



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

## Statutory Holidays

There are ten statutory holidays in British Columbia:

- New Years Day;
- Family Day;
- Good Friday;
- Victoria Day;
- Canada Day;
- B.C. Day;
- Labour Day;
- Thanksgiving Day;
- Remembrance Day; and
- Christmas Day.

Easter Sunday, Easter Monday and Boxing Day are not statutory holidays.

### Eligibility

To be eligible for statutory holiday pay an employee must have:

- been employed for 30 calendar days before the statutory holiday; and
- worked or earned wages on 15 of the 30 days before the statutory holiday.

Employees who work under an averaging agreement or a variance at any time in the 30 days before the holiday do not have to meet the 15-day requirement.

### No pay for ineligible employees

An employee who is not eligible for statutory holiday pay is not entitled to be paid an average day's pay. If an ineligible employee works on a statutory holiday he or she may be paid as if it were a regular work day.

### Exclusions

Specific regulations exclude certain groups such as managers, agriculture workers, some commission salespersons, and high technology professionals from the statutory holiday provisions of the Act. Please see the factsheets relating to these groups.

### Statutory holiday on a day off

When an employee is given a day off on a statutory holiday, or it falls on a regular day off, an eligible employee is entitled to be paid an average day's pay.

An average day's pay is calculated by dividing "total wages" earned in the 30 calendar days before the statutory holiday by the number of days worked. Vacation days taken during this period count as days worked.

"Total wages" includes wages, commissions, statutory holiday pay and vacation pay but does not include overtime pay.

### Working on a statutory holiday

An eligible employee who works on a statutory holiday is entitled to be paid:

- time-and-a-half for the first 12 hours worked and double-time for any work over 12 hours; plus
- an average day's pay.

### Substituting statutory holidays

An employer and a majority of employees can agree to substitute another day off for a statutory holiday. The Act and Regulation apply to the substitute day as if it were the statutory holiday.

