

Minimum Wage Rate for Liquor Servers

As of May 1, 2011 there is a separate minimum wage for employees who serve liquor. The rate is set to increase twice over the following year as follows:

May 1, 2011 – \$8.50 per hour;
November 1, 2011 – \$8.75 per hour;
May 1, 2012 – \$9.00 per hour.

This rate applies **only** to employees whose employment duties include serving liquor directly to customers, guests, members or patrons in premises for which a licence has been issued under the *Liquor Control and Licensing Act*.

A “liquor server” means an employee

- whose primary duties are as a server of food or drink or both, and
- who, as a regular part of his or her employment, serves liquor directly to customers, guests, members, or patrons in premises for which a license to sell liquor has

been issued under the *Liquor Control and Licensing Act*.

If an employee’s employment duties include serving food and drink but **not** liquor, then the liquor server minimum wage rate does not apply. Instead, the regular minimum wage rate applies (See *Minimum Wage* factsheet). This may include a server in unlicensed premises, or a server in licensed premises who does not work shifts during the hours where liquor may be served.

The liquor server minimum wage rate does not apply to employees whose employment duties do not involve serving liquor directly to customers. Employees such as host/hostess, busser, dishwasher, or other workers in the kitchen are not liquor servers and must be paid the regular minimum wage. If one of these employees is occasionally required to serve liquor, the regular minimum wage rate would still apply to them.

Questions and Answers

Q: I am a hostess in a restaurant. My primary duties are greeting guests and taking them to their table and providing them with their menus. Does the minimum wage rate for liquor servers apply to me?

A: No, in order to be covered by the liquor server minimum wage rate, you must be a server who serves liquor as part of your job duties.

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Q: I work in a licensed restaurant as a server and as part of my duties I am required to serve liquor. Which wage rate applies to me?

A: If your job duties include serving liquor directly to customers then the wage for liquor servers applies to you.

Q: I work only the breakfast shift at a restaurant which has a liquor licence, but I do not actually serve liquor during my shift. Does the wage rate for liquor servers apply?

A: No. As you do not serve liquor as part of your employment duties the regular minimum wage rate would apply to you.

Q: I am a bartender in a pub style restaurant. Does the new liquor server minimum wage rate apply to me?

A: If there is bar seating where you are serving liquor directly to customers then you would be considered to be a liquor server and the new rate would apply to you. If you only mix or pour liquor that is then delivered to customers by a server then the regular minimum wage rate would apply to you.

Q: I work as a server on rotating shifts such that sometimes I work during the morning, but also work the lunch and dinner hours. While I generally never serve liquor on the morning shift my duties do involve serving liquor when I work the lunch and dinner periods. Does my wage rate change depending on what shift I'm working?

A: Part of your regular employment duties includes serving liquor, even though you do not do so every shift; therefore the liquor server wage rate would apply to you. The liquor server wage rate applies to your whole employment relationship and does not change from shift to shift.

Q: I serve liquor and earn more than the new liquor server minimum wage rate. Am I entitled to an increase?

A: The liquor server wage rate is a minimum and as long as the employer is currently paying you at least that rate or more then there would be no requirement for them to increase your wage.

Q: Are employees who sell liquor to customers in cold beer and wine stores or private liquor stores covered by the liquor server wage rate?

A: No. Employees working in these establishments are selling liquor for offsite consumption and are not liquor servers.