



Employment Standards Act

Minimum Wage

Updated May 2023



Minimum Wage

The *Employment Standards Act* (the “Act”) sets minimum requires for when and how much employers must pay their employees for work. An employee’s pay is called their “wages.”

The following chart explains what is and what is not defined as wages under the Act.

WAGES	NOT WAGES
Any payment made by an employer to an employee in accordance with the terms of a contract for employment	Money paid at the discretion of the employer that is not related to hours of work, production, or efficiency
Any payment to be made by an employer to an employee in accordance with the Act	Damages awarded in a wrongful dismissal action
	Gratuities
	Travel expenses
	Other expenses

The Employment Standards Office can only address complaints about wages that fall within these parameters.

The Act prescribes how an employer pays their employees’ wages, including by hourly rate, by commission, piecework, or by salary.

The Act mandates that employers pay their employees at least the minimum wage. In 2021, the Employment Standards Board ordered that minimum wage increase by the annual increase of the Consumer Price Index for the preceding year every April 1. You can find the current rate here: <https://yukon.ca/en/find-minimum-wage-yukon>.



Use the formulas below to calculate your pay based on your employment:

Type of employment	Calculation of minimum wage
Hourly (and entitled to overtime pay)	$(\text{Standard Hours Worked} \times \text{Minimum Wage}) + (\text{Overtime Hours Worked} \times \text{Minimum Wage} \times 1.5) = \text{Minimum Wage Owing}$
Salary (and entitled to overtime pay)	$(\text{Standard Hours Worked} \times \text{Minimum Wage}) + (\text{Overtime Hours Worked} \times \text{Minimum Wage} \times 1.5) = \text{Minimum Wage Owing}$
Hourly (NOT entitled to overtime pay)*	$\text{Hours Worked} \times \text{Minimum Wage} = \text{Minimum Wage Owing}$
Salary (NOT entitled to overtime pay)*	$\text{Hours Worked} \times \text{Minimum Wage} = \text{Minimum Wage Owing}$
Domestics, farm workers and guides	If not paid on an hourly or piece work basis, the minimum wage is $\text{Hours Worked} \times \text{Minimum Wage}$ (Hours Worked cannot be greater than eight)
Piecework	$(\text{Standard Hours Worked} \times \text{Minimum Wage}) + (\text{Overtime Hours Worked} \times \text{Minimum Wage} \times 1.5) = \text{Minimum Wage Owing}$
Commission (whole or part of wages)	$(\text{Standard Hours Worked} \times \text{Minimum Wage}) + (\text{Overtime Hours Worked} \times \text{Minimum Wage} \times 1.5) = \text{Minimum Wage Owing}$ The employer must pay the difference between the Minimum Wage Owing and the commission paid (or commission + wages)
Taxi drivers	$(\text{Standard Hours Worked} \times \text{Minimum Wage}) + (\text{Overtime Hours Worked} \times \text{Minimum Wage} \times 1.5) = \text{Minimum Wage Owing}$ The employer must pay the difference between the Minimum Wage Owing and the commission paid (or commission + wages)

Sitters	Sitters are exempt from the Act and are not entitled to minimum wage
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* The following jobs are exempted from overtime:

- Managers;
- Guides;
- Outfitters;
- A person employed in staking, line cutting, geological mapping, geochemical sampling or testing, geophysical surveying, or manual stripping activities (other than a percussion drill or diamond drill operator or drill helper);
- A person employed exclusively as a watchman or caretaker, unless their employer is a private security agency;
- A farm worker; or
- A domestic.

For more information

This fact sheet is for guidance only. If anything in this document conflicts with the *Employment Standards Act*, the *Employment Standards Act* prevails.

For more information contact an Employment Standards Officer at 667-5944 or eso@yukon.ca.