

## *Planning for the Upcoming Statutory Holidays*

December is quickly approaching and it is a good time of year for employers to plan for the upcoming statutory holidays.

This year Christmas Day and New Year's Day will fall on a non-working day (Sunday) for many employees. As such, it is important to note how these days will be treated both with respect to time away from work, and how employees are to be paid for these days.

The day to designate as the statutory holiday will depend on the applicable minimum employment standards legislation of the province the employee resides in. The employment standards legislation of each jurisdiction varies widely in how employers are required to handle a statutory holiday that falls on a day that is not normally a working day for your employees. For example:

**British Columbia and Quebec:** The employer does not need to provide an alternative day off; however, the employer is required to pay statutory holiday pay for the Sunday.

**Alberta:** The employee is not entitled to statutory holiday pay and not entitled to an alternative day off.

**Saskatchewan, Manitoba, Nova Scotia, Prince Edward Island and Newfoundland:** The employer must provide the next working day as the statutory holiday with statutory holiday pay.

**Ontario:** The employer may choose an alternate day off with statutory holiday pay to be provided within 3 months of the statutory holiday. Most employers are providing December 27 as the alternate holiday in light of the Boxing Day holiday.

**New Brunswick:** The employer must provide another day off with pay, as designated by the employer

In all cases, both with respect to time and money, various special rules and exemptions also may apply for certain professions and industries (i.e. retail sector) in each jurisdiction, so always be mindful of these.

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We recommend that employers communicate to employees as soon as possible with respect to these upcoming statutory holidays.

Please contact e2r® if you would like to discuss how your organization can prepare for the upcoming holiday season, or join us at our next e-learning session on November 30<sup>th</sup> where we will be discussing this topic at length.

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