

EMPLOYMENT STANDARDS FACT SHEET

CONSTRUCTION AND BRUSH CLEARING (Vacation Pay and General Holiday Pay)

“Construction employee” means an employee employed

(i) at the site of and in the construction, erection, repair, remodelling, alteration, painting and interior decoration or demolition of any

(A) building or structure,

(B) road, highway, railway or airfield,

(C) sidewalk, curb or gutter,

(D) pipeline,

(E) irrigation or drainage system,

(F) earth and rock fill dam,

(G) sewage system,

(H) power transmission line or power distribution system, or

(I) gas distribution system,

but does not include employees employed to perform ongoing maintenance at the site or office employees employed at the site, or

(ii) in the cutting, removal, burning or other disposition of trees and brush or either of them for the primary purpose of clearing land and not for the harvesting of timber on it;

Vacation Pay

1. **Is there a qualifying period of employment for a construction employee to be entitled to vacation pay?**

No.

2. **Are construction employees entitled to scheduled vacation time off?**

No. However, all construction employees must be paid vacation pay.

3. **What vacation pay must be paid?**

Vacation pay equal to six per cent of the employee's wages.

4. **Are part-time construction employees entitled to the six per cent vacation pay?**

Yes.

5. **When is vacation pay to be paid to construction employees?**

- ♦ If the employee is given a vacation, the day before it commences;
- ♦ if not given a vacation, on or before December 31 each year;
- ♦ on termination of employment; or
- ♦ with each pay cheque.

General Holiday Pay

6. **Is there a qualifying period of employment for construction employees to be entitled to general holiday pay?**

No.

7. **Are construction employees entitled to premium pay for working on general holidays, or to be given these days off with pay?**

No. However, all construction employees must be paid general holiday pay.

8. **What must be paid to construction employees in respect to general holidays?**

General holiday pay equal to 3.6 per cent of the employee's wages.

9. **Are part-time construction employees entitled to the 3.6 per cent general holiday pay?**

Yes.

10. **When must general holiday pay be paid to construction employees?**

- ♦ On or before December 31 of each year;
- ♦ on termination of employment; or
- ♦ with each pay cheque.

This document is for general information. For the purposes of interpretation and application of the law, the Employment Standards Code and the Employment Standards Regulation should be consulted.

- Contact our Information Centre at: **427-3731**
(Toll-free in Alberta by dialing 310-0000, then 780-427-3731)
- Visit our Web site at: www.gov.ab.ca/hre/employmentstandards