is not otherwise classified as a Journey person, Skilled Tradesperson, Trainee, or Apprentice. An employer/contractor can only employ one Construction Worker for up to the first 10 employees, onsite, and one additional Construction Worker for every additional 10 employees. This ratio applies to the number of employees employed by an employer on a particular worksite. For example, if an employer employs three (3) Carpenters; two (2) Carpenter Apprentices; two (2) Plasterers; and one (1) Plasterer Trainee on a particular worksite then that contractor would be permitted to employ one (1) Construction Worker at that worksite. However, any staff not working in construction at a worksite would not be included in the ratio (for example, bookkeeping staff).

The previous categories of student, helper and unskilled labourer have been eliminated.

Are there training wages for workers in the Journey person trades?

Individuals who are being trained to become Journey persons are called apprentices. Their wage rates and allowable ratios of apprentices to Journey persons are set by *The Apprenticeship and Trades Qualifications Act* and its regulations. For more information please contact the Apprenticeship Branch in Winnipeg at 945-3337 or 1-877-978-7233 outside of Winnipeg. Web:

<http://www.gov.mb.ca/tradecareers>

Are the ICI wage rates the same on all construction projects across the province?

There are two wage schedules for the ICI sector: the Winnipeg/Major Building Project Schedule and the Rural Schedule.

The **Winnipeg/Major Building Project Schedule** applies in Winnipeg (the area within a 30-mile radius of the intersection of Osborne Street and Broadway in the City of Winnipeg) and on major building projects anywhere in Manitoba. A major building project includes any building in excess of 25,000 square feet along with large-scale projects such as oil refineries, chemical plants, and steel mills. A complete listing of such projects can be found in the *Industrial, Commercial, and Institutional Minimum Wage Regulation* and is available from the Employment Standards Branch. Please note that a major project was previously defined to cover buildings in excess of 50,000 square feet.

The Rural Wage Schedule applies to all industrial, commercial, and institutional construction carried out in Manitoba that is not covered by the Winnipeg/Major Project wage schedule.

Previously, there had been separate ICI wage schedules for Rural, Northern Manitoba, and Brandon and Portage la Prairie. These three schedules have now been integrated into the single Rural Wage Schedule.

For a listing of the wage rates and trade classifications in the ICI sector please contact the Employment Standards Branch or visit our website for further information.

What hours of work and overtime provisions apply to an employee in the Industrial, Commercial, and Institutional construction sector?

The standard hours of work are 10 hours per day and 40 hours per week. All hours worked in excess of these hours shall be paid at not less than one and one-half times the regular rate of wages. Previously, there were different standard hours of work and overtime provisions for different trade classifications as well as different regions in the province (for example, most classifications in Winnipeg previously had standard hours of work as 8 per day). The same standard hours of work and overtime provisions now apply to all trade classifications and regions of the province.

Where can employers and employees find further information regarding their rights and obligations?

Employers or employees wanting more information about *The Construction Industry Wages Act* or *The Employment Standards Code* or looking to file a complaint should contact:

Employment Standards Branch
Norquay Building
Room 604 - 401 York Avenue
Winnipeg Manitoba, R3C 0P8.

Winnipeg telephone: 945-3352. For the location of regional offices, or for inquires from outside of Winnipeg, please call 1-800-821-4307. Web: <http://www.gov.mb.ca/labour/standards>

This fact sheet provides general information and is intended as a guide only. For complete information please refer directly to the Construction Industry Wages Act and associated regulations.