

Individual Flex-Time Agreements

Standard hours of work are generally 8 hours per day and 40 hours per week. Individual employees can ask their employer to enter into a written agreement to alter their daily standard hours of work. This agreement is intended to provide employees with greater flexibility and help them balance their work and personal life responsibilities.

What is an Individual Flextime Agreement?

Standard hours of work are normally 8 hours in a day and 40 hours per week. An individual flextime agreement is a written agreement made between an employee and employer to set up a schedule that establishes different standard hours of work. Any hours worked over the newly agreed-on standard hours are considered overtime and must be paid at 1 ½ times the employee’s regular wage rate. The employee must regularly work at least 35 hours per week to request an individual flextime agreement with the employer.

Who can request a Flextime Agreement?

Only employees who regularly work at least 35 hours per week can request an agreement. Employers cannot use flextime 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?

Employers and employees can agree to standard hours that vary from day to day, however, agreements cannot establish standard hours of work that exceed:

- 10 hours per day
- 40 hours per week

For example:

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

If the employee works more than the hours set out in the individual flex-time agreement, this is overtime and must be paid at 1 ½ times the employee's regular wage rate. See the [Overtime](#) fact sheet.

Does it have to be a written agreement?

Yes. The agreement must be done in writing and must clearly show the hours of work agreed upon. It must also specify that the agreement can be ended by either the employer or employee with at least 2 weeks' notice (or less, if both agree). Provided at the following link is a sample of an [Individual Flextime Agreement](#).

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

No. The employee and employer can make 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 averaged at least 35 hours of work per week over the last 6 month (approximate) period and will continue to do so.

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

A flextime agreement cannot be used to change all employees' standard hours of work. Employers must apply to Employment Standards for an [Averaging Permit](#) to change the standard hours of work for the entire workplace or a group of employees. For more information, see the [Averaging Permit](#) fact sheet.

For more information contact Employment Standards:

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

Fax: 204-948-3046

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, The Construction Industry Wages Act , The Worker Recruitment and Protection Act, or contact Employment Standards.

**Available in alternate formats
upon request.**

Date Published: April 14, 2020

[Close Window](#)

manitoba.ca | 1-866-MANITOBA