



Averaging Hours Agreement Form

The nature of my Employer's business requires flexible working hours and I may be required to work more than _____ (typically 8) hours in a day and more than forty-four (44) hours in a work week from time to time.

According to the *Employment Standards Act* s.22 (2)(a) and (3), an Employer must have a written agreement with an Employee to average hours of work.

The Employee understands that he/she has the right under the *Employment Standards Act 2000* to have his/her overtime pay calculated on a weekly basis and payable for all hours worked after 44 hours. The benefits of averaging hours of work include providing maximum flexibility.

For the purposes of determining my overtime pay entitlement, I agree that my Employer, Company XYZ inc., may average the hours I work over a period of _____ (choose between 2 to 4 weeks) weeks, beginning on _____ (insert date) and ending on _____ (insert date).

Under this agreement I will only qualify for overtime pay if the average hours per week during the averaging period exceeds the Ontario provincial threshold of forty-four (44) hours per week for overtime.

The agreement can be no longer than two years from the start date and cannot be canceled unless both you and your employer agree.

I acknowledge that:

- This agreement comes into effect on _____ and expires on _____
- My employer has provided me with a copy of the [Information Sheet on Hours of Work](#), which the Employer has represented as the most recent version, published by the Director of Employment Standards, on my rights and responsibilities regarding hours of work and overtime pay;
- My agreement is being given voluntarily, without coercion by my Employer;
- My employer or I cannot revoke this agreement before its expiry date (no longer than two years), unless both parties agree in writing or electronically to revoke it.

Name: _____

Employee's Signature: _____

Date: _____