What can my employer deduct from my earnings?
By law, your employer must deduct money from your earnings to cover:
• income taxes,
• Canada Pension Plan (CPP),
• Employment Insurance (EI), and
court-ordered garnishments or judgments.
No other deductions are allowed without advance written permission or through a collective agreement.
Your employer is not allowed to deduct the following from your earnings:
• faulty work (e.g. spoiled food),
• uniforms,
• breakage (e.g. a broken plate), or
• cash shortages, loss of property (e.g. “dine-and-dash”).

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 you’re working a split shift, your work hours need to remain within a 12-hour period. So, if you start work at 5:00 am, you shouldn’t be expected to work past 9:00 pm.

What is a split shift?
A split shift is when your work day consists of 2 or more separate periods of work, with a break of more than 1 hour in between.

Do I get breaks at work?
You must be provided with at least 30 minutes of rest within every five hours of work, unless:
• an accident occurs or urgent work is required,
• there are other unforeseeable or unpreventable circumstances, or
• you belong to a union and different break arrangements have been made through your collective agreement.
Your employer can decide if your break is taken all at once or is split up in to two 15-minute periods.
Breaks can be paid or unpaid, at your employer’s discretion.

What if I can’t take breaks?
If you cannot take breaks during your shift or your employer does not allow you to leave the premises during your break, you must be paid for that time.

When can I expect to be paid?
Your employer must commit to regular pay periods.
You must be paid within 10 days of the end of each pay period and provided with a statement of earnings and deductions. A pay period cannot be longer than one month.
If your employer has defined a 2-week pay period, you should expect to receive your first payment within 24 days of your start date. From then on, you can expect an average of 2 payments per month.

Notice
How much notice is needed if I quit my job?
Depending on the length of your employment, you’ll need to provide 1 or 2 weeks’ written notice.
90 days or less: no requirement
Between 91 days and < 2 years: 1 week notice
2 or more years: 2 weeks’ notice

How much notice is needed if my boss lets me go?
Depending on the circumstances and the length of your employment, your boss must give you between 1 and 8 weeks’ notice.
Dismissal for cause: no requirement
90 days or less: no requirement
Between 91 days and < 2 years: 1 week notice
2 or more years: 2 weeks’ notice

Removal of Broken Full Notice Period
If more than one individual has access to your earnings to cover:
• income taxes,
• Canada Pension Plan (CPP),
• Employment Insurance (EI), and
court-ordered garnishments or judgments.
No other deductions are allowed without advance written permission or through a collective agreement.
Your employer is not allowed to deduct the following from your earnings:
• faulty work (e.g. spoiled food),
• uniforms,
• breakage (e.g. a broken plate), or
• cash shortages, loss of property (e.g. “dine-and-dash”).

Overview
This brochure covers the basic employment standards for the hospitality industry.
Here, you’ll find answers to questions about pay, breaks, vacation and more.
Further information about Alberta’s Employment Standards is available at alberta.ca/EmploymentStandards.
What can I expect to be paid?

### Minimum wage
Your employer must pay you no less than minimum wage (lowest hourly rate).
**Alberta general minimum wage:** $15.00/hour, effective October 1, 2018.

### General holiday pay
You are entitled to general (statutory) holiday pay unless you miss your scheduled shifts right before or after the general holiday without your employer’s consent, or didn’t work the general holiday when required to.

If you work on a general holiday, you are entitled to either:
- At least your average daily wage plus at least 1.5 times your wage rate for hours worked OR
- Your regular wage rate for hours worked and applicable overtime plus a day off (on a normal work day) with pay that’s at least your average daily wage.*

If you don’t work on a general holiday, you are entitled to at least your 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. Overtime is not included in average daily wage calculations.

#### Employees example:
You provide your employer with written notice as soon as possible, stating the intention of taking leave. Certain leaves have additional requirements.

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
- **Compensatory leave**: 27 weeks
- **Benefit leave**: 3 days per year
- **Domestic violence leave**: 10 days per year
- **Death or disappearance**: half day – once in a lifetime
- **Personal and family responsibility leave**: 16 weeks for an adult
- **Long-term illness and injury leave**: 16 weeks for an adult
- **Debt or death of a child leave**: 52 weeks or 104 weeks

### Overtime pay for overtime work
Overtime pay is owed for all hours worked over 8 hours a day or 44 hours a week, whichever is greater.

Unsure there is a banked overtime agreement in writing, your employer must pay you at least 1.5 times your regular hourly rate for overtime worked.

Some employees are not eligible for overtime hours and pay, including professionals, managers, supervisors, select salespersons and waged, non-family farm and ranch employees. Visit alberta.ca/EmploymentStandards for a complete list of overtime exemptions and exceptions.

#### Tips
- **Tips** are not considered wages, and not covered under the Employment Standards Code. Each workplace decides how tips are to be handled.

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**CALCULATING MINIMUM CALL-OUT PAY**

<table>
<thead>
<tr>
<th>EMPLOYEE A</th>
<th>EMPLOYEE B</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 hours worked at regular rate</td>
<td>3 hours worked at regular rate</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Minimum call-out pay plus greater of 1/2 day of average rate</th>
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</tr>
</thead>
<tbody>
<tr>
<td>$50</td>
<td>$65</td>
</tr>
</tbody>
</table>

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**CALCULATING GENERAL HOLIDAY PAY**

<table>
<thead>
<tr>
<th>EMPLOYEE A</th>
<th>EMPLOYEE B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours worked at regular rate</td>
<td>7 hours at $20/hour + $30</td>
</tr>
<tr>
<td>Hours worked at regular rate</td>
<td>3 hours at $20/hour + $30</td>
</tr>
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**CALCULATING AVERAGE DAILY WAGE**

<table>
<thead>
<tr>
<th>WAGES</th>
<th>VACATION PAY</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>4% of wages</td>
<td>$200 + $30</td>
<td></td>
</tr>
<tr>
<td>Average daily wage</td>
<td>$200 + $30</td>
<td></td>
</tr>
<tr>
<td>Average daily wage</td>
<td>$160 + $40</td>
<td></td>
</tr>
</tbody>
</table>

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**CALCULATION/DETAILS**

<table>
<thead>
<tr>
<th>EMPLOYEE A</th>
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<tbody>
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<td>Average daily wage</td>
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### Minimum call-out pay
If you’re called in for a meeting or to work a shift but then sent home, you must be paid whichever works out to be more:
- Your hourly wage multiplied by the time actually worked, or
- 3 hours at a rate of at least minimum wage.

### Job-protected leaves
Employees are eligible for most job-protected leaves after 90 days of employment with the same employer.*

Some individuals have additional requirements.

<table>
<thead>
<tr>
<th>DEATH OR DISAPPEARANCE</th>
<th>PERSONAL AND FAMILY RESPONSIBILITY</th>
<th>LONG-TERM ILLNESS AND INJURY</th>
<th>CRITICAL ILLNESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>52 weeks or 104 weeks</td>
<td>5 days per year</td>
<td>16 weeks for an adult</td>
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</tr>
</tbody>
</table>

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**OVERTIME PAY FOR OVERTIME WORK**

<table>
<thead>
<tr>
<th>HOURS WORKED</th>
<th>STANDARD OVERTIME PAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 hours</td>
<td>$0 + $80 + Day off</td>
</tr>
<tr>
<td>8 hours</td>
<td>$0 + $160 + Day off</td>
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</table>

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**STANDARD OVERTIME PAY**

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**averaging agreements**

**job-protected leaves**

### Averaging agreements
Averaging agreements allow you to work longer scheduled hours per day at your regular wage rate in exchange for days off.

There are two types of averaging agreements:

1. **Hours of Work Averaging Agreements (HWA)** allow for modified work schedules. For example, employees may work longer scheduled daily hours in exchange for more days off. These can be agreements between an individual employer or group of employees and an employer.

2. **Flexible Averaging Agreements (FAA) allow for flexible working arrangements where employees get**