



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.

March 2017

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; within eight days after 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 request that their employer open a time bank for their overtime. Overtime is banked at the rate it is earned. For example, if two hours are worked at time and a half, the employer will credit three hours to the employee's time bank. For more information on time banks, see the *Hours of Work and Overtime* factsheet.

Rest periods

If an employee works at a fish farm site on a 24-hour live-in basis, she or he must have a rest period of at least 8 consecutive hours and a total of at least 12 hours rest in each 24-hour period.

If a rest period is interrupted because the employee is required to work, the employee must be paid for at least two hours, or the actual time worked, **whichever is greater**, at the following rates of pay:

- 1½ times the 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.

Continued ...



Vacation

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. For more information, see the *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 on the holiday. For more information, see the *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 overtime 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.
-