TIPS
Employers can collect tips and distribute them to all employees who shared in earning them. Employers cannot withhold tips or have employees give the tips to them unless they're required to do so by law (e.g. a court order to garnish wages).
Employers can only take a share of tips if they regularly do the same or similar work as the employee whose tips they share.

MINIMUM DAILY PAY
An employer who reports for work must be paid for at least two hours, even if they work less than two hours. If the employer is scheduled for more than eight hours, they must be paid for at least eight hours.
If work stops for a reason beyond the employer’s control, the employer must pay their minimum daily pay or the actual time worked, whichever is longer. An employer is only paid for time actually worked.
• They are on call to work.
• They do not meet WorkSafeBC health and safety regulations.

MEAL BREAKS
A 30-minute meal break must be provided when an employee works more than five hours in a row. Employers are not required to provide coffee breaks.
An employer must pay the employee for their time if they're required to work (or be available to work) during their meal break.

PAY DAYS & PAYROLL RECORDS
Employers must be paid at least twice a month. Pay periods cannot be longer than 16 days.
All wages earned, including overtime and statutory holiday pay, must be paid within eight days after the end of the pay period. Employers must provide an pay stub (wage statement) every pay day. It should include:
• The employer’s name and address.
• The hours worked by the employee.
• The employee’s wage rate and how the wages were calculated (e.g. hourly, salary, flat or piece rate, commission, or other incentive basis)
• The employer’s overtime rates.
• The hours worked at overtime rates.
• Any money, allowance or other payment the employee is entitled to (e.g. vacation pay or statutory holiday pay)
• The employee’s gross and net wages.
• Any amounts withheld from the employee’s time bank and for how much time remains.
• The employee’s wage rates and how the wages were calculated.
• The amount and purpose of each deduction
Employers must keep payroll records for each employee for four years.

OVERTIME
Employers must pay time-and-a-half for any time worked over eight hours in a day, up to 12 hours. Employers double pay for any time worked over 12 hours in a day.
Employers pay time-and-a-half for any time worked over 40 hours in a week, counting only the first 40 hours worked each 4-week.
An employee can make a written request to bank overtime hours instead of being paid for during the pay period when they’re earned. Hours need to be banked based on the overtime rate they were earned at. Later on, the employer can ask for:
• Put all of the wages in the time bank to be paid out.
• Time off with pay for a period agreed upon by the employee and employer.

Averaging Agreements
An employer and an employee can agree to average work weeks over two, three, or four weeks. Averaging agreements must be:
• Agreed to before they start.
• In writing.
• Specify a start and end date.
Employees are paid overtime for work more than their regular schedule:
• They are paid time-and-a-half when they work more than eight hours in a day if the extra hours are more than their regular schedule.
• Or
• They are paid time-and-a-half for any time worked over 48 hours in a week during the averaged averaging period (e.g. 40 hours averaged over two weeks).

UNIFORMS & SPECIAL CLOTHING
If employers require a uniform or special clothing, they must provide them to employees at cost. They must also pay to clean and maintain these items or agree to reimburse employees for doing it. They cannot charge employees a deposit for uniforms to make sure they are returned. Special clothing is any item that creates a specific image, including items:
• Chosen by the employer.
• Purchased from a specific store, including garments the business is selling.
• In a specific brand or style.
• With a company logo or unique company colors.

Employees do not have to pay to buy uniforms to wear a general dress code for example: business casual, no jeans, no cut-offs, or a white shirt with dark pants.

Employees must purchase their own:
• Clothing needed for protection against the elements.
• General purpose work shoes.

- Appropriate footwear including safety footwear.
- Safety hard hat.

These items are only considered special clothing or uniforms if the employees wear them with the employer (e.g. a company logo).

DEDUCTIONS
An employer is required by law to make deductions from employee wages, for example:
• Interest tax.
• Employment Insurance premiums (EI).
• Canada Pension Plan contributions (CPP).
• A court order to garnish wages.
If an employer agrees to victimize, other wage deductions can also include:
• Medical premiums.
• Repayment of unpaid advances or purchases made from an employer.
• Personal employer incentives.

It's illegal to make employers pay for business expenses – even if they agree to do it. This includes deducting expenses because company property was stolen or damaged, or a customer left without paying.

STANDARD HOLIDAYS
The following are statutory holidays in British Columbia:
• New Year’s Day
• Family Day
• Good Friday
• Victoria Day
• Canada Day
• R.C.D.
• Labour Day
• Thanksgiving Day
• Remembrance Day
• Christmas Day
• Good Friday
• Canada Day
• July 1, 2020 (Victoria Day)
• June 27, 2020 (Canada Day)
• July 1, 2020 (Family Day)
• July 27, 2020 (R.C.D.)
• July 1, 2020 (Labour Day)
• October 12, 2020 (Thanksgiving Day)
• November 11, 2020 (Remembrance Day)
• December 25, 2020 (Christmas Day)

ANNUAL VACATION
Vacation time after one year of employment, employers can take up to two weeks per year of service. After working for five consecutive years the same employer, employees can take three weeks off.
Vacation time must be taken within 12 months of earning it. That means employees earn vacation during their first year of employment and use it during the following year.
Vacation time is in periods of one or more weeks. Employers can ask to take one or two days off at a time – it’s up to an employer whether or not they want to approve this type of vacation.
Employers cannot require employees to take vacations in periods of less than one week at a time.
Vacation pay is at least 4% of an employee’s total wages. Vacation pay includes 4% per hour an employee has worked for the same employer for the preceding year.
Vacation pay is calculated on all wages earned from the first day an employee starts employment. It’s considered part of an employee’s total wages for the year. Vacation pay is not paid employees who work for the calendar year before.
Vacation pay must be paid at least seven days before an employee starts their annual vacation. If an employer agrees and employee in writing, employees can take vacation pay on any pay cheque. If employment ends, all outstanding vacation pay must be paid to an employee’s final pay cheque – even if they worked less than one year.

COMPENSATION FOR LENGTH OF SERVICE
When employment ends, employees are required to give employees written vacation notice or an equal amount of pay called compensation for length of service. It is not required:
• If an employee works less than three months.
• If an employee quits, retires or is terminated for cause.
• Any guarantee of written notice or pay in the event an employer has been employed.

Before working for three months – one week of notice and/or pay.

After working for one year – two weeks of notice and/or pay.

After working for three years – three weeks of notice and/or pay. One week for each additional year of employment (to a maximum of 8 weeks).
Additional notice is required if 50 or more employees are terminated at the same location within a two-month period.

LEAVES FROM WORK
Employees are entitled to take an unpaid leave of absence for specific reasons. Before taking a leave, they need to let their employer know when and why they expect to take the leave. Employers cannot end employment or change a condition of employment because of a leave set out below – unless they get written consent from the employee.

Maternity leave: A pregnant employee may take up to 17 consecutive weeks. This leave may be extended by up to six weeks.

Parental leave: A maternity leave or a pregnancy leave can last to up to 61 weeks. Parents can’t take more than six weeks. The leave can begin at any time within 70 weeks of a baby being born or a child being placed. It may be extended by up to 52 weeks.

Family responsibility leave: An employee can take up to five days in each employment year to attend to the care, health or education of a child under the age of 19 of their care. They can use this type of leave to attend to the care of any other member of their immediate family.

Personal illness or injury leave: After six years of employment, an employee can take up to three days each year if they can’t work due to personal illness or injury.

Compensation care leave: An employee can take up to 32 weeks in a 52-week period to provide care for a family member who is terminally ill or at risk of death within 26 weeks. A medical certificate is required.

Bereavement leave: An employee can take up to three days if an immediate family member dies.

Jury duty: An employee can take leave to attend court as a juror.

Reservist leave: An employee who is a reservist for the Canadian Forces is entitled to 20-days of unpaid leave in a calendar year to participate in specific duties.

Leave respecting disappearance or death of a child: An employee can take up to 52 weeks if their child disappears and up to 104 weeks for the death of their child.

Critical illness and injury leave: An employee can take 36 weeks to care for a child under 18 years to 16 weeks to care for a family member over the age of 19. A medical certificate is required.

Leave respecting domestic or sexual violence: An employee can take up to 52 weeks of paid leave and 3 more weeks of unpaid leave per calendar year if they are impacted by domestic or sexual violence, plus additional time if necessary.

TEMPORARY FOREIGN WORKERS
Temporary foreign workers are covered by the Employment Standards Act and are entitled to all its protections. In addition, many foreign workers have additional protections under the Temporary Foreign Worker Protection Act.

The law in B.C. sets standards for payment, compensation and working conditions in most workplaces. For more information, please contact the Employment Standards Branch.

Tel/Fax: 1-833-234-1700 | gosbc.ca/EmployerStandards

MINIMUM WAGE
Employees must be paid at least minimum wage regardless of:
• How they are paid – hourly, salary, commissions or other incentive basis.
• Their status – full-time, part-time, temporary or permanent.

The minimum wage in B.C. is as follows:
• June 1, 2018: $12.05 per hour
• June 1, 2019: $13.05 per hour
• June 1, 2020: $14.00 per hour
• June 1, 2021: $15.00 per hour

Liquer servers must be paid at least the liquor server minimum wage.
• June 1, 2018: $11.40 per hour
• June 1, 2019: $12.70 per hour
• June 1, 2020: $13.95 per hour
• June 1, 2021: $15.00 per hour

(For information on tips/pat Tip, see below)

Other employer groups like live-in home support workers, resident caretakers and certain farm workers have different wage rates. Check the Employment Standards Regulations for more information.

WORKING IN B.C.

UPDATED AUGUST 2020