

Saskatchewan

Labour Law Postings (Part 1 of 2)

Minimum Wage

CHAPTER S-15.1 REG 15

The Saskatchewan Employment Act Sections 2-22, 2-99 and 9-12

Order in Council 542/2025, dated December 18, 2025

PART I Preliminary Matters

Title
1-1 These regulations may be cited as *The Employment Standards Regulations, 2025*.

Definitions and interpretation

1-2(1) In these regulations:

“**Act**” means *The Saskatchewan Employment Act*;

“**approved home**” means:

- a mental health approved home as defined in *The Mental Health Services Act* and the regulations made pursuant to that Act; or
- a private-service home certified or licensed pursuant to *The Residential Services Act, 2019* and the regulations made pursuant to that Act;

“**care provider**” means an employee who provides services in the private residence of the employer or a private residence of a member of the employer's immediate family that relate primarily to the provision of care and supervision of a person who is a member of the employer's immediate family;

“**city**” includes the City of Lloydminster;

“**commercial hog operation**” means any undertaking:

- that is engaged in the breeding, farrowing, weaning or finishing of porcine animals; and
- that employs 6 or more full-time-equivalent employees calculated in accordance with subsection 7-2(2) or (3);

“**domestic worker**” means an employee who provides services in the private residence of the employer that relate primarily to the management and operation of that residence;

“**election official**” means an election official as defined in *The Election Act Regulations*;

“**employer's immediate family**” means:

- a spouse of the employer or a person with whom the employer cohabits and has cohabited as a spouse in a relationship of some permanence;
- a parent, grandparent, child, grandchild, brother or sister of the employer; or
- a parent, grandparent, child, grandchild, brother or sister of a person mentioned in clause (a);

“**finishing**” means bringing an animal to market weight in preparation for slaughter but does not include the slaughter of the animal;

“**full-time employee**” means an employee who regularly works full-time hours;

“**full-time hours**”, with respect to a place of employment, means the greater of:

- the hours established by the employer for that place of employment; and
- 30 hours per week;

“**gratuity**” means:

- a payment voluntarily made to or left for an employee by a customer of the employer's employee in such circumstances that a reasonable person would be likely to infer that the customer intended or assumed that the payment would be kept by the employee or shared with other employees;
- a payment voluntarily made to an employer by a customer in circumstances in which a reasonable person would be likely to infer that the customer intended or assumed that the payment would be redistributed to an employee or employees; or
- a payment of a service charge or similar charge imposed by an employer on a customer in such circumstances that a reasonable person would be likely to infer that the customer intended or assumed that the payment would be kept by the employee or shared with other employees;

“**hotel**” includes a boarding house or rooming house in which there are more than 5 beds set apart for the use of boarders or lodgers;

“**intern**” means:

- a person whom an employer permits, directly or indirectly, to perform work or services normally performed by an employee; or
- a person being trained by an employer for the employer's business;

“**live-in care provider**” means a care provider who resides in the private residence in which the care provider provides the care provider's services;

“**live-in domestic worker**” means a domestic worker who resides in the private residence in which the domestic worker provides the domestic worker's services;

“**minimum wage**” means the hourly minimum wage fixed pursuant to section 2-16 of the Act and these regulations;

“**oil truck driver**” means an employee who is employed principally in delivering gasoline, lubricating oils and other petroleum products by truck from a refinery, bulk filling station or other similar premises to farms, garages or automobile service stations, but does not include an employee who regularly travels in the course of the employee's duties to 2 or more cities, towns or villages that are at least 20 kilometres apart;

“**public holiday**” means a public holiday as defined in section 2-30 of the Act, and includes any other day agreed to be observed or directed to be observed as a public holiday pursuant to section 2-31 of the Act;

“**restaurant**” means a place in or from which meals or lunch lunches, or both, are supplied daily to more than 5 persons for a consideration;

“**sitter**” means a person who is employed:

- on a temporary basis in a private residence solely to provide care and supervision for a person who is incapable of living independently; or
- on a temporary basis not exceeding 21 days in a year to relieve the proprietor of an approved home and whose wages are subsidized in whole or in part;

but does not include a person who is employed and working as:

- a nurse;
- a therapist;
- a care provider;
- an employee of a child care facility; or
- an employee of a business or the provincial health authority that is engaged in providing a service described in this definition;

“**student learner**” means:

- a person who is:
 - enrolled in an educational program at an educational institution recognized by the minister; and
 - receiving skills training that is a requirement to receive a designation from an educational institution recognized by the minister; or
- a person who is given training or work experience through a program recognized by the minister;

but does not include an intern.

(2) For the purposes of clause 2-1(f) of the Act:

- a person who is engaged in the activities associated with being a student learner is not an employee for the purposes of Part II of the Act and these regulations; and
- a person engaged in the activities associated with being an intern is an employee for the purposes of Part II of the Act and these regulations.

(3) For the purposes of subsection 2-27(4) of the Act, “**monetary loss**” means the amount of any non-refundable deposit, penalty or other prepaid expense that is directly related to an employee's cancelled vacation and that the employee can verify as having been paid.

(4) For the purposes of clauses 2-56(4)(a) and 2-57(3)(a) of the Act, “**providing care or support**” means all or any of the following:

- directly providing or participating in providing care of the family member, critically ill child or critically ill adult;
- providing psychological or emotional support of the family member, critically ill child or critically ill adult;
- arranging for the care of the family member, critically ill child or critically ill adult by another care provider.

(5) For the purposes of calculating when an employee's period of leave has been fully used in accordance with section 2-56 or 2-57 of the Act:

- the employee is not considered to have ceased to provide care or support to a family member, critically ill child or critically ill adult despite returning to work from time to time if:
 - between each return to work, the employee takes leave of at least one week to provide care or support; and
 - the total length of the period of leave taken by the employee does not exceed the total set out in section 2-56 or 2-57 of the Act, as the case may be; and
- only the periods during which the employee is on leave are to be used in making the calculation and not the periods during which the employee has returned to work.

Exemptions from Part II of the Act

1-3(1) Part II of the Act does not apply to:

- employees in an undertaking in which only members of the employer's immediate family are employed;
 - sitters; or
 - athletes while engaged in activities related to their athletic endeavour.
- (2) Section 2-16 of the Act does not apply to employees who:
- have a physical or mental disability or impairment; and
 - work for a non-profit organization or institution in programs that are educational, therapeutic or rehabilitative.
- (3) Subdivisions 1 to 7 and 12 of Division 2 of Part II of the Act do not apply to employees who are commercial fishers or commercial trappers, as defined in *The Fuel Tax and Road Use Charge Regulations*.
- (4) Except for sections 2-15 and 2-16, Subdivisions 2 and 3 of Division 2 of Part II of the Act do not apply to an employee who performs services that are entirely of a managerial character.
- (5) Except for sections 2-15 and 2-16, Subdivisions 2, 3, 6 and 7 of Division 2 of Part II of the Act do not apply to teachers as defined in section 2 of *The Education Act, 1995*.
- (6) Section 2-11, subsection 2-13(1), sections 2-17 to 2-20, Subdivisions 6 and 7 of Division 2 of Part II and clause 2-33(1)(a) of the Act do not apply to election officials.

PART 2 Firefighters

Definitions for Part

2-1 In this Part:

“**fire chief**” means the officer in charge of a fire department;

“**fire department**” means a fire department in a city having a population of 10,000 or more as shown by the latest census taken pursuant to the *Statistics Act* (Canada);

“**firefighter**” means a person regularly employed in a fire department on a full-time basis and assigned exclusively to fire protection or fire prevention duties but does not include:

- the fire chief or a deputy fire chief;
- any other person having authority to employ or discharge a firefighter; or
- any person regularly acting in a confidential capacity on behalf of the fire chief or of the city or of any board, commission or other body established to manage, control and operate the fire department.

Limited application of Part II of the Act

2-2 Except for sections 2-15 and 2-16, Subdivisions 2 and 3 of Division 2 of Part II of the Act do not apply to firefighters.

Establishment of platoons

2-3 A fire chief shall divide the officers, firefighters and employees of the fire department into platoons for work in accordance with one of the following systems:

- a system pursuant to which the fire chief shall not keep a platoon on duty for more than 24 consecutive hours, after which the platoon kept on duty is to be allowed 24 consecutive hours off duty;
- a system pursuant to which:
 - one platoon shall not be on duty for work for more than 10 consecutive hours in each 24-hour period and the other shall not be on duty for night work for more than 14 consecutive hours in each 24-hour period;
 - the average number of hours of work of each platoon over a period of 16 weeks is not to exceed 42 hours per week; and
 - each platoon is to alternate at least once in every 7 days from day work to night work or from night work to day work.

Period of rest

2-4(1) In every permanent fire department, every officer, firefighter and employee of the fire department is entitled to a period of rest of at least 24 consecutive hours in every 7 days.

(2) If the two-platoon system described in clause 2-3(b) is in operation, no part of the hours of release from duty at the change of platoons is to be included in the period of rest mentioned in subsection (1).

Full attendance at conflagrations

2-5 Notwithstanding any other provision of this Part, if the fire chief is of the opinion that the attendance of all officers and employees of the fire department is necessary to control a conflagration, the fire chief may require the attendance of all the officers, firefighters and employees for work during the continuance of the conflagration.

Exemption from section 2-13 of the Act - employees engaged in controlling or suppressing fires

2-6 Subsections 2-13(3) to (5) of the Act do not apply to any employee engaged in the control or suppression of prairie and forest fires.

PART 3

Modified Work Arrangements and Hours of Work

Agreements to average work hours

3-1(1) In this section and in sections 3-2 and 3-3, “**agreement**” means a modified work arrangement agreed to pursuant to subsection (2).

(2) Pursuant to clause 2-19(1)(a) of the Act, an employer and an employee or a group of employees, including employees who work less than 30 hours per week on average, may agree to:

- average the hours of work of the employee or group of employees by up to:
 - 40 hours over 1 week;
 - 80 hours over 2 weeks;
 - 120 hours over 3 weeks;
 - 160 hours over 4 weeks; and
- a daily number of hours after which overtime applies.

(3) An agreement must:

- be in writing;
- be signed one week before the start date provided in the agreement by:
 - the employer; and
 - the employee or a majority of the group of employees subject to the agreement, as the case may be;
- specify the number of weeks over which the hours will be averaged;
- specify the daily hours of work after which an employee becomes entitled to overtime;
- specify the work schedule that reflects the daily and weekly hours of work agreed to by the parties; and
- provide for a start date and an expiry date for the agreement.

(4) The maximum daily number of hours of work that an employee or employees and employer can agree to pursuant to clause (2)(b) is 12 hours.

(5) The employer shall retain a copy of the agreement and provide a copy of the agreement by:

- personally giving it to the employee or each employee bound by the agreement;
- posting it in the workplace;
- posting it online on a secure website to which the employee or each employee bound by the agreement has access; or
- providing it in any other manner that informs the employee or each employee bound by the agreement of the agreement.

(6) If an employer requires or permits the employee to work or to be at the employer's disposal for a period in excess of the daily or weekly average hours agreed to pursuant to clause (2)(a) or (b), the employer shall pay overtime pay to the employee in accordance with section 2-17 of the Act.

(7) An agreement applies to an employee in a group of employees bound by the agreement whether or not the employee was employed by the employer at the time the agreement was entered into.

(8) The employer and the employees may renegotiate an agreement at any time.

(9) The employer shall retain a copy of every agreement for 5 years after the agreement ceases to be in effect.

Exemption from section 2-18 of Act - city newspapers

3-2(1) For the purposes of clause 2-19(1)(a) of the Act, persons employed as editorial writers, reporters or advertising salespersons by the publisher of a newspaper located in a city are subject to subsections (2) and (3) unless an agreement is entered into pursuant to section 3-1.

(2) No employer shall require or permit an employee described in subsection (1) to work or to be at the employer's disposal for more than 80 hours in any 2 consecutive weeks unless the employee is paid wages at the rate of 1.5 times the employee's hourly wage for each hour or part of an hour in excess of 80 hours in those 2 consecutive weeks.

(3) In calculating the number of hours worked in a period of 2 consecutive weeks during which a public holiday occurs:

- the 80-hour standard in each two-week period mentioned in subsection (2) is reduced by 8 hours with respect to each public holiday that occurs in the period; and
- no account is to be taken of any time the employee is required to work or to be at the employer's disposal on a public holiday.

(4) This section does not apply to employees to whom subsection 2-18(4) of the Act applies.

Exemption from sections 2-12 and 2-18 of Act - commercial hog operation employees

3-3(1) For the purposes of clause 2-19(1)(a) of the Act, persons employed in commercial hog operations are subject to subsections (3) and (4) unless an agreement is entered into pursuant to section 3-1.

(2) Section 2-12 of the Act does not apply to employees mentioned in subsection (1).

(3) No employer shall require or permit an employee described in subsection (1) to work or to be at the employer's disposal for more than 10 hours in any day or 80 hours in any 2 consecutive weeks unless the employee is paid wages at the rate of 1.5 times the employee's hourly wage for each hour or part of an hour in excess of 10 hours in any day or 80 hours in those 2 consecutive weeks.

(4) In calculating the number of hours worked in a period of 2 consecutive weeks during which a public holiday occurs:

- the 80-hour standard in each two-week period mentioned in subsection (3) is reduced by 8 hours with respect to each public holiday that occurs in the period; and
- no account is to be taken of any time the employee is required to work or to be at the employer's disposal on a public holiday.

(5) This section does not apply to employees to whom subsection 2-18(4) of the Act applies.

Time banks - overtime

3-4(1) For the purpose of subsection 2-18(3) of the Act and this section:

“**banked time**” means the overtime hours credited to an employee's time bank, for which an employer is to provide the employee with time off with pay in accordance with this section;

“**written notice**” means notice, in writing, that is required to be given to the other party by an employer or employee.

(2) For the purposes of subsection (1), a written notice must be at least one pay period in length.

(3) For the purposes of subsection 2-18(3) of the Act, a time bank agreement must be:

- in writing;
- agreed to by the employer and the employee; and
- signed by the employer and employee.

(4) All hours banked pursuant to this section are to be banked at 1.5 times the number of overtime hours worked.

(5) All hours taken from the time bank must be taken:

- during an employee's regularly scheduled work hours;
- at a time or times agreed to by the employer and employee, or, in the absence of agreement, as scheduled by the employer, and section 2-11 of the Act applies, with any necessary modification, for the purposes of this clause;
- at the employee's hourly wage; and
- within 12 months after the end of the pay period in which the overtime hours were banked.

(6) Banked time is deemed to be wages owing to the employee for the purposes of recovery of the wages.

(7) Each hour or part of an hour of time off with pay is deemed to be regular hours of work.

(8) The employer shall retain a copy of the time bank agreement entered into pursuant to subsection (3) and provide a copy of the agreement to the employee in any manner that informs the employee of the agreement.

(9) The employer shall pay to the employee wages for all banked time for which time off with pay did not occur in accordance with clause (5)(d).

(10) For the purposes of subsection (9):

- that payment must be the product of:
 - the employee's hourly wage; and
 - the employee's remaining banked time; and
- the employer shall make that payment in accordance with section 2-33 of the Act.

(11) An employer or an employee, at any time, may give written notice to the other party of the employer or employee's intention to:

- issue or obtain payment for all or part of the hours in the time bank; or
- terminate the time bank.

(12) If written notice is given pursuant to clause (11)(a), the employer shall, not later than the end of the pay period following the pay period in which written notice was provided, pay the employee wages for the banked overtime hours in accordance with subsection (10).

(13) If written notice is given pursuant to clause (11)(b):

- the employer shall, not later than the end of the pay period following the pay period in which written notice was provided, either:
 - pay the employee wages for the banked overtime hours in accordance with subsection (10); or
 - schedule the times at which the employee shall take the banked hours in accordance with clause (5)(b); and
- the employee's time bank is deemed to be closed.

(14) If the employer lays off or terminates the employment of an employee, the employer shall not require the employee to take banked overtime hours off with pay as part of the required notice period pursuant to section 2-60 of the Act.

(15) If the employer lays off or terminates the employment of an employee, the payment pursuant to clause (10)(a) is not to be considered pay instead of notice required pursuant to section 2-61 of the Act.

Exemption from sections 2-17 and 12-18 of Act - oil truck drivers

3-5(1) Subject to subsections (2) to (9), sections 2-17 and 2-18 of the Act do not apply to persons employed as oil truck drivers.

(2) Subject to subsection (8), the employer of an oil truck driver shall show in the records kept pursuant to section 2-38 of the Act the number of hours during which the oil truck driver is required or permitted to work or to be at the employer's disposal that are in excess of 40 hours in any week.

(3) For the purposes of this section, all of the hours that are in excess of 40 hours in any week are to accumulate to the credit of the oil truck driver unless they are cancelled in accordance with subsection (4).

(4) If an oil truck driver is required or permitted to work or to be at the employer's disposal for less than 40 hours in any week, each hour by which the number of hours during which the oil truck driver is required or permitted to work or to be at the employer's disposal in that week is less than 40 hours cancels one hour that has already accumulated or may in future accumulate to the credit of the oil truck driver.

(5) On July 1 in each year, the employer of an oil truck driver shall:

- determine the number of hours that, as of that date, have accumulated to the credit of the oil truck driver during the previous 12 months and have not been cancelled; and
- within 14 days after that date, pay to the oil truck driver wages at the rate of 1.5 times the oil truck driver's hourly wage for every hour or part of an hour determined pursuant to clause (a).

(6) On payment pursuant to clause (5)(b), the hours determined pursuant to clause (5)(a) are cancelled.

(7) If the employment of an oil truck driver is terminated by the employer, the employer shall pay to the oil truck driver, in addition to all other amounts due to the oil truck driver, wages at the rate of 1.5 times the oil truck driver's hourly wage for each hour or part of an hour that, as of the date of the termination of employment, has accumulated to the credit of the oil truck driver and has not been cancelled.

(8) No employer of an oil truck driver shall, with respect to any week in which the employer requires or permits the oil truck driver to work or to be at the employer's disposal for less than 40 hours, reduce the wages paid to the oil truck driver below the wages paid with respect to any week in which the employer requires or permits the oil truck driver to work or to be at the employer's disposal for 40 hours or more.

(9) In calculating the number of hours worked in a week in which a public holiday occurs:

- the 40-hour standard in a week mentioned in subsection (2) is to be reduced by 8 hours with respect to each public holiday that occurs in the week; and
- no account is to be taken of any time the oil truck driver is required to work or to be at the employer's disposal on a public holiday.

Exemption from sections 2-12, 2-17, 2-18 and 2-19 of Act - certain employees

3-6(1) Sections 2-12, 2-17, 2-18 and 2-19 of the Act do not apply to the following employees:

- employees who are:
 - practising a profession that requires licensing or registration in accordance with any Act and may provide the profession's services without the authorization or the supervision of another profession; or
 - employed as a student-in-training, including a medical intern, while learning a profession mentioned in subclause (i);
- employees of a rural municipality who are engaged in road construction or maintenance or any duties in connection with the servicing or repair of road construction or maintenance equipment done on the job, except employees who are engaged in any duties in connection with the storage, servicing or repair of road construction or maintenance equipment that is done in the warehouse or repair shop of the rural municipality;
- employees who:
 - are employed as salespersons;
 - travel regularly in the course of their duties to 2 or more cities, towns or villages that are at least 20 kilometres apart; and
 - receive all of their remuneration as commissions with respect to sales of goods or services or offers to purchase that usually are made at a place other than the employer's establishment;
- employees in the logging industry, including employees providing ancillary services such as food services and security services, but not including employees in any occupation carried on in an office, saw mill or planing mill;
- employees who are care providers, other than live-in care providers;
- employees who are employed by outfitters, as defined in *The Outfitter and Guide Regulations, 2004*, who are primarily engaged in outfitting;
- employees who are primarily engaged in mineral exploration in that part of Saskatchewan north of Township 62, but not including any occupation carried on in an office.

(2) Sections 2-17, 2-18 and 2-19 of the Act do not apply to persons employed as salespersons as defined in *The Consumer Protection and Business Practices Regulations*.

Exemptions for certain roadbuilders

3-7(1) Subject to subsections (2) to (6), sections 2-12 and 2-17, subsections 2-18(1), (2), (4) and (5) and section 2-19 of the Act do not apply to employees who are engaged in constructing, repairing or maintaining a highway, or assisting in those activities, if the work on the highways is being performed:

- outside a city, town, village or resort village; or
 - from a point or points outside any city, town, village or resort village into or through that city, town, village or resort village.
- (2) No employer shall require or permit an employee described in subsection (1) to work or to be at the employer's disposal 100 hours in any 2 consecutive weeks unless the employee is paid wages at the rate of 1.5 times the employee's hourly wage for each hour or part of an hour in excess of 100 hours in those 2 consecutive weeks.
- (3) In calculating the number of hours worked in a period of 2 consecutive weeks during which a public holiday occurs:
- the 100-hour in each two-week period mentioned in subsection (2) is to be reduced by 8 hours with respect to each public holiday that occurs in the period; and
 - no account is to be taken of any time the employee is required to work or to be at the disposal of the employer on a public holiday.

(4) Unless an employee described in subsection (1) consents otherwise, the employer of the employee shall not require or permit the employee to work or be at the employer's disposal for more than 14 hours in any given day, except in an emergency circumstance.

(5) Every employer shall establish a fatigue management plan for employees described in subsection (1) that is recognized by the minister.

(6) This section does not apply if the employees described in subsection (1) have a union as their bargaining agent and the employer and the union have agreed respecting the number of hours in a day or week that are to be worked before overtime is paid.

Exemption from section 2-12, subsection 2-13(1) and sections 2-17, 2-18 and 2-19 of Act - care facility workers

3-8(1) In this section:

“**care facility**” means a care facility licensed pursuant to *The Residential Services Act, 2019* and the regulations made pursuant to that Act;

“**operator**” means an operator, as defined in *The Residential Services Act, 2019*, who is designated by the employer for the purposes of this section.

(2) Section 2-12, subsection 2-13(1) and sections 2-17, 2-18 and 2-19 of the Act do not apply to an operator of a care facility.

(3) This section applies to only one person employed at a care facility in any one day.

Calculation of hourly wage

3-9(1) For the purpose of calculating the wages of an employee on an hourly basis in order that the employee may receive the wages to which the employee is entitled pursuant to Part II of the Act and the regulations, the rules set out in this section and section 3-10 apply.

(2) If the employee is paid wages on a daily basis:

- the hourly wage of the employee is