

## **POL-ADM.2018.28 Title: *Payment of Wages***



<b>Type:</b>	Human Resources
<b>Authority:</b>	CEO
<b>Resolution No:</b>	BMPL 2018-77 on 4-19-18; POL-ADM.2018.28
<b>Associated Documents:</b>	Employment Standards Act, S.O. 2000 Part 1 Ontario Health and Safety Act, RSO 1990, c.O.1
<b>Original Approval:</b>	4-19-2018
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### **Legal Framework**

The BMPL is subject to the Employment Standards Act, S.O. 2000 and all subsequent versions of the Act. The Act clearly defines the amount and methods by which wages will be calculated, deductions will be made, as well as how the records will be retained and provided to the Employee.

#### **ADM.2018.28.1 Payment of Wages**

1. The employer shall establish a recurring pay period and a recurring pay day, and shall pay all wages earned during each pay period, other than accrued vacation pay, no later than the pay day for that period.
  - 1.1. The CEO, or designated payroll officer/department, is responsible for processing all salary and remuneration on a bi-weekly schedule.
  - 1.2. The weekly schedule opens on a Monday and closes on a Sunday. Employees are required to complete a timesheet daily, and to submit their timesheet on a bi-weekly basis to their direct supervisor for review and approval, and to the CEO for processing. It is the responsibility of the employee to ensure the CEO has received the timesheet by the deadline in order to have remuneration made according to the schedule.
  - 1.3. The CEO will process all timesheets and remuneration requests on alternate Fridays, and will submit approved records to payroll for payment.
  - 1.4. Any hours scheduled for the immediately following Saturday and Sunday will be identified as worked, and will be reviewed for accuracy no later Monday morning. Any discrepancies will be addressed immediately and the payroll will be amended accordingly.
  - 1.5. All payroll will be released as an electronic funds transfer (EFT) no later than Thursday at 4:00pm and only in the name of the employee.

#### **ADM.2018.28.2 Statement of Wages**

1. On or before an employee's pay day, BMPL shall e-mail the written statement of wages to the employee setting out:
  - 1.1. The pay period for which the wages are being paid;
  - 1.2. The wage rate;
  - 1.3. The gross amount of wages, and how that amount was calculated;
  - 1.4. The amount and purpose of each deduction from wages; and

- 1.5. The net amount of wages being paid to the employee.
2. BMPL may not charge for any personal printing of the Statement of Wages.

### **ADM.2018.28.3 Upon Termination of Employment**

1. Upon termination of employment, the employer shall pay any wages to which the employee is entitled no later than the day that would have been the employee's next regular pay day.
2. Should the employee not return property of the BMPL prior to that date, the employer may withhold the release of funds pending the return of the employer's property (e.g. keys, cell phones, laptops or technology) providing the Employee and Employer have completed a signed statement including:
  - 2.1. The item(s) not returned;
  - 2.2. The amount to be deducted in lieu of return;
  - 2.3. The date or pay period when the amount will be deducted (e.g. final pay period).
3. On or before the day on which the employer is required to pay wages, the employer shall provide the employee with a written statement setting out:
  - 3.1. The gross amount of any termination pay being paid to the employee;
  - 3.2. The gross amount of any vacation pay being paid to the employee;
  - 3.3. The wage rate;
  - 3.4. The gross amount of wages;
  - 3.5. The amount and purpose of each deduction from wages; and
  - 3.6. The net amount of wages being paid to the employee.
4. Should the employee have additional deductions or withholdings for owed hours, advances, or pending return of BMPL property, these deductions or withholdings will be clearly spelled out with any options to expedite payment release.
5. Any payments In Lieu of Notice or Severance payments shall be made to the employee in accordance with the Termination & Severance Policy.

### **ADM.2018.28.4 Deduction of Employee Wages**

The BMPL will not withhold wages payable to an employee, nor make a deduction from an employee's wages or cause the employee to return wages, unless authorized by:

1. Statute or court order: BMPL may withhold or make a deduction from an employee's wages if authorized by a court order or by provincial or federal statute.
2. The Employee: BMPL may withhold or make a deduction from an employee's wages with the employee's written authorization.

#### **ADM.2018.28.5 Priority of Claims**

1. Despite any other Act, wages shall have priority over and be paid before the claims and rights of all other unsecured creditors of an employer, to the extent of \$10,000 per employee.
2. Exception: Subsection (1.1) above does not apply with respect to a distribution made under the *Bankruptcy and Insolvency Act* (Canada), or other legislation enacted by the Parliament of Canada respecting bankruptcy or insolvency.