



Factsheet

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.

January 2004

Statutory Holidays

This Factsheet explains the new rules for eligibility and statutory holiday pay effective November 30, 2002.

Statutory holidays in British Columbia

The nine statutory holidays in British Columbia are:

- New Years Day
- Good Friday
- Victoria Day
- Canada Day
- B.C. Day
- Labour Day
- Thanksgiving Day
- Remembrance Day
- 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

Have worked or earned wages on 15 of the 30 days immediately before the statutory holiday.**

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

Vacation days count as days worked when determining entitlement to a statutory holiday and vacation pay counts as wages earned when calculating the amount of statutory holiday pay.

Note: In B.C. special statutory holiday rules apply to agriculture workers and high technology professionals. Separate factsheets on these two groups are available.

Working on a statutory holiday

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

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*

Statutory holiday on a day off

When a statutory holiday falls on a non-working day, an eligible employee is entitled to an average day's pay.

*An average day's pay is calculated by dividing "total wages" in the 30 calendar days before the statutory holiday by the number of days worked.

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

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Ministry of Labour and
Citizens' Services
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Statutory Holidays for those not eligible

An employee who is not eligible for the statutory holiday and who works on the holiday may be paid as if it were a regular work day, and is not entitled to an average day's pay if the statutory holiday falls on a day off.

Managers

A “manager” as defined in the Employment Standards Regulation is not entitled to statutory holiday pay but is entitled to pay at straight time for any hours worked on a statutory holiday.

For more information, see the factsheet: *What is a Manager?*

Substituting statutory holidays

An employer and an employee or 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 a statutory holiday.