

# Blakes Bulletin

## Labour & Employment

### Minimum Wage in Alberta Rises

BRIAN THIESSEN

On April 1, 2009, the general minimum wage in Alberta becomes C\$8.80 per hour. The Alberta government announced in June 2007 that the minimum wage would increase on April 1, 2009, based upon the average weekly wage. Accordingly, if the average weekly wage in Alberta increases year over year, the minimum wage increases by the same percentage as the average weekly wage. If Alberta's average weekly wage remains the same or decreases from one year to the next, the minimum wage remains the same.

#### MINIMUM WAGE IN ALBERTA

Minimum wage is the lowest rate an employer can pay an employee. Most employees are eligible for minimum wage, whether they work full-time, part-time or as seasonal employees. Employees who receive incentive-based pay or commission are also entitled to minimum wage and Alberta Employment Standards will calculate whether such an employee has received minimum wage by adding the employee's total wages during the employer's pay period and dividing that number by the total hours worked during the same pay period to determine if the average wage is in excess of the minimum wage.

Alberta's Employment Standards Regulation sets out three minimum wage rates:

- An hourly minimum wage for most employees;
- A weekly minimum wage for many salespersons and professionals; and
- A monthly minimum wage for domestic employees.

The weekly minimum wage for salespersons and professionals in Alberta also increases on April 1, 2009 to C\$352 per week.

Alberta's minimum monthly wage for domestic employees increases to C\$1,677 per month on April 1, 2009.

#### EXEMPT INDUSTRIES

The following industries are exempt from the minimum wage rules in Alberta:

- Farm or ranch employees whose employment is directly related to the primary production of: eggs, milk, grain, seeds, fruit, vegetables, honey, livestock, game-production animals, poultry, bees or cultured fish;
- Securities salespersons registered under the *Securities Act*;
- Real estate brokers authorized under the *Real Estate Act*;
- Insurance salespersons paid entirely by commission;
- Students in training courses approved by the Director of Employment Standards;
- Students in off-campus education programs provided under the *School Act*;
- Students in work experience programs approved by the Minister of Advanced Education and Technology or the Minister of Employment and Immigration;
- Counsellors or instructors at non-profit educational or recreational camps for children or disabled persons, or at non-profit religious camps; and
- Extras in a film or video production.

For more information with respect to compliance with your obligations regarding minimum wage, please contact a member of [Blakes Labour & Employment Group](#).

Go to [blakes.com/english/subscribe.asp](http://blakes.com/english/subscribe.asp) to subscribe to other Blakes Bulletins.

Blakes periodically provides materials on our services and developments in the law to interested persons. If you do not wish to receive further bulletins or other materials from Blakes, please contact Blakes Marketing Department at 416-863-3036 or [dorothy.byers@blakes.com](mailto:dorothy.byers@blakes.com). For additional information on our privacy practices, please contact us at [privacyofficer@blakes.com](mailto:privacyofficer@blakes.com). *Blakes Bulletin* is intended for informational purposes only and does not create a lawyer-client relationship. The transmission of this information does not suggest Blakes or any of its lawyers are practising law of any jurisdiction other than Canada. The information provided in this bulletin is summary in nature and does not constitute legal advice. We would be pleased to provide additional details or advice about specific situations if desired. For permission to reprint articles, please contact Blakes Marketing Department at 416-863-2403 or [lynn.spencer@blakes.com](mailto:lynn.spencer@blakes.com). ©2009 Blake, Cassels & Graydon LLP.