



# Annual Holidays

## Information for SIAST Students

### **1. Annual holiday entitlement.**

All employees, subject to provincial labour standards, get a minimum of: three weeks of annual leave after each year with the same employer; and four weeks of annual leave after ten years of employment with the same employer.

#### **Here is an example:**

Where an employee starts work on January 1, 1990, the employee becomes eligible for four weeks of annual holidays on December 31, 1999 (the last day of the 10th year). The four weeks of holidays taken in 2000 and the annual holiday pay would be calculated as 4/52nds of the 1999 earnings.

### **2. Scheduling annual holidays.**

Employers and employees should decide together when annual holidays will be taken. If there is no agreement, the employer must give the employee at least four weeks written notice of the timing of the employee's annual holidays. However, employees are entitled to take all of their holidays in one continuous period, unless they request shorter periods. If a public holiday occurs during an employee's annual leave, the leave is extended by one day.

### **3. Cancellation of annual holidays.**

After approving holiday time, an employer who cancels an annual holiday must pay all nonrefundable deposits, penalties, and other pre-paid expenses related to the holiday (receipts required).

### **4. Annual holiday pay.**

Annual holiday pay is earned from the first hour of work. It is calculated on the employee's total wage over a twelve-month period.

For each twelve-month period, employees who: have been employed for nine years or less receive 3/52nds of

their total wage; or have worked for the same employer for 10 years or more get 4/52nds of their total wage. 'Total wage' includes all salary, overtime, annual holiday pay for holidays taken, public holiday pay, commission, earned bonuses, and any other payment for labour or personal service.

If annual holiday pay is paid out on each paycheque, employees are still entitled to their annual holidays of three or four weeks. However, the leave would be unpaid.

If the holiday pay is paid along with the employee's regular wages on each paycheque, the amounts paid as public and annual holiday pay must be identified separately from the regular wages or it is deemed not to have been paid.

### **5. Payment of annual holiday pay.**

Employees get payment for annual holidays: during the 14 days before starting their annual holidays; or if the holidays are not taken, within 11 months after earning their annual holidays; or within 14 days of termination. On termination, employees must be paid all accrued holiday pay even if they have been employed for less than one year.

### **6. Lay-offs and holiday entitlements**

Annual holiday entitlements restart where an employee is laid off for more than 26 weeks and returns to work with the same employer. Previous periods of employment do not count. However, the employer and employee may make other arrangements.

**Note:** This publication is not a legal document. The original Act and Regulations should be consulted for all purposes of interpretation and application of the law.

To contact the Labour Standards Branch:

Visit our website: [www.labour.gov.sk.ca](http://www.labour.gov.sk.ca)

Call: 1-800-667-1783 toll free in Canada fax: (306) 787-4780 in Regina