

New workplace rules

Information for employers on rules taking effect November 1

Objective

The Restoring Balance in Alberta's Workplaces Act supports economic recovery, restores balance in the workplace and gets Albertans back to work.

Changes

What is changing	What it means
Simpler rules for calculating general holiday pay that are better aligned with pay cycles.	<p>These changes will save employers time and money and make it easier for them to re-open and will help protect the jobs of Albertans.</p> <p>These changes will help employees get back to work and protects jobs of hardworking Albertans.</p> <p>Employers will no longer have to include vacation pay and general holiday pay in the average daily wage calculation.</p> <p>Average daily wage will be the employees' total wages averaged over number of days they worked in the:</p> <ul style="list-style-type: none">• Four weeks immediately before the general holiday, or• Four weeks ending on the last day of the pay period that occurred just before the general holiday. <p>The employer can choose which calculation period best aligns with their payroll cycle.</p>
Rules for payroll.	Employers can correct payroll errors or recover vacation pay paid in advance more quickly because they no longer have to get an employee's written authorization to deduct an amount that was overpaid to them on a paycheck.

	Employers are still required to notify employees that overpayments will be deducted from their paychecks.
Rules for payment of final pay upon termination.	<p>These changes provide employers with more flexibility by reducing costs of off-cycle payments and administrative burdens</p> <p>These changes allow employers to align termination payments with their payroll cycles.</p> <p>Employers will be required to pay an employee within one of the following periods that the employer chooses:</p> <ul style="list-style-type: none"> ○ Ten consecutive days after the end of the pay period in which termination occurred, or ○ 31 consecutive days after the last day of employment <p>This would better align with pay cycles. The Canadian Payroll Association estimates this change could save Alberta employers \$100 million per year. Writing a separate cheque for termination pay can cost employers an extra \$91 dollars.</p>
Temporary layoff notices	While employers are still required provide written notice of a temporary layoff, specific timing requirements for written temporary layoff notice are removed.
More flexible rules for hours of work averaging arrangements.	<p>It will be easier for employers to set up arrangements, create schedules and calculate overtime.</p> <ul style="list-style-type: none"> • Employers can start an hours of work averaging arrangement by giving employees two weeks' notice, without getting employees' consent. • Arrangements can have an averaging period of up to 52 weeks. The Director of Employment Standards will be able to approve extensions past 52 weeks. Under current rules, averaging periods can be up to 12 weeks. • Arrangements will no longer need to have an end date.

	<ul style="list-style-type: none"> • More flexibility to change shifts however, employees must receive 8 hours of rest between shifts. • There is more flexibility for employers to determine how and if daily overtime applies. Overtime is calculated on the greater of weekly or daily overtime hours when daily overtime is included. Averaging period overtime must be paid to the employee no later than 10 days after the pay period that the averaging period ends, which may be as long as 52 weeks, as determined by the employers.
Expanding the types of jobs that 13 and 14-year-olds can do	<p>Employers can more easily hire 13 and 14-year-olds for certain types of jobs because they will not need to get a permit.</p> <p>Employers are still responsible for the health and safety of young workers and are required to ensure they are properly trained and capable of doing the work. Parents must still provide consent for 13 and 14-year-olds to work.</p>
Changes to administrative penalties.	<p>Employers will have more time to make the payment if they receive an administrative penalty.</p> <p>If employers break rules, they still may receive a penalty, but the amount could be adjusted on a case-by-case basis.</p>
Rules for rest periods.	<p>More flexibility in how employers can provide breaks to their employees.</p> <p>Rest periods can be taken at a time agreed to by an employee and employer. If the parties cannot agree an employer must provide a 30-minute break for every five hours of shift time for any shift over five hours long.</p>
Written statement of earnings.	<p>Employers will save time and money in deciding between electronic or paper pay statements.</p> <p>Employees can get electronic pay statements so long as they have confidential access and can print a paper copy.</p>