

## **Human Resources Policy 18 - Statutory Holidays - Excluded Employees**

Last updated April 12, 2016

### **POLICY**

An auxiliary employee who works the day before and the day after a designated statutory holiday, or who has worked 15 of the previous 30 calendar days, shall be compensated for the holiday.

### **APPLICATION**

Excluded auxiliary employees appointed pursuant to the Public Service Act, not covered by the provisions of a Collective Agreement (except salaried physicians).

### **ENTITLEMENTS**

1. Designated statutory holidays are as follows:

**a)**

- New Year's Day
- Family Day (beginning in 2013)
- Good Friday
- Easter Monday
- Victoria Day
- Canada Day
- B.C. Day
- Labour Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day
- Boxing Day

**b)** Any other day designated as a statutory holiday for public service employees in the locality in which the employee is working shall also be a statutory holiday for purposes of this policy.

**2.** Auxiliary employees who are entitled to be paid for the designated statutory holiday (or lieu day, if applicable), shall receive compensation on the following basis:

**a)** Full-time auxiliary employees are entitled to a regular designated statutory holiday or lieu day at their regular rate of pay.

**b)** Part-time auxiliary employees are entitled to a pro-rated regular day's pay for the designated statutory holiday (not to exceed 7 hours) or lieu day (i.e. a proportionate part of the full day's pay based on the portion of time worked by the employee).

Example: An employee who works 3 1/2 hours every day is entitled to compensation equivalent to 3-1/2 hours for the designated paid holiday.

**c)** Part-time auxiliary employees whose hours of work differ from day-to-day will receive a pro-rated entitlement equivalent to the fraction of actual straight time worked compared to the normal full-time work for the same period within the 30 calendar day period immediately preceding the designated statutory holiday (not to exceed 7 hours).

Example: An employee who works different shifts (i.e. 4 hours, 7 hours, 5 hours), as an on-call employee, would be entitled to compensation as follows:

**i)** add up total straight time hours worked by the auxiliary employee in the previous 30 calendar day period;

**ii)** divide it by the number of working days in the 30 calendar day period X 7.

e.g.: Total straight time hours worked is 105; divided by 140 (20 days X 7) = .75 of a day's compensation for full time.

**3.** An auxiliary employee who works the designated statutory holiday and who has worked 15 of the previous 30 days shall receive the same compensation as a regular employee. For schedule "A" auxiliary employees, this will be as outlined in the Overtime Compensation Policy, V3-C-3. For auxiliary employees in open-range positions, this will be their regular rate of pay; these employees shall also be entitled to another paid day off in lieu.

**4.** Schedule "A" auxiliary employees who do not meet the provisions of the policy statement, and auxiliary employees in open-range positions, who work on a designated statutory holiday, will receive straight time only for hours worked on the holiday.

## **CONDITIONS**

- 1.** An auxiliary employee who has not worked the day before or the day after the designated statutory holiday nor 15 of the previous 30 calendar days is not entitled to be compensated for the holiday.
- 2.** An auxiliary employee who commences work after a designated paid holiday is not entitled to payment for the holiday.
- 3.** An auxiliary employee who is on lay-off status over a holiday period and who qualifies under the provisions of this policy is entitled to compensation for that holiday.
- 4.** An auxiliary employee who is not on lay-off status, or resigns or is terminated for cause prior to the designated holiday is not entitled to payment for that holiday.