

Canada Day Falls on a Tuesday This Year... Can We Take Monday Off Instead?

This year, Canada Day falls on a Tuesday. Many employees are inquiring with their employers whether it is possible to substitute another day for the statutory holiday and take the Monday off instead.

Most provinces allow employers to provide a “substitute holiday” for a statutory holiday, such as Canada Day. A substitute holiday is another “working day” off work that is designated to replace a statutory holiday. Eligible employees are entitled to be paid statutory holiday pay for a substitute holiday.

The following chart highlights the rules around substituting a holiday in Alberta, British Columbia, Ontario and Quebec:

	Alberta	British Columbia	Ontario	Quebec
Can an employer substitute another day for a statutory holiday?	Yes.	Yes.	Yes.	Yes.
Does an employer need to obtain an employee’s consent in order to impose a substitute holiday?	Yes. The employee must agree to take a substitute holiday. The agreement need not be in writing, but it is preferred that it is.	Yes. An employer, with the agreement of an employee, may take a substitute holiday. In the case of more than one (1) employee, the majority of affected employees	Yes.	No.

		must agree to take a substitute holiday.		
Can a substitute holiday be taken at any time?	No. A substitute holiday must be taken before the employee's next annual vacation, and the substitute holiday must be a day on which the employee is normally scheduled to work.	Yes.	No. A substitute holiday must be taken no later than three (3) months <u>after</u> the statutory holiday. Or, if the employee has agreed in writing, the substitute holiday can be scheduled up to twelve (12) months after the statutory holiday.	No. A substitute holiday must be taken in the three (3) weeks preceding or following the statutory holiday.

Please contact e2r Solutions® should you have any questions regarding the foregoing or would like additional information regarding substitute holidays in other jurisdictions.

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