



# EMPLOYMENT STANDARDS UPDATE

UMAAS Convention  
TCU Place  
June 3, 2026

[saskatchewan.ca](http://saskatchewan.ca)

*Saskatchewan!*

We are gathering today on Treaty 6 territory, the traditional and ancestral lands of the Plains and Woodland Cree, Saulteaux, Nakota, Dakota and the home of the Métis.

I acknowledge this land out of respect for the Indigenous nations who have cared for Turtle Island from before the arrival of settler peoples until this very day. Our past defines our present, but if we move forward as friends and allies, then it does not have to define our future.



# ABOUT THIS INFORMATION

- This presentation is intended to help you learn about rights and responsibilities of employees and employers under:
  - *The Saskatchewan Employment Act (SEA)*
  - *The Employment Standards Regulations, 2025*
- This presentation is not intended to provide legal advice or opinion
- If there is a conflict with this presentation and the legislation above, the legislation prevails
- This material is not to be used, reproduced, stored, distributed or transmitted in whole or in part for commercial purposes without written permission from the Saskatchewan Ministry of Labour Relations and Workplace Safety (LRWS)

# TOPICS

---

Introduction

---

Definitions

---

Overtime

---

Scheduling, rest periods, & days of rest

---

Public holidays

---

Employment leaves

---

Illness & injury

---

Payment of wages

---

Individual & group terminations

---

Discriminatory action

---

Gratuities (tips)

---

Appeals

---

Resources

---

Questions

# INTRODUCTION

# BACKGROUND

- Bill No. 5 - *The Saskatchewan Employment Amendment Act, 2024* - came into force on January 1/26
  - Modernizes *The Saskatchewan Employment Act* so that employers can build their businesses and employees continue to be supported
- *The Employment Standards Regulations, 2025* were published on December 24/25 and took effect on January 1/26
  - Consolidates *The Employment Standards Regulations, The Conditions of Employment Regulations, and The Minimum Wage Regulations*
  - The Regulations provide clarification on how to implement and enforce the rules contained in the Act

# DEFINITIONS

# WHAT'S NEW

## Definition of “student learner” expanded

- A person who is enrolled in an educational program at an institution recognized by the Minister and is receiving skills training in order to obtain a designation from that institution; or
- A person who is given training or work experience through a program recognized by the Minister  
but does not include an intern

See s. 1-2 of *The Employment Standards Regulations, 2025*

# WHAT'S NEW

## Definition of “professional” expanded

- Employees who are practicing a profession that requires licensing or registration in accordance with an Act and may provide services without the authorization or supervision of another profession; or
- Individuals employed as a student-in-training (including medical interns) while learning a profession

See s. 3-6 of *The Employment Standards Regulations, 2025*

# WHAT'S NEW

## Definition of “employee” expanded

- Now includes “any other prescribed persons”
- This leaves the door open for Employment Standards to be responsive to the changing nature the economy and workforce
- Allows for expanded coverage to individuals who were previously not protected by the legislation

See s. 2-1(f) of *The Saskatchewan Employment Act*

# OVERTIME

# CALCULATING OVERTIME

- Most employees earn overtime - 1.5x the regular rate of pay - if they work more than 8 hours per day or 40 hours per week
  - Weekly overtime is reduced to 32 hours if there is a public holiday
- Employers also have the option to schedule employees for three or four, 10-hour days per week - overtime would be payable after 10 hours per day or 40 hours per week
  - Weekly overtime is reduced to 32 hours if there is a public holiday
  - Does not apply to employees who work less than 30 hours per week
- A day is defined as “any 24-hour period”

# WHAT'S NEW

## Definition of a “day”

- An employer can define a day as either:
  - Any period of 24 consecutive hours; or
  - A calendar day
- Allows the employer to define it for any employee or group of employees
- The expectation is that the definition of a day being used is consistent

See s. 2-1(b) of *The Saskatchewan Employment Act*

# EXAMPLE – ANY PERIOD OF 24 CONSECUTIVE HOURS

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Off	8am-5pm	8am-5pm	8am-5pm	8am-5pm	6am-3pm	Off
-	1hr lunch	1hr lunch	1hr lunch	1hr lunch	1hr lunch	-
0hrs	8hrs	8hrs	8hrs	8hrs	8hrs	0hrs

- The 24-hour periods run from 8am on Monday to 8am on Tuesday, 8am on Tuesday to 8am on Wednesday, 8am on Wednesday to 8am on Thursday, and **8am on Thursday to 8am on Friday**
- During the last 24-hour period, the employee reports for work twice: once at 8am on Thursday and once at 6am on Friday
- As the employee has already worked eight hours during their first shift, the employee gets overtime for the first two hours of their second shift (from 6am to 8am); the rest of the employee's hours on Friday are payable at straight time (from 8am to 3pm)

# EXAMPLE – A CALENDAR DAY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Off	8am-5pm	8am-5pm	8am-5pm	8am-5pm	6am-3pm	Off
-	1hr lunch	1hr lunch	1hr lunch	1hr lunch	1hr lunch	-
0hrs	8hrs	8hrs	8hrs	8hrs	8hrs	0hrs

- The employee does not work more than eight hours on any calendar day
  - Midnight to midnight on Monday, Tuesday, Wednesday, Thursday, or Friday
- No overtime is payable

# MODIFIED WORK ARRANGEMENTS

- Varies the overtime rules to allow for flexibility
- Maximum daily threshold that can be agreed to is 12 hours
- The employee's hours can be averaged over:
  - 40 hours in one week;
  - 80 hours in two weeks;
  - 120 hours in three weeks; or
  - 160 hours in four weeks
- The terms of the MWA must reflect the work schedule

# WHAT'S NEW

## MWA eligibility

- Part-time employees who work less than 30 hours per week can now participate in a Modified Work Arrangement

## MWA expiry

- Modified Work Arrangements no longer expire after two years

See s. 3-1 of *The Employment Standards Regulations, 2025*

# SCHEDULING, REST PERIODS & DAYS OF REST

# WORK SCHEDULES

- Must cover at least one work week at a time
- Should be provided to employees one week in advance
- If there is a change to the work schedule, one week's notice should be provided to the employee
  - Unless there is an emergency or something unexpected or unusual occurs
- Work schedules must contain:
  - The time work begins and ends;
  - If work is done in shifts, the time when each shift begins and ends; and
  - When a meal break will be taken

# WHAT'S NEW

## Schedule contents

- Employers must now identify what definition of a “day” is being used on the work schedule

## Varying the scheduling requirements

- In non-unionized workplaces, the Director of Employment Standards may issue a permit to vary the requirements to post a work schedule or give one week’s notice to change a work schedule

See s. 2-11 of *The Saskatchewan Employment Act*

# MEAL BREAKS

- Employees are entitled to receive a 30-minute unpaid meal break within every five hours of work
- If the employee cannot take a meal break, the employer must allow them to eat while they work
  - The time is paid for
- Employers are required to accommodate medical conditions which may require different lunch breaks

# WHAT'S NEW

## Varying the meal break requirements

- The meal break requirements can be varied by:
  - Obtaining a permit from the Director of Employment Standards if the workplace is not unionized; or
  - If the workplace is unionized, an agreement can be made between the employer and union

See s. 2-14 of *The Saskatchewan Employment Act*

# REST PERIODS

- Employees are entitled to eight consecutive hours of rest in any day
  - Unless there is an emergency
  - A day is defined as any 24-hour period

# WHAT'S NEW

## Clarification on when rest periods must be provided

- Employees are entitled to eight consecutive hours of rest in any 24-hour period
  - Even if the employer has chosen to define a “day” as a calendar day for other purposes (such as overtime)

See s. 2-13 of *The Saskatchewan Employment Act*

# DAYS OF REST

- Employees who work 20 hours or more in a week get one day off every week
- Employees working in retail establishments with more than 10 employees get two days off every week

# WHAT'S NEW

Special rules for retail establishments have been removed

- Employees who work 20 hours or more in a week get one day off every week

See s. 2-13 of *The Saskatchewan Employment Act*

# PUBLIC HOLIDAYS

# OBSERVING PUBLIC HOLIDAYS

- Public holidays are observed on the day that they fall with the following exceptions:
  - If Remembrance Day, Christmas Day, or New Year's Day falls on a Sunday and the employer's business is normally closed on Sundays, then they are observed on the following Monday
  - Under *The Holidays Act*, Canada Day is moved to Monday if it falls on a Sunday
  - In unionized workplaces, the union may agree to substitute another day for a public holiday
  - In non-unionized workplaces, employers and employees can apply for a permit from the Director of Employment Standards to substitute another day for a public holiday

# WHAT'S NEW

## Substituting another day by written agreement

- Employers and employees can agree to move a public holiday without applying for a permit so long as:
  - It is not Remembrance Day; and
  - The substituted day takes place within 4 weeks of the original date
- If these terms cannot be met, then a permit is required
- The written agreement should be provided to all affected employees and be kept for a period of 2 years after it ends

See s. 5-7 of *The Employment Standards Regulations, 2025*

# EMPLOYMENT LEAVES

# 4 CATEGORIES OF EMPLOYMENT LEAVES

## Family Leaves

- Maternity, adoption, parental
- Bereavement
- Crime related child-death or child disappearance

## Health Leaves

- Organ donation
- Critically ill adult care and critically ill childcare
- Compassionate care

## Service Leaves

- Reserve force
- Nomination, candidate and public office
- Citizenship ceremony

## Other Leaves

- Public health emergency
- Interpersonal violence

# MATERNITY LEAVE

- If an employee has been employed for at least 13 consecutive weeks with the same employer, they are entitled to a maternity leave of 19 weeks starting at any time during the 13 weeks before the estimated date of birth and no later than the date of birth
  - Although often grouped together as “maternity leave”, parental leave is a separate provision under the Act
- An employee who suffers a miscarriage or stillbirth is also entitled to maternity leave

# WHAT'S NEW

## Maternity leave entitlement

- An employee who experiences a *loss of pregnancy* up to 20 weeks before the estimated date of birth is entitled to maternity leave

See s. 2-49 of *The Saskatchewan Employment Act*

# BEREAVEMENT LEAVE

- If an employee has been employed for at least 13 consecutive weeks with the same employer and a member of their immediate family dies, employees can take five days of unpaid bereavement leave starting in the week before the funeral and ending in the week after
  - “Immediate family” means:
    - the employee’s spouse, parent, grandparent, child, grandchild, brother or sister, or the spouse of the brother or sister; or
    - The employee’s spouses’ parent, grandparent, child, grandchild, brother or sister, or the spouse of the brother or sister

# WHAT'S NEW

## Bereavement leave timing

- Employees can take 5 days of unpaid bereavement leave within 6 months after a death or loss of pregnancy

## Bereavement leave eligibility

- In addition to the death of an immediate family member, employees can access bereavement leave if:
  - There is a loss of pregnancy involving the employee, the employee's immediate family member, or any other person if the employee would have been a parent to a child born from the pregnancy; or
  - A person whom the employee considers to be “like a close relative” dies

See s. 2-55 of *The Saskatchewan Employment Act*; s. 4-3 of *The Employment Standards Regulations, 2025*

# INTERPERSONAL & SEXUAL VIOLENCE LEAVE

- A leave may be taken if an employee has been employed for at least 13 consecutive weeks with the same employer and they, their child, or person whom they are a caregiver for, are a victim of interpersonal or sexual violence
  - Purpose of the leave is to seek medical attention, access supports, relocate, or participate in legal proceedings
- Employees are eligible for 10 days of leave in a 52-week period
  - First five days are paid time
  - Time off can be taken all at once or broken down into days or hours as required

# WHAT'S NEW

## Interpersonal & sexual violence leave entitlement

- In addition to the 10 days, survivors of violence, or parents or caregivers of survivors, are entitled to an additional 16 weeks of unpaid leave
  - May be used separately or in conjunction with the 10 days
  - The 16 weeks must be taken in one continuous period

See s. 2-56.1 of *The Saskatchewan Employment Act*

# ILLNESS & INJURY

# JOB PROTECTION FOR ILLNESS OR INJURY

- Employees who have completed at least 13 consecutive weeks of employment with the same employer are entitled to job protection for illness or injury, or the illness or injury of an immediate family member

# WHAT'S NEW

## Job protection entitlement

- Job protection is increased to 27 weeks in a 52-week period for serious illness or injury of the employee or employee's immediate family member or if the employee is in receipt of Workers' Compensation Benefits (WCB)
- Job protection for non-serious illness or injury of the employee or employee's immediate family member remains unchanged

See s. 2-40 of *The Saskatchewan Employment Act*

# MEDICAL DOCUMENTATION

- If an employee is absent from work due to illness or injury, the employee must provide a certificate from a qualified medical practitioner confirming that the employee (or employee's immediate family member) is ill or injured if requested by the employer in writing
  - Note that rules about medical notes for employment leaves purposes are different

# WHAT'S NEW

## Medical note restrictions

- Employers can only require an employee to provide a medical note if:
  - The absence is longer than 5 consecutive working days; or
  - The employee has had non-consecutive absences of 2 or more working days in the previous 12 months

See s. 2-40 of *The Saskatchewan Employment Act*

# EXAMPLES: MEDICAL NOTE RESTRICTIONS

Week	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Note?
1		Absent	Absent	Absent	Absent	Absent		YES
2		Absent						

Week	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Note?
1		Absent	Absent	Absent		Absent		YES
2		Absent			Absent			

Week	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Note?
1				Absent	Absent	Absent		YES
2		Absent	Absent	Absent				
3			Absent	Absent				NO
4						Absent		YES

Assumption:  
The employee normally works  
Monday through Friday

# PAYMENT OF WAGES

# PAYMENT OF WAGES

- During employment:
  - All employees must be paid in full within six days of the end of the pay period
  - Most employees must be paid at least twice per month
  - Salaried employees who receive a monthly salary can be paid once per month
- Once employment ends:
  - Employees must be paid all wages within 14 days of their terminations, layoffs, or resignations
  - If there is a pay day during the 14 days, the employee should receive their outstanding regular wages on that day
- Wages must be paid in Canadian currency and:
  - By cheque; or
  - By direct-deposit into the employee's bank account

# WHAT'S NEW

## Method of payment

- Employers can also pay wages in cash
  - Employers must keep records of cash payments made to the employees

See s. 2-40 of *The Saskatchewan Employment Act*

# LAWFUL DEDUCTIONS

- Under the Act, an employer may deduct the following from an employee's pay cheque:
  - Income tax, CPP, EI;
  - Saving plans, pension plans, and RRSPs;
  - Employee contributions to other benefit plans;
  - Charitable donations voluntarily made by the employee;
  - Union dues; and
  - Voluntary employee purchases of goods, merchandise, or services from the employer

# WHAT'S NEW

## Lawful deductions expanded

- In addition, employers can deduct:
  - Wage advances;
  - Costs associated with voluntary training that the employee was not required to take by the employer; and
  - Housing or moving allowances provided with the consent of the employee

See s. 2-36 of *The Saskatchewan Employment Act*

# INDIVIDUAL & GROUP TERMINATIONS

# INDIVIDUAL TERMINATION (INCLUDING LAYOFFS)

- Employees who have been employed for at least 13 consecutive weeks must be provided with working notice of their terminations
  - Exception - just cause
- The amount required depends on the employee's period of employment
- If working notice is not provided then pay instead of notice is required, which is calculated as:
  - What the employee would have normally earned during the notice period excluding overtime; or
  - If the employees' wages vary, an average of the employee's earnings during the 13-week period prior to the date of termination excluding overtime

# WHAT'S NEW

## Calculating pay instead of notice

- An employer is no longer required to calculate vacation pay on pay instead of notice
  - However, if working notice is provided, vacation pay still applies to whatever the employee earned during the notice period

See s. 2-61 of *The Saskatchewan Employment Act*

# GROUP NOTICE OF TERMINATION

- This is written notice of an employer's intention to terminate a group of employees within any four-week period
- Notice must be given to:
  1. The Minister;
  2. Each employee whose employment will be terminated; and
  3. The union (if applicable)
- The notice must specify the number of employees being terminated, the date(s) of termination, and the reason(s) for termination
- The amount of notice required is based on the number of employees being terminated and is proportional

# WHAT'S NEW

## Group notice eligibility

- Group notice only applies if an employer intends to terminate 25 or more employees within any 4-week period

See s. 2-62 of *The Saskatchewan Employment Act*; s. 6-2 of *The Employment Standards Regulations, 2025*

# DISCRIMINATORY ACTION

# WHAT IS IT?

- Discriminatory action is any act or threat of action by an employer that negatively affects an employee's terms of employment or chance for promotion including:
  - Termination, layoff, suspension, reprimand, demotion, transfer, job elimination, reduction in pay, change in hours of work, coercion, and intimidation
- For our Branch to become involved, discriminatory action taken by an employer must be linked to a protected ground under the Act:
  - The employee is absent due to illness or injury of themselves or an immediate family member;
  - The employee is pregnant or temporarily disabled due to pregnancy;
  - The employee has requested or taken an employment leave;
  - The employee is disabled and requested accommodation;
  - The employee has asked the employer for an employment standards right or benefit;
  - The employee has filed an employment standards complaint or made an inquiry;
  - The employee has had their wages seized or attached; or
  - The employee has reported an offence to a lawful authority or has had to testify

# WHAT'S NEW

## Discriminatory action investigation and enforcement

- The Director of Employment Standards has the authority to determine if the employer took discriminatory action because of a protected reason and may order to the employer to:
  - Reinstatement of the employee;
  - Pay retroactive pay;
  - Cease the discriminatory action; and/or
  - Remove any reprimand or reference to the matter from the employee's records
- Decisions can be appealed to an adjudicator by any person who is directly affected by it, including an employee

See s. 2-73.1 to 2-73.3 of *The Saskatchewan Employment Act*

# GRATUITIES (TIPS)

# WHAT'S NEW

## Definition of “gratuity”

- A payment voluntarily made to or left for an employee by a customer;
- A payment voluntarily made to an employer by a customer; or
- A payment of a service charge or similar charge imposed by an employer on a customer where a reasonable person would think that the customer intended or assumed the money would be given to the employee(s)

## Protection of gratuities

- An employer is prohibited from withholding tips, making deductions from an employee’s tips, or causing the employee to return their tips

See s. 1-2 of *The Employment Standards Regulations, 2025*; s. 2-36.1 of *The Saskatchewan Employment Act*

# WHAT'S NEW

## Tip pooling arrangements

- An employer may establish a pooling arrangement to collect and redistribute gratuities among some or all employees
- Owners, shareholders, and directors can only participate if they regularly perform the same work as employees who participate in the tip pool
- Pooling arrangements must be posted in the workplace, online, or in some other way accessible by employees
- They must be kept for a period of 2 years after the arrangement ends

See s. 10-11 of *The Employment Standards Regulations, 2025*

# APPEALS

# PROCESS

- If the Director of Employment Standards determines that wages are outstanding and an employer is unlikely to resolve the matter, the appeals process can be triggered
- A Wage Assessment is issued, confirming the amount the Director believes to be owed
- Once served, the parties have a period of 15 business days to launch an appeal
- The matter is referred to the Labour Relations Board and an independent adjudicator will schedule and conduct a hearing
  - Purpose is for the parties to present evidence and arguments
  - The adjudicator may confirm, amend, or set aside the Wage Assessment

# WHAT'S NEW

## Service of documents

- Documents may be published in a newspaper or on a website if the Director of Employment Standards is unable to effect service some other way

## Appeal deposit (excluding discriminatory action appeals)

- The amount required for an employer to appeal a Wage Assessment is the amount of the Wage Assessment up to a maximum of \$1,000

See s. 10-1 and 10-10 of *The Employment Standards Regulations, 2025*

# WHAT'S NEW

## Withdrawing an appeal

- Any appellant can withdraw an appeal by serving a written Notice of Withdrawal on:
  - The Director of Employment Standards;
  - The adjudicator if one has been assigned; and
  - Any person who is directly affected by a decision (discriminatory action only)
- This must be done before the date of the hearing

See s. 2-73.3 and 2-74 of *The Saskatchewan Employment Act*

# RESOURCES

# CONTACT US

By Phone: 1-800-667-1783

In-Person: Seven district offices across Saskatchewan

Regina

Saskatoon

Swift Current

Prince Albert

Moose Jaw

Yorkton

Estevan

By Email: [employmentstandards@gov.sk.ca](mailto:employmentstandards@gov.sk.ca)

# WEBSITE

saskatchewan.ca/business/employment-standards

**Saskatchewan!**

What are you looking for?

**Residents and Visitors** | **Business and Industry** | **Government** | **Services**

Home > Business and Industry > Employment Standards

## Employment Standards

Information on employment standards and workplace rights and responsibilities for Saskatchewan employers and employees. Information on Saskatchewan legislative acts and regulations pertaining to employment and labour.

**Training in Employment Standards**  
Learn about the online employment standards webinars available to employers and employees. Find the full list of topics and registration information.

**Payment of Wages, Payroll Administration, Benefits and Time Sheets**  
Information on minimum wage, reporting for duty pay, protection of gratuities and tips, and payroll administration and record keeping requirements.

**Overtime**  
Information on overtime including when overtime is to be paid, overtime banks, exemptions and special rules for overtime.

**Who Is and Is Not Covered Under Saskatchewan's Employment Standards**  
Learn more about which employees and employers are and are not covered under employment standards provisions in The Saskatchewan Employment Act.

**Work Schedules, Modified Work Arrangements and Permits**  
Information on work schedules including hours of work and information on breaks. Learn about modified work arrangements and permits that employers can apply for to vary certain employment standards.

**Vacations and Vacation Pay**  
All eligible full-time, part-time, casual, temporary, and seasonal employees (including those who have not worked a full year with the same employer) receive vacation pay. Learn more about vacation entitlements.

**Renseignements en français >**

**Quick Links**

**Understanding Saskatchewan's Employment Standards: A Guide to Your Rights and Responsibilities**  
An overview of Saskatchewan's employment standards legislation under *The Saskatchewan Employment Act* for employers and employees.

**File an Employment Standards Complaint**  
An employee may file either a formal or an anonymous complaint with the Employment Standards Division.

**Take the Young Worker Readiness Certificate Course**  
Young workers, 14 and 15 years old, are required to complete the Young

Links to register for upcoming live webinars or view recorded webinars



Guide to employment standards

File a complaint online

**QUESTIONS?**

# THANK YOU

---

Irene Phan, MPA

306-933-7889

[Irene.Phan@gov.sk.ca](mailto:Irene.Phan@gov.sk.ca)

***saskatchewan.ca***