

## Terms & Conditions for Excluded Employees & Appointees Part 07 - Statutory Holidays

Last updated April 12, 2016

### 40. Designated statutory holidays in British Columbia: All employees / appointees except OIC category D

1. Designated statutory holidays for employees/appointees in British Columbia are:

New Year's Day	Labour Day
Good Friday	Thanksgiving Day
Easter Monday	Remembrance Day
Victoria Day	Christmas Day
Canada Day	Boxing Day
British Columbia Day	Family Day

2. Any other day designated as a holiday for public service employees in the locality in which the employee/appointee is working shall also be a paid holiday.

### 41. Designated statutory holidays falling on Saturday or Sunday: All employees / appointees except OIC category D

1. For an employee/appointee whose work week is from Monday to Friday, when any of the above-noted designated statutory holidays fall on a Saturday and it is not proclaimed as being observed on some other day, the following Monday shall be deemed to be the holiday. When a designated statutory holiday falls on a Sunday and it is not proclaimed as being observed on some other day, the following Monday (or Tuesday if Monday has already been designated a statutory holiday) shall be deemed to be the holiday.
2. Where there is a work dependency between employees/appointees and private sector employees, subsection (1) may be varied.

## **42. Designated statutory holiday entitlement**

### **42.1 Designated statutory holiday entitlements: Auxiliary employees and statutory term**

1. A statutory term or auxiliary employee shall be entitled to the designated statutory holiday off at straight time compensation where:
  1. The employee works the day before and the day after the designated statutory holiday, or
  2. The employee works 15 of the 30 days preceding the designated statutory holiday, or
  3. The employee works at least 105 hours at the straight time rate in the previous 30 days.
  4. This section does not apply to employees who have been terminated.
2. An auxiliary employee who is qualified under subsection (1) to receive compensation for the paid holiday but does not work on the paid holiday shall receive compensation for the day based on the following formula: straight time hours paid in the previous 30 calendar days divided by the straight time hours of work of a full-time employee for the same 30 calendar day period multiplied by the hourly rate multiplied by 7.
3. An employee who qualifies under subsection (1) and who works on a designated statutory holiday shall be entitled to the compensation specified in section 42.2(2) and (3). The day off in lieu provided under section 42.2 (2) and (3) will be compensated on the basis of the formula in 42.1(2).
4. An employee who works on the designated holiday but does not meet the conditions of subsection (1) above shall receive straight time for hours worked on the holiday.

### **42.2 Designated statutory holiday entitlements: Regular Schedule A, OIC Category B**

1. An employee/appointee is entitled to the designated statutory holiday off at straight time compensation.
2. An employee/appointee who works on a designated holiday which is a scheduled work day shall be compensated at the rate of double time for hours worked plus a day off in lieu of the holiday, except for Christmas and New Year's, when the compensation shall be at the rate of double time and one-half for hours worked, plus a day off in lieu of the holiday. Compensation will be in cash only.
3. Where the lieu day is built into the annual work schedule, no additional lieu day is required.

### **42.3 Designated statutory holiday entitlements: Regular management, OIC categories A and C**

An employee/appointee is entitled to the designated statutory holiday off at straight time compensation. Where an employee/appointee works on a designated statutory holiday, they will be entitled to another paid day off in lieu.

#### **42.4 Designated statutory holiday entitlements: Regular management, OIC Categories A and C working less than full time**

An employee/appointee working less than full time is entitled to receive statutory holiday pay as follows:

1. An employee/appointee working a set schedule of less than full time, who works or earns wages for at least 15 of the previous 30 days prior to the statutory holiday, will receive the same amount of pay as if the employee/appointee had worked regular hours on the day off. The calculation of pay will not be pro-rated based on hours worked.
2. An employee/appointee working a set schedule of less than full time, who works or earns wages on fewer than 15 of the previous 30 days prior to the statutory holiday, will receive pro-rated statutory holiday compensation based on hours worked.
3. An employee/appointee working a fluctuating schedule will receive pro-rated statutory holiday pay based on hours worked regardless of which day the statutory holiday falls.
4. The entitlement as set out in subsections (1), (2) and (3) above applies when a temporary assignment start date and end date encompass a statutory holiday.

As an alternative to receiving statutory holiday pay, an employee/appointee may be provided with time off in lieu.