



Overview

Alberta's workplaces have evolved since the *Employment Standards Code* was last updated in 1988, including growth in part-time jobs, shift work and flexible schedules. In June 2017, the *Fair and Family-friendly Workplaces Act* was passed, and included changes to the Code applicable to employees and employers under provincial jurisdiction. This publication covers the basic standards employers are expected to meet and employees can expect to receive.

? What does Employment Standards cover?

Employment Standards legislation sets minimum standards for conditions of employment. These include hours of work, overtime, holidays, vacation, minimum wage and rules for the employment of youth. **Read on for more information on how changes to legislation may affect you.**

? When do the new rules apply?

Most changes are effective January 1, 2018. Changes to youth employment are effective June 1, 2018.

For detailed information, visit alberta.ca/ESchanges

EMPLOYMENT STANDARDS RIGHTS AND RESPONSIBILITIES

Effective January 1, 2018



What's new?

The rules apply to most employees in Alberta. Key changes to Employment Standards include:

New leaves:

- Bereavement leave
- Citizenship ceremony leave
- Critical illness leave
- Death or disappearance of a child leave
- Domestic violence leave
- Long-term illness and injury leave
- Personal and family responsibility leave

New eligibility requirements:

- Eligible after 90 days of employment (with the same employer) for all leaves, except reservist leave (26 weeks of employment)



Unpaid, job-protected leaves



Youth employment

- 12 year olds and under can be employed in 'artistic endeavours'
- 13 - 15 year olds can be employed in 'light work'
- 16 - 17 year olds can be employed in 'hazardous work' with a permit



Daily breaks

Employees are entitled to a paid or unpaid 30-minute break for every 5 consecutive hours worked.



General holiday pay

There's no distinction between a regular and non-regular work day and there's a new calculation for general holiday pay.



Overtime

Overtime hours banked for paid time off must be banked at a rate of at least 1.5 hours off for each overtime hour worked.

Find more detailed information about Alberta's Employment Standards at alberta.ca/ESchanges



Need support? Let's talk.

The Employment Standards Contact Centre is your direct line to the answers you need.

780-427-3731
within Edmonton

1-877-427-3731
toll free from anywhere in Alberta

Ask a question online at:
alberta.ca/ESquestions

Disclaimer: In the event of any discrepancy between this information and Alberta Employment Standards legislation, the legislation is considered correct. This guide is not a comprehensive list of Alberta's Employment Standards.

ISBN 978-1-4601-3674-4 (Print)
ISBN 978-1-4601-3675-1 (PDF)
ES11575

See the next page for a handy poster that provides details on issues including minimum wage, days off, job-protected leaves and more.

How Alberta's Employment Standards apply to employees and employers



Unpaid, job protected leaves

Employees are eligible for most unpaid leaves after 90 days of employment with the same employer.* The following outlines the maximum length for each unpaid job-protected leave available to employees in Alberta:

Maternity leave	16 weeks
Parental leave	62 weeks
Reservist leave	as needed
Compassionate care leave	27 weeks per year
Bereavement leave	3 days per year
Domestic violence leave	10 days per year
Citizenship ceremony leave	half day – once in a lifetime
Critical illness leave	36 weeks for a child 16 weeks for an adult
Long-term illness and injury leave	16 weeks per year
Personal and family responsibility leave	5 days per year
Death or disappearance of a child leave	52 weeks or 104 weeks

* Employees are eligible for reservist leave after 26 weeks of employment.



What are the rules around employing youth?

- **12 year olds and under:** can only be employed in artistic endeavours authorized by a permit from the Director of Employment Standards.
- **13 - 15 year olds:** can only be employed in jobs considered 'light work' or in other non-hazardous work authorized by a permit (requiring parental consent) from the Director of Employment Standards.
- **16 - 17 year olds:** can't be employed in hazardous work unless authorized by a permit from the Director of Employment Standards.

Rules on youth employment are effective June 1, 2018. For detailed information, visit alberta.ca/ESchanges



How long is a regular work day?

Rules apply for work days longer than 8 hours. **Typically, no one should be working more than 12 hours in a row.** If an employee is working a split shift, the work hours need to remain within a 12-hour period.



Do employees get days of rest?

They are entitled to at least 1 day of rest each work week.

Work weeks can be combined so the employee receives the following days of rest:

Consecutive work weeks per period	Consecutive days of rest in each period
2 weeks	2 days
3 weeks	3 days
4 weeks	4 days

They must receive at least 4 consecutive days of rest after each period of 24 consecutive work days.



Do employees get breaks at work?

They are allowed at least 30 minutes of rest time during each 5-hour work period. The employer and employee can decide if the break is taken all at once or split up into multiple shorter breaks. Employers don't have to pay employees for breaks.

Find more information on daily rest periods (breaks) at alberta.ca/ESchanges



What if employees can't take breaks?

If an employer prevents them from taking a break during their shift, the break must be paid.

What are the rules for paying employees?



General holiday pay

Employees are entitled to general (statutory) holiday pay, unless:

- they miss their scheduled shifts right before or after the general holiday without their employer's consent

OR

- they don't work on the general holiday when required to.

What is an employee entitled to on a general holiday if...

They don't work?

- General holiday pay that's at least their average daily wage.*

They work?

- Their average daily wage,* plus at least 1.5 times their wage rate for each hour worked.

OR

- Their wage rate for each hour worked on the general holiday and a day off with pay that's at least their average daily wage.*

*Average daily wage is 5% of an employee's wages, vacation pay and general holiday pay earned in the 4 weeks leading up to the general holiday.



Minimum wage

Employees must be paid no less than minimum wage (lowest hourly rate) and at least once a month.

Alberta general minimum wage:
\$13.60/hour, effective October 1, 2017
\$15.00/hour, effective October 1, 2018



Overtime hours and overtime pay

Employers must pay eligible employees at least 1.5 times their regular hourly rate for overtime worked, or provide banked overtime at a rate of 1.5 times for each overtime hour worked.

Overtime pay is calculated on the greater of:

- number of hours worked in a week (in excess of 44 hours)

OR

- number of hours worked in a day (in excess of 8 hours).

Check alberta.ca/ESchanges for more information.

Note: Employees in certain industries, occupations and with banked overtime agreements are subject to different rules.



Pay statements

Employers must provide their employees with a statement of earnings and deductions within 10 days of the end of each pay period.

Deductions

- Some deductions are **required** (e.g. income taxes).
- No other deductions are allowed without **advance written permission**.
- Some deductions are **never allowed**: faulty work, uniforms, breakage or cash shortages/loss of property (e.g. "dine-and-dash", "gas-and-dash").*

*If more than one individual has access



Vacations and vacation pay

After 1 year, employees are entitled to 2 weeks' paid vacation. Vacation pay is 4% of wages from the previous year.

After 5 years, employees are entitled to 3 weeks' paid vacation. Vacation pay increases to 6% of wages from the previous year.

How much notice is needed if...



An employee quits?

An employee's requirement to provide written notice to an employer depends on their length of employment:

90 days or less	no requirement
Between 91 days and < 2 years	1 week notice
Between 2 years or more	2 weeks notice



An employee is let go?

An employer's requirement to provide written notice to an employee depends on the length of employment:

Dismissal for just cause	no requirement
90 days or less	no requirement
Between 91 days and < 2 years	1 week notice
Between 2 years and < 4 years	2 weeks' notice
Between 4 years and < 6 years	4 weeks' notice
Between 6 years and < 8 years	5 weeks' notice
Between 8 years and < 10 years	6 weeks' notice
10 years or more	8 weeks' notice

If an employer wants an employee to leave right away, instead of written notice, they can pay the employee what they would have earned had they worked for the full notice period.