What is the Employment Standards Code?
The Employment Standards Code (Code) is a provincial law describing the minimum standards that must be provided to employees working in Alberta.

Who is covered?
With some exceptions, the Code applies to all employees and employers in Alberta. Most employees have full coverage of earnings under the Code, whether they are considered full-time, part-time, casual, temporary, pieceworkers, commissioned, students or salaried.

Who is not covered?
• Employees who work out of the province, inter-provincially or internationally.
• Employees who fall under federal jurisdiction. For more information, visit alberta.ca/EmploymentStandards.
• Employees covered under other Acts (e.g. the Police Act, Post-secondary Learning Act)
• Self-employed workers/contractors
• Employees under collective agreements should speak to their union to learn more about how employment standards apply to them.

What topics are included?
• Hours of work
• Overtime
• Holidays
• Vacation
• Minimum wage
• Rules for the employment of youth
• Termination
• Payment of earnings
• Job-protected leaves

An employee is entitled to general holiday pay if:
• they have worked for the same employer for at least 30 workdays in the 12 months prior to the holiday.
• a general holiday is an employee’s regular day of work and/or the employee works on the holiday.
• Average daily wage calculation stays the same.

If you have a banked overtime agreement, you must be given time off at a rate of at least 1 hour for every overtime hour worked, paid at your regular wage rate. The time limited to bank overtime is 6 months. After that, overtime that has not been used must be paid out at a rate of 1.5 hours for every hour worked.

There are changes to minimum wage for employees who are under 18 and a student.

When school is in session:
First 28 hours $13/hour
Hour 29 and after $15/hour
During school break:
For all hours worked $13/hour

An employee is entitled to general holiday pay if:
• they have worked for the same employer for at least 30 workdays in the 12 months prior to the holiday.
• a general holiday is an employee’s regular day of work and/or the employee works on the holiday.
• Average daily wage calculation stays the same.

If you have a banked overtime agreement, you must be given time off at a rate of at least 1 hour for every overtime hour worked, paid at your regular wage rate. The time limited to bank overtime is 6 months. After that, overtime that has not been used must be paid out at a rate of 1.5 hours for every hour worked.

There are changes to minimum wage for employees who are under 18 and a student.

When school is in session:
First 28 hours $13/hour
Hour 29 and after $15/hour
During school break:
For all hours worked $13/hour

An employee is entitled to general holiday pay if:
• they have worked for the same employer for at least 30 workdays in the 12 months prior to the holiday.
• a general holiday is an employee’s regular day of work and/or the employee works on the holiday.
• Average daily wage calculation stays the same.

If you have a banked overtime agreement, you must be given time off at a rate of at least 1 hour for every overtime hour worked, paid at your regular wage rate. The time limited to bank overtime is 6 months. After that, overtime that has not been used must be paid out at a rate of 1.5 hours for every hour worked.

Find more detailed information about Alberta’s Employment Standards at alberta.ca/EmploymentStandards

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.

EMLOYMENT STANDARDS
RIGHTS AND RESPONSIBILITIES

Effective September 1, 2019

What’s new?
The rules apply to most employees in Alberta. Key changes to Employment Standards include:

Minimum wage

General holiday pay

Overtime

Averaging Agreements

For more information, visit the Employment Standards website at alberta.ca/EmploymentStandards

See inside 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.

How long is a regular work day?

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:

<table>
<thead>
<tr>
<th>Consecutive work weeks per period</th>
<th>Consecutive days of rest in each period</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 weeks</td>
<td>2 days</td>
</tr>
<tr>
<td>3 weeks</td>
<td>3 days</td>
</tr>
<tr>
<td>4 weeks</td>
<td>4 days</td>
</tr>
</tbody>
</table>

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

Do employees get breaks at work?

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

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 - 14 year olds: can be employed in a variety of retail, office, newspaper or flyer delivery and some restaurant jobs without a permit. Artistic endeavours and other positions not listed above may be allowed with a permit from the Director of Employment Standards.
- 15 - 17 year olds: can be employed in any type of work without a permit.

There are additional rules about what hours youth can work on school days and at night. For more details, see alberta.ca/ESYouth.

Minimum wage

An employer must pay no less than minimum wage (lowest hourly rate) to employees, based on the following:

| Over 18 | $15/hour |
| Under 18 and a student | $13/hour (some exceptions apply) |
| Under 18 and not a student | $15/hour |

How much notice is needed if...

An employee is let go?

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

<table>
<thead>
<tr>
<th>Dismissal for just cause</th>
<th>No requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Between 91 days and &lt; 2 years</td>
<td>1 week notice</td>
</tr>
<tr>
<td>Between 2 years or more</td>
<td>2 weeks notice</td>
</tr>
</tbody>
</table>

An employee quits?

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

<table>
<thead>
<tr>
<th>90 days or less</th>
<th>No requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Between 91 days and &lt; 2 years</td>
<td>1 week notice</td>
</tr>
<tr>
<td>Between 2 years and &lt; 4 years</td>
<td>2 weeks’ notice</td>
</tr>
<tr>
<td>Between 4 years and &lt; 8 years</td>
<td>4 weeks’ notice</td>
</tr>
<tr>
<td>Between 8 years and &lt; 10 years</td>
<td>6 weeks’ notice</td>
</tr>
<tr>
<td>10 years or more</td>
<td>8 weeks’ notice</td>
</tr>
</tbody>
</table>

Find more information on how it all works at alberta.ca/EmploymentStandards