

Individual Flex-time Agreements

Effective January 2012, an individual employee can request to enter into a written agreement with their employer to change the standard hours of work (8 hours per day and 40 hours per week). The purpose of these agreements is to help employees manage their work and personal life responsibilities.

What is an Individual Flex-time Agreement?

A written agreement made between an employee and employer to set up a schedule that is different from the standard hours of work (8 hours a day and 40 hours per week).

Who can request a Flex-time Agreement?

Only an employee can voluntarily request an agreement. That employee must regularly work at least 35 hours per week. ***An employer cannot use flex-time agreements as a condition of employment or force an employee to enter into an agreement.***

Can we choose any hours we want for the agreement?

No, agreements cannot allow employees to work more than:

- 10 hours per day
- 40 hours per week

The agreement can specify a different number of hours per day for each day of the week the employee works.

For example:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
8 hours	8 hours	10 hours	8 hours	6 hours		

Does it have to be a written agreement?

Yes, the agreement must be done in writing and clearly show: * The hours of work that were agreed to * That either the employer or employee can end the agreement by giving at least 2 weeks' notice (or less, if both agree). See the following link for a sample of an [Individual Flex-time Agreement](#).

Does Employment Standards need to see the agreement before the new schedule starts?

No, the employee and employer can write the agreement without permission from Employment Standards. But if there are problems, Employment Standards may terminate current agreements and not allow the employer to enter into agreements in the future.

Once the agreement has been signed, can changes be made?

Yes, an employee may ask for changes. The employer can agree to make occasional changes to the schedule as long as the agreed upon hours do not exceed 10 hours per day and 40 hours per week.

What if an employee works different hours every week?

An agreement can be made as long as the employee averages 35 hours per week over the last 6 month (approximate) period and will continue to work the same schedule.

Can an employer change all employees' standard hours of work?

The employer must apply to Employment Standards for an Averaging Permit. If approved, an averaging permit can change the schedule for the entire workplace or a group of employees. For more information, please follow the [Averaging Permit](#) link.

For more information contact Employment Standards:

Phone: 204-945-3352; or toll free in Canada 1-800-821-4307

Fax: 204-948-3046

E-mail: employmentstandards@gov.mb.ca

Website: www.manitoba.ca/labour/standards

This is a general overview and the information used is subject to change. For detailed information, please refer to current legislation including *The Employment Standards Code* and *The Worker Recruitment and Protection Act*, or contact Employment Standards to ask for advice.

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