

PART II

REVISED REGULATIONS OF SASKATCHEWAN

SASKATCHEWAN REGULATIONS 8/97

The Labour Standards Act

Section 84

Order in Council 38/97, dated January 28, 1997

(Filed January 28, 1997)

Title

1 These regulations may be cited as *The Labour Standards Amendment Regulations, 1997*.

R.R.S. c.L-1 Reg 5 amended

2 *The Labour Standards Regulations, 1995* are amended in the manner set forth in these regulations.

Section 2 amended

3 Subsection 2(1) is amended:

(a) by adding the following clause after clause (b):

“(b.1) ‘**care provider**’ means an employee who provides services in the private residence of the employer or a private residence of a member of the employer’s immediate family that relate to the provision of care and supervision of a person who is a member of the immediate family of the employer”;

(b) by repealing clause (d) and substituting the following:

“(d) ‘**domestic worker**’ means an employee who provides services in the private residence of the employer that relate to the management and operation of that residence”;

(c) by adding the following clauses after clause (f):

“(f.1) ‘**immediate family**’ means:

- (i) a spouse of an employer;
- (ii) a parent, grandparent, child, brother or sister of an employer; or
- (iii) a parent, grandparent, child, brother or sister of the spouse of an employer;

“(f.2) ‘**live-in care provider**’ means a care provider who resides in the private residence in which he or she provides the services described in clause (b.1);

“(f.3) ‘**live-in domestic worker**’ means a domestic worker who resides in the private residence in which he or she provides the services described in clause (d)”; **and**

(d) by repealing subclause (l)(v) and substituting the following:

“(v) a care provider”.

Section 3 amended

4 Subsection 3(1) is repealed.

Section 7 amended

5 Subsection 7(2) is amended by adding the following clause after clause (e):

“(f) employees who are care providers, other than live-in care providers”.

New section 12

6 Section 12 is repealed and the following substituted:

“Period of rest - live-in care providers and live-in domestic workers

12(1) Section 13 of the Act does not apply to:

- (a) live-in care providers; or
- (b) live-in domestic workers.

(2) An employer of an employee who is a live-in care provider or a live-in domestic worker shall grant to the employee a rest period of two consecutive days in every seven days, at a time that is mutually acceptable to the employer and the employee”.

Section 13 amended

7 Section 13 is amended:

- (a) by renumbering it as subsection 13(1); and
- (b) by adding the following subsections after subsection (1):

“(2) Subject to subsection (3), Part II of the Act does not apply to:

- (a) care providers; or
- (b) live-in domestic workers.

“(3) The minimum wage established pursuant to Part II of the Act applies for the first eight hours worked in one day by a live-in care provider or a live-in domestic worker”.

Section 14 amended

8 Section 14 is amended by striking out “domestic worker” wherever it appears and in each case substituting “live-in care provider or live-in domestic worker”.

New section 21.1

9 The following section is added before section 22:

“Exemption from sections 43 and 44 of Act - care-providers

21.1 Sections 43 and 44 of the Act do not apply to employees who are care providers, other than live-in care providers”.

Coming into force

10 These regulations come into force on the day on which they are filed with the Registrar of Regulations.