

## Public Holidays - February 21, 2018

Most employees are now entitled to public holiday pay for the provincial statutory holidays outlined in the Employment Standards Act (ESA). There are nine (9) designated public holidays:

*New Year's Day*  
*Family Day*  
*Good Friday*  
*Victoria Day*  
*Canada Day*  
*Labour Day*  
*Thanksgiving Day*  
*Christmas Day*  
*Boxing Day.*

The amount of public holiday pay an eligible employee will receive is calculated based upon a formula prescribed within the ESA and it is based upon 'regular' wages, also defined within the ESA. Some employees will be required to complete and submit a "**Non-Full-Time Employee Public Holiday Pay Form**" and those employees will receive an email from HR/Payroll at the appropriate time as each public holiday occurs. Please refer to the Non-Full-Time Employee chart on the [Bill 148](#) webpage for more details on how public holiday pay for non-full-time employees is administered at this time.

Where an eligible employee works on the public holiday, the employee is eligible for premium pay for each hour worked on the holiday. Under the ESA, premium pay is 1.5x an employee's regular rate of pay. This is in addition to the public holiday pay itself. For the employee to be paid premium pay, a timesheet must be submitted.

*Alternatively*, the employer and employee can agree that the employee will earn their regular wages for all hours worked on the public holiday **and** receive another substitute holiday for which they must be paid ESA public holiday pay. Where the employer and employee have agreed to a substitute holiday, the substitute holiday must be scheduled for a day that is no later than three months after the public holiday for which it was earned and the employer must provide the employee with a written statement that sets out the details of the substituted holiday. Under the Act, the statement is to be provided to the employee *before* the respective public holiday occurs.

NOTE: In exceptional circumstances, the employer and employee may further agree to scheduling the substitute holiday at a date later than 3 months but under no circumstances shall the date exceed 12 months past the original public holiday date. For the employee to be paid for the substitute day, a timesheet must be submitted.

Leaders with non-bargaining unit employees who will be scheduled to work on a public holiday are encouraged to discuss the above noted ESA requirements with their respective HR Consultant in advance of the public holiday to clarify the appropriate administrative processing. The administrative process for bargaining unit employees scheduled to work on a public holiday will be governed by the respective collective agreement.

**Communication**

HR has established a [Bill 148](#) webpage where we will house all pertinent information as it becomes available. We have also encouraged employees to send inquiries to a central email account [payroll@flamingcollege.ca](mailto:payroll@flamingcollege.ca) . This will assist us in developing relevant Q & A documents.