



# Employment Standards Record Requirements

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# Employment Standards

## Records

### General Employee Information

#### Alberta

Updated: Mar 21, 2020

#### [Employment Standards Code - s. 14\(4\)](#)

An employer must keep an **up-to-date record for each employee**, including:

- name, address and date of birth;
- date that the present period of employment started;
- date on which a general holiday is taken;
- wage rate and overtime rate when employment starts, the date of any change to wage rates or overtime rates, and particulars of every change to them;
- overtime agreements;
- hours of work averaging agreements;
- parental consents;
- agreements with an employee to use entitlements during the termination notice period;
- permits issued under the Act or regulations;
- exemptions or variances issued by the Director;
- any other information required by the regulations
- any layoff notices or recall notice after a temporary layoff; and
- termination notices

#### British Columbia

Updated: Mar 21, 2020

#### [Employment Standards Act - s. 28](#)

#### [Employment Standards Regulation](#)

An employer must keep records of the following information **for each employee**:

- the employee's name, date of birth, occupation, telephone number and residential address;
- the date employment began;
- the employee's wage rate, whether paid hourly, on a salary basis or on a flat rate, piece rate, commission or other incentive basis;
- the benefits paid to the employee by the employer;
- the employee's gross and net wages for each pay period;
- each deduction made from the employee's wages and the reason for it; and
- the dates of the statutory holidays taken by the employee and the amounts paid by the employer.

Payroll records must be:

- in English; and
- kept at the employer's principal place of business in British Columbia.

## The following industries/occupations have special rules related to this provision

### Agriculture

[Employment Standards Act](#)

[Employment Standards Regulation - s. 18\(4\), 18\(5\)](#)

A farm labour contractor must keep records of the following information:

- the name of each worker;
- the work site location and dates worked by each worker;
- the fruit, vegetable, berry or flower crop picked in each day by each worker;
- the volume or weight picked in each day by each worker.

The records required must be:

- in English;
- kept at the employer's principal place of business in British Columbia; and
- retained by the employer for 2 years after the employment terminates.

A "farm labour contractor" is an employer whose employees work, for or under the control or direction of another person, in connection with the planting, cultivating or harvesting of an agricultural product.

### Domestic & Support Workers

[Employment Standards Act](#)

[Employment Standards Regulation - s. 13](#)

Special rules apply to employers of domestic and textile workers (workers hired to make fabrics or clothing in a private residence).

Employers of these workers must provide the director with the following information in writing within 30 days after the date the employee was hired (in the case of an employee who is to be employed as a domestic or textile worker and who is coming to Canada from another country, before the employee is hired and before making an application to bring the employee to Canada):

- the employer's name, address, telephone number and fax number;
- the employee's name, address and telephone number; and
- whether the employee is a domestic or a textile worker.

An employer who is aware of any change in the information provided must, **each 6 months**, provide the director with a written list of the changes.

### Federal

Updated: Jul 05, 2022

[Canada Labour Code \(Part III\) - s. 252\(2\), 264](#)

[Canada Labour Standards Regulations - s. 24](#)

An employer must keep records for **each employee** including:

- the date of employment;
- the date of termination of employment;
- the employee's:
  - full name;
  - address;
  - Social Insurance Number;
  - occupational classification; and
  - sex
- age of the employee if under age 17;
- the wage rate, clearly indicating whether it is on an hourly, weekly, monthly or other basis, and the date and particulars of any change in the rate;
- where the wage rate is on a basis other than time or on a combined basis of time and some other basis, a clear indication of how the rate is calculated;
- the actual earnings, indicating the amounts paid each pay day, with a recording

- of amounts paid for overtime, vacation pay, general holiday pay, bereavement leave pay, termination pay and severance pay;
- the payments made each pay day after deductions, with clear details of the deductions made;
- the dates of commencement and termination of any job modification or reassignment of the employee and a copy of any notice provided by the employer concerning the job modification or reassignment;
- any general holiday or other holiday with pay granted to the employee, any notice of substitution of a general holiday required to be posted, and, for employees not subject to a collective agreement, proof of agreement for the substitution of a general holiday by at least 70 per cent of affected employees;
- the employer's pay periods; and
- any notice of termination of employment or intention to terminate employment.

**This provision is affected by the following amendment:**

[Draft Regulations Amending the Canada Labour Standards Regulations \(Employees Under 18 Years of Age\)](#)

Introduction/Announcement: July 2, 2022

In Force: To be proclaimed

Must keep a record of the age of the employee if the employee is under age 18 (instead of 17).

**The following industries/occupations have special rules related to this provision**

**Students/Interns**

[Canada Labour Code \(Part III\)](#)

[Standards for Work-Integrated Learning Activities Regulations - s. 3, 4](#)

Special rules apply to student interns. Student interns:

- perform work-experience activities;
- to fulfil requirements of a program offered by a Canadian secondary/post-secondary/vocational school or equivalent educational institution outside Canada; and
- provide the employer with required documentation from the educational institution.

Before performing any work, a student intern must provide the employer with all documents issued by an educational institution or vocational school that contain the following information:

- the person's full name;
- the name and address of the educational institution or vocational school and the name of the program in which the person is enrolled;
- the name and address of the employer for whom the activities are to be performed;
- a description of the activities whose performance fulfils the requirements of the program;
  - the date on which the performance of the activities is to begin and
  - the date on which the performance of the activities is to cease, or
  - the number of hours during which the activities are to be performed; and
- the name, job title, phone number and email address of a person employed by the educational institution or vocational school who is involved in the administration of the program.

The employer of a student intern must keep a record containing the following:

- the full name and address of the person and, if the person is under age 17, their age;
- the documents provided by the student intern, listed above;
- any agreement in writing between the employer and the person concerning the performance of the activities;
- any correspondence between the employer and the educational institution or vocational school concerning the person's enrolment in the program or their performance of the activities;
- the dates on which the person began and ceased performing the activities;
- the dates on which the activities were performed and the number of hours they were performed on each of those dates;
- any general holiday granted to the person under these Regulations and, if a day was

- substituted for a general holiday, the written approval of the person;
- the dates on which each leave granted to the person began and ended;
- any written approval that is provided by the person regarding a modified work schedule or maximum hours of work;
- any notice of leave that is provided by the person to the employer;
- any certificate from a health care practitioner that is submitted by the person to the employer in respect of leave, maternity-related matters or a break for medical reasons;
  - if the person was absent due to an illness or injury related to the performance of the activities,
    - detailed reasons for the absence;
    - a copy of any certificate from a health care practitioner certifying that the person is fit to resume the activities; and
    - the date on which the person returned to work or a copy of a notification from the employer to the person that a return to work was not reasonably practicable and the reasons why; and
- the dates of commencement and termination of any modification of the activities, and any notice provided by the employer concerning the modification.

These records must be kept for 36 months after the day on which the activities cease.

**Manitoba**  
Updated: Mar 21, 2020

[The Employment Standards Code - s. 135](#)  
[Employment Standards Regulation](#)

An employer must keep and maintain the following records for each employee:

- name, address, date of birth and occupation;
- Date of commencement of employment;
- The regular wage rate and overtime wage rate when employment commenced and any particular changes to these rates and the date the change, if any took place;
- The regular hours of work and overtime recorded separately and daily (not required if they do not vary from day to day, but additional hours must be recorded daily);
- Copies of averaging agreements made without the Director's approval if any);
- Copies of any work schedules for the employee that must be posted as required by the Director;
- The dates on which wages are paid and the amount of wages paid on each date;
- The deductions from wages and the reasons for each deduction;
- Details of any banked time under section 18 and time off that is provided and taken with respect to banked time;
- The date on which each general holiday is taken;
- The employee's hours of work on a general holiday, the wage rate paid for those hours and any time off provided in respect of those hours worked;
- Each annual vacation showing the date it begins and ends, the period of employment in which vacation is earned and the date and amount of vacation allowance paid;
- The amount of vacation allowance paid to the employee in lieu of annual vacation upon termination of the employment and the date of the payment;
- Copies of documents related to any leave taken, including records of the type of leave and the dates leave taken;
- Copies of documents relating to any paid days of interpersonal violence leave taken by an employee, including records of the dates and numbers of days taken as paid leave, and the amount paid for each paid day of leave;

- Copies of work readiness certificate required for employees under the age of 16;
- The date of termination of employment; and
- Any other record prescribed by regulation.

Records must be kept:

- in either English or French; and
- at the employer's principal place of business in Manitoba.

Records must be produced (and copies provided) for inspection if requested by an officer.

### The following industries/occupations have special rules related to this provision

#### Homeworker

[The Employment Standards Code - s. 80](#)

Employer that employs employee to work from home must maintain records and make them available to an officer on request.

Records must be kept at employer's principal place of business in the province.

Records for homeworker to include:

- name and address of each employee,
- a description of the type and amount of work performed,
- wages paid and the rate of wages for the work, and
- amounts deducted from wages

**New Brunswick**  
Updated: Mar 21, 2020

#### [Employment Standards Act - s. 60, 58](#)

An employer must keep and maintain, the following complete and accurate records for each employee:

- employee's name and address;
- employee's date of birth;
- employee's social insurance number;
- employee's start date;
- number of hours worked each day and each week;
- wage rate and gross earnings for each pay period;
- amount of each deduction from gross earnings and purpose of each deduction;
- any of the employee's vacation;
- vacation pay due or paid;
- any public holiday pay due or paid;
- net amount of money paid to employee;
- any period during which the employee was on a leave of absence and reason for leave;
- documents or certificates related to any leaves;
- dates of all notices of dismissals or layoff and dates of those; and
- date of cessation of employment.

**Records to be kept within the province.**

Upon request of the Director or Employment Standards Officer, records must be made available for inspection and copies may be made.

Where records are maintained by a person, firm company or partnership other than by employer, the employer must be able to produce upon request true and accurate records with respect to any employee.

## Newfoundland and Labrador

Updated: Mar 21, 2020

### [Labour Standards Act - s. 63\(1\), 48\(1\)](#)

An employer must keep a record of the following for each employee:

- employee's name, address and date of birth;
- rate of wages, number of hours worked, and the amount of wages paid showing all deductions;
- the date of
  - the beginning of employment; and
  - the date of temporary lay-off or termination; and
  - the date termination notice was given.
- for fixed term or task-specific employment, the end date of the term or the anticipated completion date of the specific task;
- the written consent of a parent when employing a child under age 16.

## Nova Scotia

Updated: Mar 21, 2020

### [Labour Standards Code - s. 15](#)

An employer must keep and maintain at their principal place of business, the following records for each employee:

- name and address;
- date of birth;
- social insurance number;
- date employment began;
- date employment ended, if applicable;
- wage rate and gross earnings for each pay period;
- the amount of each deduction from the gross earnings for each pay period and the purpose for which each deduction is made;
- the net amount of money paid for each pay period;
- any general holiday pay due or paid to an employee;
- the dates of all discharges or layoffs of an employee and the dates of all notices thereof; and
- if you are recruiting someone for employment,
  - the name and address of any person that you made a payment to for engaging in the recruitment; and
  - the date and amount of the payment.

The records must be able to show whether or not the employer is in compliance with the Act.

These records or a certified true copy of the records must be produced to the Director upon request



If the employer holds a licence as a foreign worker recruiter, or has had a licence under the Act suspended or cancelled, the employer must prepare and maintain specific records.

## Ontario

Updated: Apr 11, 2022

### [Employment Standards Act, 2000 - s. 15](#)

An employer must keep a record of the following for each employee, including homeworkers:

- employee's name and address;
- if the employee is a student and under 18, the employee's date of birth;
- date employment started;
- every averaging agreement that is entered into; and
- information in any written statement that must be given under the Act, including a statement of vacation pay.

An employer must keep or arrange for some other person to keep copies of every written policy on disconnecting from work.

### This provision is affected by the following amendments:

#### [Bill 27, Working for Workers Act, 2021](#)

Introduction/Announcement: October 25, 2021

Royal Assent: December 2, 2021

In Force: On Royal Assent

#### [Bill 88, Working for Workers Act, 2022](#)

Introduction/Announcement: February 28, 2022

Royal Assent: April 11, 2022

In Force: To be proclaimed

Bill 88 enacts the *Digital Platform Workers' Rights Act, 2022*, which establishes new entitlements for workers who perform digital platform work. These new entitlements mirror certain employment standards requirements.

An operator of a digital platform is required to keep the following records:

- the worker's name and address;
- the dates on which the worker was given access to the digital platform;
- the dates on which the worker's access to the digital platform was removed or reinstated;
- the dates on which the worker performed work assignments and the times that each work assignment started and finished; and
- amounts paid (including tips, gratuities or other amounts), the date paid and a description of payments made to a worker.

### The following industries/occupations have special rules related to this provision

#### Homeworker

##### [Employment Standards Act, 2000 - s. 15\(2\)](#)

A register of homeworkers must be kept, which includes:

- the employee's name and address; and
- the information contained in any wage rate statement.

#### Temporary Help Agencies

##### [Employment Standards Act, 2000 - s. 74.4.1](#)

In addition to the other records that all employers must keep, a temporary help agency must retain a copy of any written notice provided to an assignment employee under the Act on the termination of an assignment.

## Prince Edward Island

Updated: Mar 21, 2020

### [Employment Standards Act - s. 5.6](#)

An employer must keep the following detailed and accurate records **for each employee**:

- name, address and social insurance number;
- date of birth;
- wage rate and net pay for each pay period;
- number of hours the employee works in each day and week;
- gross earnings of the employee per pay period;
- deductions from the employee's gross earnings and the nature of each deduction;
- date the employee commenced employment, and termination date;
- type of work performed by the employee
- periods of vacation;
- vacation pay owed the employee;
- paid holiday pay owed or paid to the employee;
- period during which the employee was on a leave of absence and the reason for the leave;
- number of overtime hours the employee has accumulated and used; and
- dates of dismissals, suspensions or layoffs of the employee and the dates of all such notices.

At the request of the Board or an Inspector, employer must provide records within time frame outlined by request. In addition to the records, employer may be asked to provide copies of contract of services in relation to wages, hours of work or other terms and conditions.

## Quebec

Updated: Mar 21, 2020

### [Act respecting labour standards](#)

#### [Regulation respecting a registration system or the keeping of a register - s. 1](#)

An employer must establish a registration system or keep a register which shows **for each employee**:

- full name;
- residence;
- social insurance number;
- date of birth for an employee under age 18; and
- employment and date employment started.

## Saskatchewan

Updated: Mar 21, 2020

### [The Saskatchewan Employment Act - s. 2-38](#)

Employer must keep records showing:

- particulars of every unwritten contract dealing with wages or other monetary benefits to which an employee is entitled;
- a copy of every written contract or other document dealing with wages or other monetary benefits to which an employee is entitled; and
- records of the following  
for each employee  
:
  - full name, sex, date of birth and residential address of the employee;
  - name or a brief description of the job or position of the employee;
  - rate of wages based in terms of per hour, day week, month or other period;
  - total wages paid for each week or other pay period;
  - start and finish time of the employee's day;
  - time when meal breaks may be taken;
  - total number of hours worked by the employee each day and week;
  - total number of hours each day and week that the employee is required to be at the disposal of the employer;
  - every deduction made from the wages of the employee and the purpose for which the deduction was made;
  - date of each payment of wages to the employee;
  - commencement date of the employee and if applicable the end date of employment;
  - date on which the employee becomes entitled to vacation;
  - dates on which each vacation period is taken by the employee;
  - amount paid to the employee with respect to each vacation to which the employee is entitled and the date of the payment;
  - amount paid to the employee with respect to each public holiday and the date of the payment; and
  - amount, if any, paid to an employee on the ending of employment and the date of the payment

Employer must provide the records to employment standards officer on request.

**The following industries/occupations are exempt from this provision:**

### Education

[The Saskatchewan Employment Act](#)  
[The Employment Standards Regulations - s. 41](#)

Exemptions apply with respect to the records boards of education or the conseil scolaire must keep for teachers as defined under the [Education Act](#).

The following do not need to be included in the teacher's records:

- time when employee's work begins and ends each day and any time for meal breaks;
- deductions and the reason for the deductions;
- the date on which the employee becomes entitled to vacation;
- the dates on which each vacation period is taken by the employee;
- the amount paid to the employee with respect to each vacation to which the employee is entitled and the date of the payment; and
- the amount paid to the employee with respect to each public holiday and the date of the payment

**The following industries/occupations have special rules related to this provision**

## Trucking

[The Saskatchewan Employment Act](#)

[The Employment Standards Regulations - s. 13](#)

Employer of oil truck driver must show in the records the number of hours during which they required or permitted the oil truck driver to work or be at the employer's disposal for hours in excess of 40 hours in a week. Oil trucker driver is a person principally employed in delivering gasoline, lubricating oils and other petroleum products from refinery bulk filling stations or similar to farms, garages or automobile service stations. It does not include employee that regularly travels in the course of duties to two or more towns, cities or villages that are at least 20 kilometers apart.

## Homeworker

[The Saskatchewan Employment Act - s. 2-38](#)

Employer must keep a register of every employee who ordinarily works from home.  
Contents of register for employee that works from home must include:

- address where work is performed; and
- portion of the work performed by employee at their home

## Records

# Hours of Work

## Alberta

Updated: Jun 17, 2021

### [Employment Standards Code - s. 14](#)

An employer must keep an **up-to-date record** for each employee, including:

- regular and overtime hours of work for each work day.
- wage rate and overtime rate
- earnings paid showing separately each component of the earnings for each pay period
- time off instead of overtime pay provided and taken
- deductions from earnings and the reason for each deduction

On request, an employer must give an employee a detailed statement of how the employee's earnings were calculated and the method of calculating any bonus or living allowance paid, whether or not it forms part of wages.

**The following industries/occupations are exempt from this provision:**

#### **Managers & Supervisors**

[Employment Standards Code](#)

[Employment Standards Regulation - s. 2\(1\)](#)

The following are exempt from the requirement to keep a record of regular and overtime hours of work:

- managers and supervisors; and
- those employed in a capacity concerning matters of a confidential nature

whose duties do not, other than in an incidental way, consist of work similar to that performed by other employees who are not so employed.

#### **Sales**

[Employment Standards Code](#)

[Employment Standards Regulation - s. 2\(1\)](#)

The following are exempt from the requirement to keep a record of regular and overtime hours of work:

- salesperson, other than a route salesperson, compensated in whole or in part by commission, who is engaged in soliciting orders, principally outside of the employer's place of business, for goods or services that will subsequently be delivered or provided to the purchaser;
- automobile, recreational vehicle, truck, bus, farm machinery and heavy duty construction equipment or road construction equipment salesperson; manufactured home salesperson;
- a person employed by a residential home builder to sell those homes; and
- an individual who is at least 16 years old and who engages in a direct selling business on behalf of the holder of a direct selling business licence.

#### **Information Technology**

[Employment Standards Code](#)

[Employment Standards Regulation - s. 2\(1\)](#)

The following are exempt from the requirement to keep a record of regular and overtime hours of work:

- an information systems professional.

## Media & Entertainment

[Employment Standards Code](#)

[Employment Standards Regulation - s. 2\(1\)](#)

The following are exempt from the requirement to keep a record of regular and overtime hours of work:

- an extra in a film or video production.

## Insurance

[Employment Standards Code](#)

[Employment Standards Regulation - s. 2\(1\)](#)

The following are exempt from the requirement to keep a record of regular and overtime hours of work:

- an insurance agent who is compensated for activities performed under their certificate entirely by way of commission income.

## Sports & Recreation

[Employment Standards Code](#)

[Employment Standards Regulation - s. 2\(1\)](#)

The following are exempt from the requirement to keep a record of regular and overtime hours of work:

- a counsellor or instructor at an educational or recreational camp that is operated on a charitable or not-for-profit basis:
  - for children or handicapped individuals, or
  - for religious purposes.

## Professionals

[Employment Standards Code](#)

[Employment Standards Regulation - s. 2\(2\)](#)

The following are exempt from the requirement to keep a record of regular and overtime hours of work:

- a registered architect, restricted practitioner or visiting project architect
- a professional accountant (or candidate);
- a professional engineer;
- a lawyer or student-at-law;
- a veterinarian or permit holder as defined in the *Veterinary Profession Act*;
- an agrologist or an agrologist in training; and
- a person who is employed by a securities dealer or adviser as a representative for the purposes of making trades in securities or derivatives for the benefit of that dealer or adviser.

## Health Care

[Employment Standards Code](#)

[Employment Standards Regulation - s. 2\(2\)](#)

The following are exempt from the requirement to keep a record of regular and overtime hours of work:

- a denturist
- a chiropractor (including a professional corporation);
- a dentist (including a professional corporation);
- an optometrist (including a professional corporation);
- a podiatrist;
- a psychologist; and
- a veterinarian or permit holder as defined in the *Veterinary Profession Act*

## Real Estate

[Employment Standards Code](#)  
[Employment Standards Regulation - s. 2\(1\)](#)

The following are exempt from the requirement to keep a record of regular and overtime hours of work:

- real estate broker; and
- a licensed land agent

**British Columbia**  
 Updated: Mar 21, 2020

[Employment Standards Act - s. 28](#)

An employer must keep records of the hours worked by the employee on each day, regardless of whether the employee is paid on an hourly or other basis.

**Federal**  
 Updated: Jun 02, 2022

[Canada Labour Code \(Part III\) - s. 252\(2\), 264](#)  
[Canada Labour Standards Regulations - s. 24, 3](#)

An employer must keep a record for each employee of:

- the hours worked each day;
- any notice of a work schedule that is required to be posted, and proof of agreement to the work schedule by at least 70 per cent of the affected employees;
- unforeseeable emergencies that an employee had to deal with and as a result of which the employer:
  - could not provide the employee with 24 hours' notice of a change to their shift;
  - had to either postpone or cancel the employee's 30-minute break;
  - had to require the employee to work additional hours, which resulted in them having a rest period of fewer than 8 hours;
- any certificate from a health care practitioner related to an employee's or student intern's medical breaks (specifying the beginning and end dates of the period during which the breaks are to be taken) and any employer request for such certificate;
- every work schedule and modification of a work schedule that is provided to a student intern; and
- every refusal to work made by a student intern due to not receiving 96 hours' written notice of their work schedule.

**This provision is affected by the following amendment:**

[Regulations Amending Certain Regulations Made Under the Canada Labour Code: SOR/2022-41](#)  
 Introduction/Announcement: March 16, 2022  
 In Force: Effective as of June 2, 2022

**The following industries/occupations are exempt from this provision:**

### Professionals

[Canada Labour Code \(Part III\) - s. 252\(3\)](#)

[Canada Labour Standards Regulations - s. 24\(2\), 3](#)

This exemption applies to:

- architects
- dentists
- engineers
- lawyers
- doctors

### Managers & Supervisors

[Canada Labour Code \(Part III\) - s. 252\(3\)](#)

[Canada Labour Standards Regulations - s. 24\(2\), 3](#)

This exemption applies to managers and employees who exercise management functions.

### Residential & Building Services

[Canada Labour Code \(Part III\) - s. 252\(3\)](#)

[Canada Labour Standards Regulations - s. 24\(2\), 3](#)

This exemption applies to superintendents.

## Manitoba

Updated: Mar 21, 2020

### [The Employment Standards Code - s. 135](#)

An employer must maintain records of hours worked.

A daily recording of hours worked is not required if the employee's hours do not change from day to day. Any additional hours worked must be recorded daily.

## New Brunswick

Updated: Mar 21, 2020

### [Employment Standards Act - s. 60](#)

An employer must keep complete and accurate records for each employee regarding the hours they worked each day and each week.

## Newfoundland and Labrador

Updated: Mar 21, 2020

### [Labour Standards Act - s. 63\(1\)](#)

An employer must keep a record of the number of hours worked in each day for each employee.

## Nova Scotia

Updated: Mar 21, 2020

### [Labour Standards Code - s. 15\(1\)](#)

An employer must keep and maintain at their principal place of business, records of the following:

- the number of hours worked by each employee each



day and each week.

The records must be able to show whether or not the employer is in compliance with the Act.

## Ontario

Updated: Mar 21, 2020

### [Employment Standards Act, 2000 - s. 15\(1\)](#)

#### General Requirements

An employer must keep the following records regarding hours of work:

- dates and times that the employee worked;
- dates and times that an employee worked overtime at each rate of pay, if the employee has two or more regular rates of pay and worked overtime in a work week; and
- number of hours that each employee worked each day, and each week.

#### Specific Requirements

##### Salaried Employees Who are Not Subject to Overtime Provisions

An employer does not have to keep a record of the dates and times that the employee worked and the number of hours that the employee worked each day.

##### Salaried Employees Who are Subject to Overtime Provisions

An employer does not have to keep a record of the dates and times that the employee worked and the number of hours that the employee worked each day if the employer records the number of hours in excess of those in the employee's regular work week **and** the number of hours more than the employee's regular work day that were worked in each day.

#### Agreements

An employer must keep every overtime agreement. An employer must keep every averaging agreement that the employer has entered into with an employee.

### **The following industries/occupations have special rules related to this provision**

#### **Domestic & Support Workers**

[Employment Standards Act, 2000](#)

[When Work Deemed to be Performed, Exemptions and Special Rules - s. 23](#)

This exemption applies to residential care workers. Employers are not required to keep a record of the number of hours that a residential care worker worked in each day and each week.

#### **Temporary Help Agencies**

[Employment Standards Act, 2000 - s. 74.4.1, 74.4.2](#)

##### Temporary Help Agencies

In addition to the other records an employer must keep, a temporary help agency must also

record:

- the number of hours worked
- by each assignment employee
- for each client of the agency
- in each day and each week.

**Clients of Temporary Help Agencies**

A client of a temporary help agency must record the number of hours worked by each assignment employee assigned to perform work for the client in each day and each week.

**Prince Edward Island**

Updated: Mar 21, 2020

[Employment Standards Act - s. 5.6](#)

An employer must keep accurate and complete records indicating the number of hours an employee works in each day and week.

Records must also include number of overtime hours if any, the employee has accumulated and used.

For **salaried** employees where the employer establishes a work week, employer must keep a record showing number of hours employee worked in excess of work week rather than a record of hours worked in each day and week.

**Quebec**

Updated: Mar 21, 2020

[Act respecting labour standards](#)

[Regulation respecting a registration system or the keeping of a register - s. 1](#)

An employer must keep a register **for each employee and for each pay period** that includes:

- number of hours of work per day;
- total number of hours of work per week;
- number of overtime hours paid or compensated for by a day off with the applicable premium;
- number of days of work per week;
- wage rate;
- nature and amount of premiums, indemnities, allowances or commissions paid;
- amount of gross wages;
- nature and amount of deductions made;
- amount of net wages paid to the employee;
- the work period corresponding to payment;
- the date of payment;
- the amount of the tips reported by the employee; and
- the amount of the tips attributed to the employee by the employer.

**Saskatchewan**

Updated: Mar 21, 2020

[The Saskatchewan Employment Act - s. 2-38](#)

An employer must keep records indicating the:

- start and finish time of the employee's day;
- time when meal breaks may be taken;
- total number of hours worked by the employee each day and week; and
- total number of hours each day and week that the employee is required to be at the disposal of the employer.

### The following industries/occupations have special rules related to this provision

#### Trucking

[The Saskatchewan Employment Act](#)

[The Employment Standards Regulations - s. 13](#)

An employer of oil truck drivers must show in the records the number of hours during which they required or permitted the oil truck driver to work or be at the employer's disposal more than 40 hours in a week. An "oil trucker driver" is a person principally employed in delivering gasoline, lubricating oils and other petroleum products from refinery bulk filling stations or similar to farms, garages or automobile service stations. It does not include an employee that regularly travels in the course of duties to two or more towns, cities or villages that are at least 20 kilometers apart.

## Records

# Leaves of Absence

### Alberta

Updated: Mar 21, 2020

[Employment Standards Code - s. 14](#)

An employer must keep an **up-to-date record** for **each employee** including copies of all documentation relating to a leave of absence.

### British Columbia

Updated: Mar 21, 2020

[Employment Standards Act](#)

No applicable provision in the Act or Regulations.

### Federal

Updated: Jun 02, 2022

[Canada Labour Code \(Part III\) - s. 252\(2\), 264](#)

[Canada Labour Standards Regulations - s. 24](#)

An employer must keep the following records related to leaves of absence for each employee:

- the dates of commencement and termination, and of any interruption, of any leaves;
- a copy of any notice concerning the leave or any interruption of the leave;
- a copy of any medical certificate submitted by the employee in respect of the leave or interruption;
- the dates of any bereavement leave granted to an employee;
- with respect to leave granted to an employee who is a member of the reserve force,
  - the dates of commencement and termination of the leave and a copy of any notice concerning the leave,
  - a copy of any medical certificate submitted by the employee in respect of that leave,
  - a copy of any document provided, and
  - a copy of any notice issued.

If an employee is off work due to work-related illness or injury and the employer returns the employee to work following the illness or injury, the employer must keep the following records:

- detailed reasons for an employee's absence due to work-related illness or injury;
- a copy of any certificate of a qualified health care practitioner indicating that the employee is fit to return to work; and
- the date the employee returned to work, or a copy of any notification from the employer to the employee and any trade union representing the employee that return to work was not reasonably practicable and the reasons why it was not.

This provision is affected by the following amendment:

[Regulations Amending Certain Regulations Made Under the Canada Labour Code: SOR/2022-41](#)

Introduction/Announcement: March 16, 2022

In Force: Effective as of June 2, 2022

## Manitoba

Updated: Mar 21, 2020

### [The Employment Standards Code - s. 135](#)

An employer must keep an **up-to-date record** for **each employee** including copies of all documentation relating to a leave of absence including records of the type of leave and the dates leave taken.

Copies of documents relating to any paid days of interpersonal violence leave taken by an employee, including records of the dates and numbers of days taken as paid leave, and the amount paid for each paid day of leave must be kept by employer.

## New Brunswick

Updated: Mar 21, 2020

### [Employment Standards Act - s. 60](#)

An employer must maintain **complete and accurate records** in relation to any periods an employee took a leave of absence and any documentation or certificates related to any leaves of absence.

## Newfoundland and Labrador

Updated: Mar 21, 2020

### [Labour Standards Act](#)

### [Labour Standards Regulations](#)

No applicable provision in the Act or Regulations.

## Nova Scotia

Updated: Mar 21, 2020

### [Labour Standards Code - s. 15\(1\)](#)

An employer must keep and maintain at their principal place of business, records of the following:

- any period during which an employee was on a leave of absence and the reason for the leave of absence; and
- any documents or certificates relating to a leave of absence of an employee.

The records must be able to show whether or not the employer is in compliance with the Act.

**Ontario**

Updated: Mar 22, 2020

[Employment Standards Act, 2000 - s. 15\(7\)](#)

An employer must keep all documents related to all leaves, including notices, certificates, correspondence and other documents.

**Prince Edward Island**

Updated: Mar 21, 2020

[Employment Standards Act - s. 5.6](#)

An employer must keep **complete and accurate records** of any period during which the employee was on a leave of absence and the reason for the leave.

**Quebec**

Updated: Mar 21, 2020

[Act respecting labour standards](#)

No applicable provision in the Act or Regulations.

**Saskatchewan**

Updated: Mar 21, 2020

[The Saskatchewan Employment Act](#)

No applicable provisions in the Act or Regulations.

## Records

# Retention Periods

### Alberta

Updated: Mar 21, 2020

[Employment Standards Code - s. 15](#)

Employment records must be kept for at least **3 years** from the date the record was made.

### British Columbia

Updated: Mar 21, 2020

[Employment Standards Act - s. 28, 25](#)

**Payroll records** must be retained by the employer for **4 years** after the date on which the payroll records were created.

If an employer and the majority of the affected employees agree that the employees will clean their own special clothing and maintain it in a good state of repair, the employer must keep records of the agreement and the amounts reimbursed for **4 years**.

### Federal

Updated: Jun 02, 2022

[Canada Labour Code \(Part III\) - s. 252\(2\)](#)

For at least **36 months after termination** of an employee:

- the date of employment; and
- the date of termination of employee for each employee.

For at least **3 years after work is performed** by an employee:

- each employee's:
  - full name;
  - address;
  - Social Insurance Number;
  - occupational classification; and
  - sex
- the age of the employee if under 17;
- the wage rate, clearly indicating whether it is on an hourly, weekly, monthly or other basis, and the date and particulars of any change in the rate;
- where the wage rate is on a basis other than time or on a combined basis of time and some other basis, a clear indication of how the rate is calculated;
- the actual earnings, indicating the amounts paid each pay day, with a recording of amounts paid for overtime, vacation pay, general holiday pay, bereavement leave pay, termination pay and severance pay;
- the payments made each pay day after deductions, with clear details of the

- deductions made;
- the dates of commencement and termination of any job modification or reassignment of the employee and a copy of any notice provided by the employer concerning the job modification or reassignment;
- any general holiday or other holiday with pay granted to the employee, any notice of substitution of a general holiday required to be posted, and, for employees not subject to a collective agreement, proof of agreement for the substitution of a general holiday by at least 70 per cent of affected employees;
- when hours of work are averaged, any notice concerning the averaging of hours of work, details of any reductions in the standard and maximum hours of work and the number of hours for which the employee was entitled to be paid at the overtime rate of wages;
- the employer's pay periods;
- any notice of termination of employment or intention to terminate employment;
- any notice of a work schedule that is required to be posted, and proof of agreement to the work schedule by at least 70 per cent of the affected employees;
- the dates of commencement and termination, and of any interruption, of any leaves;
- a copy of any notice concerning the leave or any interruption of the leave;
- a copy of any medical certificate submitted by the employee in respect of the leave or interruption;
- the dates of any bereavement leave granted to an employee; and
- for a member of the reserve force who is granted leave,
  - the dates of commencement and termination of the leave and a copy of any notice concerning the leave,
  - a copy of any medical certificate submitted by the employee in respect of that leave,
  - a copy of any document provided, and
  - a copy of any notice issued.

For at least **3 years after the expiration of the employer's obligation** to return an employee to work after a work-related illness or injury:

- detailed reasons for an employee's absence due to work-related illness or injury;
- a copy of any certificate of a qualified health care practitioner indicating that the employee is fit to return to work; and
- the date the employee returned to work, or a copy of any notification from the employer to the employee and any trade union representing the employee that return to work was not reasonably practicable and the reasons why it was not.

For **36 months after the activity ceases**:

- any records required to be kept in respect of students in work-integrated learning.

**This provision is affected by the following amendment:**

[Regulations Amending Certain Regulations Made Under the Canada Labour Code: SOR/2022-41](#)  
 Introduction/Announcement: March 16, 2022  
 In Force: Effective as of June 2, 2022

**The following industries/occupations have special rules related to this provision**



## Students/Interns

[Canada Labour Code \(Part III\)](#)

[Standards for Work-Integrated Learning Activities Regulations - s. 4](#)

The records that an employer must keep in respect of student intern (see "General Employee Information" must be kept for **36 months** after the day on which the activities cease.

### Manitoba

Updated: Mar 21, 2020

[The Employment Standards Code - s. 135](#)

Records must be **retained for at least 3 years** after the record was made.

### New Brunswick

Updated: Mar 21, 2020

[Employment Standards Act - s. 60](#)

All records must be kept and maintained for **at least 36 months** after work is performed or service is provided.

Records must be kept within the province.

### Newfoundland and Labrador

Updated: Mar 21, 2020

[Labour Standards Act - s. 63\(2\)](#)

Records must be kept for **4 years** from the date of the last entry in the record respecting the employee.

### Nova Scotia

Updated: Mar 21, 2020

[Labour Standards Code - s. 15\(1\)](#)

All records must be kept and maintained for **at least 36 months** after the work was performed.

### Ontario

Updated: Apr 11, 2022

[Employment Standards Act, 2000 - s. 15\(5\), 15\(7\), 15\(8\), 15\(9\), 15.1\(5\), 15\(8.2\)](#)

## Retention Periods

Records must be kept for the following time periods:

**3 years** after the employee ceases to be employed:

- the employee's name and address; and
- the date on which the employee began employment.

### 3 years after the day or week to which the information relates:

- the dates and times that the employee worked:
- the dates and times that the employee worked overtime at each rate of pay, if the employee has two or more regular rates of pay for work performed for the employer and, in a work week, the employee worked overtime; and
- the number of hours the employee worked in each day and each week.

### 3 years after the information was given to the employee:

- the information contained in written statements given to the employee.

### 3 years after the day on which a leave expired:

- all documents related to the leave.

### 3 years after the last day on which work was performed under an agreement:

- all overtime agreements; and
- all averaging agreements.

### 3 years after the policy ceases to be in effect:

- copies of every written policy on disconnecting from work, where an employer is required to have such a policy; and
- copies of every written policy on electronic monitoring.

### 5 years after the record was made:

- all records regarding vacation time and vacation pay.

### This provision is affected by the following amendments:

#### [Bill 27, Working for Workers Act, 2021](#)

Introduction/Announcement: October 25, 2021

Royal Assent: December 2, 2021

In Force: On Royal Assent

#### [Bill 88, Working for Workers Act, 2022](#)

Introduction/Announcement: February 28, 2022

Royal Assent: April 11, 2022

In Force: On Royal Assent

#### [Bill 88, Working for Workers Act, 2022](#)

Introduction/Announcement: February 28, 2022

Royal Assent: April 11, 2022

In Force: To be proclaimed

Bill 88 enacts the *Digital Platform Workers' Rights Act, 2022*, which establishes new entitlements for workers who perform digital platform work. These new entitlements mirror certain employment standards requirements.

The records that an operator of a digital platform is required to keep must be:

- retained for 3 years after the worker's access to the digital platform is terminated; and
- must be readily available for inspection.

### The following industries/occupations have special rules related to this provision

#### Homeworker

[Employment Standards Act, 2000 - s. 15\(6\)](#)

3 years after a homeworkeer ceases to be employed:

- the homeworkeer's information may be deleted from the homeworkeers' register

## Temporary Help Agencies

[Employment Standards Act, 2000 - s. 74.4.1, 74.4.2](#)

### Temporary Help Agencies

The records of hours worked and copies of notices of termination of assignment that are required to be kept by temporary help agencies must be kept for:

- **3 years** after the day or week to which the information in the record relates.

A temporary help agency can retain these records themselves or arrange for someone else to retain the records.

The records must be readily available for inspection, even if the agency has arranged for someone else to retain them.

### Clients of Temporary Help Agencies

The records of hours worked that are required to be kept by clients of temporary help agencies must be kept for:

- **3 years** after the day or week to which the information in the record relates.

A client of a temporary help agency can retain these records themselves or arrange for someone else to retain the records.

The records must be readily available for inspection, even if the client has arranged for someone else to retain them.

## Prince Edward Island

Updated: Mar 21, 2020

[Employment Standards Act - s. 5.6](#)

Employer is to retain records for **at least 36 months** from the time work was performed.

## Quebec

Updated: Mar 21, 2020

[Act respecting labour standards](#)

[Regulation respecting a registration system or the keeping of a register - s. 2](#)

Records must be kept for **3 years**.

## Saskatchewan

Updated: Mar 21, 2020

[The Saskatchewan Employment Act - s. 2-38](#)

Employer must keep records of employment for the **most recent 5 years** of an employee's employment.

Where an employee has been **terminated**, the most recent 5 years of the employee's records must be **retained for at least 2 years** after the date of termination.

## Records

# Vacation

**Alberta**

Updated: Mar 21, 2020

[Employment Standards Code - s. 14](#)

An employer must keep an **up-to-date record** for each employee of each annual vacation, showing the date it started and finished and the period of employment in which the annual vacation was earned.

**British Columbia**

Updated: Mar 21, 2020

[Employment Standards Act - s. 28](#)

An employer must keep records of:

- the dates of the annual vacation taken by the employee, the amounts paid by the employer and the days and amounts owing; and
- how much money the employee has taken from the employee's time bank, how much remains, the amounts paid and dates taken.

**Federal**

Updated: Mar 21, 2020

[Canada Labour Code \(Part III\) - s. 252\(2\)](#)[Canada Labour Standards Regulations - s. 24, 264](#)

An employer must keep a record for each employee of:

- the dates of commencement and termination of annual vacations, and the year of employment related to each vacation;
- any written agreement to postpone or waive the employee's entitlement to annual vacation; and
- the notice provided to employees if the employer has determined its own "year of employment" for vacation purposes.

**Manitoba**

Updated: Mar 21, 2020

[The Employment Standards Code - s. 135](#)

An employer must keep a record of each annual vacation showing the date it begins and ends, the period of employment in which vacation is earned and the date and amount of vacation allowance paid.

**New Brunswick**

Updated: Mar 21, 2020

[Employment Standards Act - s. 60](#)

An employer must keep complete and accurate records for each employee regarding vacation taken or due and vacation pay that has been paid or is due.

## Newfoundland and Labrador

Updated: Mar 21, 2020

### [Labour Standards Act - s. 63\(1\)](#)

An employer must keep a record of information related to the employee's vacation. The record must include:

- annual vacation particulars of each employee showing:
  - the period taken; and
  - the date and amount of wages paid; and
- the date on which each rest period is given.

## Nova Scotia

Updated: Mar 21, 2020

### [Labour Standards Code - s. 15\(1\)](#)

An employer must keep and maintain at their principal place of business, records of the following:

- any period during which an employee was on vacation; and
- any vacation pay due or paid to an employee.

The records must be able to show whether or not the employer is in compliance with the Act.

## Ontario

Updated: Mar 21, 2020

### [Employment Standards Act, 2000 - s. 15.1](#)

An employer must keep a record of an employee's **entitlement to vacation time and vacation pay**, which includes the amount of:

- vacation time, if any, that the employee had earned since the start of employment but had not taken before the start of the vacation entitlement year;
- vacation time that the employee earned during the vacation entitlement year;
- vacation time, if any, taken by the employee during the vacation entitlement year;
- vacation time, if any, that the employee had earned since the start of employment but had not taken as of the end of the vacation entitlement year;
- vacation pay that the employee earned during the vacation entitlement year and how that amount was calculated;
- vacation pay paid to the employee during the vacation entitlement year; and
- wages on which the vacation pay was calculated and the period of time to which those wages relate.

If the employee has an **alternative vacation entitlement**, for each stub period the employer must record the amount of:

- vacation time that the employee earned during the stub period;
- vacation time, if any, that the employee took during the stub period;
- vacation time, if any, earned but not taken by the employee during the stub period;
- vacation pay that the employee earned during the stub period and how that amount was calculated;
- vacation pay paid to the employee during the stub period; and
- wages on which the vacation pay was calculated and the period of time to which those wages relate.

These records **must be made no later than** the later of:

- 7 days after the start of the next vacation entitlement year or the first vacation entitlement year, as the case may be; and
- the first pay day of the next vacation entitlement year or of the first vacation entitlement year, as the case may be.

## Prince Edward Island

Updated: Mar 21, 2020

### [Employment Standards Act - s. 5.6](#)

An employer must keep **complete and accurate records** regarding each employee's periods of vacation and vacation pay owed to employee.

## Quebec

Updated: Mar 21, 2020

### [Act respecting labour standards](#)

### [Regulation respecting a registration system or the keeping of a register - s. 1](#)

An employer must keep a register which includes **for each employee, and for each pay period**, the:

- reference year;
- duration of the annual vacation;
- departure date of the annual vacation with pay; and
- date on which the employee was entitled to a general holiday with pay or to another day of holiday, including the compensatory holidays for general holidays with pay.

## Saskatchewan

Updated: Mar 21, 2020

### [The Saskatchewan Employment Act - s. 2-38](#)

An employer must keep records indicating:

- the date on which the employee becomes entitled to vacation;
- the dates on which each vacation period is taken by the employee; and
- the amount paid to the employee with respect to each vacation to which the employee is entitled and the date of the payment.