



This factsheet has been prepared for general information purposes. It is not a legal document. Please refer to the *Employment Standards Act* and Regulation for purposes of interpretation and application of the law.

July 2016

Fish Farm Employees

In British Columbia there are employment standards regulations that apply specifically to employees who work on fish farms that produce fin fish.

Minimum Wage

Fish farm workers, whether they are paid hourly, by salary or by any other method, must be paid at least the minimum wage.

Paying wages

Wages must be paid at least twice a month.

Wages must be paid within eight days of the end of the pay period.

Overtime

There are different overtime provisions depending on whether or not the employee is required to work at the site on a 24-hour live-in basis.

Non live-in fish farm workers: Fish farm workers who work at least 35 hours per week on average are not paid extra for overtime but must be paid at straight time for all hours worked.

Hours can be averaged over one to eight weeks as long as the averaging period is specified before the work begins.

Live-in fish farm workers: If an employee is required to work at a fish farm site on a 24-hour live-in

basis, the employee must be paid at least 1½ times their regular wage for all hours worked in excess of 40 hours in a week.

Hours can be averaged over one to eight weeks as long as the averaging period is specified before the work begins

Banking overtime

Fish farm workers can bank their overtime and take time off with pay. All banked overtime must be used within six months of being earned. After six months the employer must pay out any unused overtime as wages.

Overtime is taken out of the “time bank” at the rate it was earned. For example, if two hours are banked at time and a half, the employee is entitled to take three hours off with pay.

Rest periods

If an employee works at a fish farm site on a 24-hour live-in basis, she or he must have at least 12 hours scheduled rest in each 24-hour period.

The employee must have at least 8 hours in a row in a rest period.

If a scheduled rest period is interrupted because the employee is required to work, the employee must be paid for at least two hours at:

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- 1½ times their regular rate of pay if the employee works less than 12 hours that day.*
- 2 times the regular rate of pay if the employee works more than 12 hours that day.*
- * This applies for each interruption of a rest period even if the interruption doesn't result in the employee working for two hours.

Vacation pay

Fish farm workers are entitled to:

- Two weeks vacation after one year of employment and three weeks vacation after five consecutive years of employment.
- Vacation pay of four percent of total yearly earnings after completion of one year of employment and six percent of total yearly earnings after five years of employment. (See *Annual Vacation* factsheet.)

If employment terminates before one year, a fish farm worker is entitled to a vacation payout of four percent of gross earnings.

Statutory Holidays

On statutory holidays, fish farm worker are entitled to either a day off with pay or premium pay plus an average days' pay if they work the holiday. (See *Statutory Holidays* factsheet.)

Wage statements

On paydays, an employer must give each employee a written wage statement that includes the following information:

- The employer's name and address;
 - The number of hours worked;
 - The employee's wage rate, whether hourly, salary, flat rate, piece rate, commission or other incentive basis;
 - The employee's overtime rate(s);
 - Any hours worked at the over time rate(s);
 - Any money, allowance or other payment the employee is entitled to;
 - The amount and purpose of each deduction;
 - How the employee's earnings are calculated if the employee is paid other than by the hour or by the salary; and
 - The employee's gross and net wages, and any amounts withdrawn from the employee's time bank and how much remains.
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