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 9:00 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.

You and 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 years or more: 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.

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

Employment Standards Guide for the Hospitality Industry
Effective September 1, 2019

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

Can I expect to be paid for...

Job training?
Yes. If you are receiving on-the-job training, you are performing a service for the employer and are entitled to be paid for all hours spent in training.

Meetings?
Meetings directly related to your work must be paid. This applies to both mandatory and optional meetings. Note: See the Minimum call-out pay section of this guide for what you are entitled to for short meetings. If attending a meeting involves putting in overtime, overtime pay applies.

Can I expect to be paid for...

How do I have to work in hospitality?

You can start working in limited restaurant and food service roles at the age of 13, but will require written permission from a parent or guardian, and cannot sell or serve alcohol. These roles include:

- Host/Hostess
- Cashier
- Dishwasher
- Bussing tables
- Light cleaning

Based on your age group, there are specific rules for working at night or on school days in the hospitality industry:

- 13 - 14 year olds: you can work up to 2 hours after regular school hours, but not between 9:00 pm and 6:00 am. On non-school days, you can work up to 8 hours, with the same nighttime restrictions.
- 15 - 17 year olds: you can work between 9:00 pm and 12:01 am with adult supervision. You can’t work between the hours of 12:01 am and 6:00 am. 12 year olds cannot work in hospitality.

Need support? Let’s talk.
The Employment Standards Contact Centre is your direct line to the answers you need.

870-427-3731
1-877-427-3731
toll free from anywhere in Alberta

Ask a question online at alberta.ca/EQuestions

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

How much notice is required for the Hospitality Industry
Attention employers:

You must give employees at least 2 weeks notice if you are performing a service for the employer and are entitled to be paid for all hours spent in training. Further information about Alberta’s Employment Standards is available at alberta.ca/EmploymentStandards

Effective September 1, 2019

Employment Standards Guide for the Hospitality Industry

How old do I have to be to work in hospitality?

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What can I expect to be paid?

Minimum wage

Your employer must pay you no less than minimum wage (lowest hourly rate), based on the following:

- Under 18 and a student: $13/hour
- Under 18 and not a student: $15/hour
- Over 18: $25/hour

Vacation and vacation pay

After 1 year on the job, you’re entitled to 2 weeks’ paid vacation. Vacation pay is 6% of your wages.

After 5 years on the job, you’re entitled to 3 weeks’ paid vacation. Vacation pay increases to 6% of your wages.

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.

Employee example:
The following is an example of how employers who were called in for a 2-hour shift on May 10th can earn 24 hours. The employer has an hourly wage of $25/hr and Employee B has an hourly wage of $18/hr.

<table>
<thead>
<tr>
<th>Minutes worked</th>
<th>Payable to Employee A</th>
<th>Payable to Employee B</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 hours at regular maximum</td>
<td>$50</td>
<td>$40</td>
</tr>
<tr>
<td>2 hours at minimum wage</td>
<td>$30</td>
<td>$15</td>
</tr>
<tr>
<td>0.5 hours at minimum wage</td>
<td>$8.75</td>
<td>$5.40</td>
</tr>
</tbody>
</table>

General holiday pay

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.

Regular day of work is a day of the week that an employee works consistently, or has worked at least 5 times in the 9 weeks prior to the holiday.

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

General holiday is a regular day of work

- Employee worked: Hours worked x hourly wage x 1.5
- Employee didn’t work: Average daily wage

General holiday is a non-regular day of work

- Employee worked: Hours worked x hourly wage x 1.5
- Employee didn’t work: Not eligible for general holiday pay

Tips

- An averaging agreement enables you to work longer scheduled hours per day at your regular wage rate.
- Overtime is calculated differently under averaging agreements.
- Employees can’t be scheduled for more than 12 hours a day or 44 hours a week.
- Overtime pay is owed for all hours worked over 8 hours a day or 44 hours a week, whichever is greater.

Over time pay for overtime work

Over time pay is owed for all hours worked over 8 hours a day or 44 hours a week, whichever is greater. Unless 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.

Banked Overtime

If you have a banked overtime agreement, you must be given time off at a rate of at least 1 hour for each 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.

Written or verbal agreements between an employer and employee to not pay overtime are not allowed.

Job-protected leaves

Employees are eligible for most job-protected leaves after 90 days of employment with the same employer. You must 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
- Maternity leave: 16 weeks
- Parental leave: 62 weeks
- Companionship leave: 27 weeks
- 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

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

Averaging agreements*

- An averaging agreement enables you to work longer scheduled hours per day at your regular wage rate in exchange for days off.
- Overtime is calculated differently under averaging agreements.
- Employees can’t be scheduled for more than 12 hours a day or 44 hours a week.
- Only one work schedule can be in the averaging agreement and must be provided in advance.
- Average agreements exist between an individual employee or group of employees and an employer.
- An employee may become part of a group agreement if they are hired into a group that has one in place.
- *Employees are eligible for reservist leave after 26 weeks of employment.

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*All of the above refers to Hours of Work Averaging Agreements.