

IMPORTANT NOTES and DISCLAIMER

Following is a summary of some of the common employment entitlements found in employment legislation across Canada such as overtime, vacation, leave days, statutory holidays. This summary is intended only as a quick general reference for comparison against your current employment policies and practices but does not, and cannot, guarantee the applicability for all situations or employees as there are many exceptions and details with each piece of legislation. The information provided is based on the relevant employment legislation in effect as of September 1, 2019 for most regular full-time employees however this document does not delve into exceptions nor into procedures. **No legal liability or other responsibility is accepted by or on behalf of the Canadian Olympic Committee (COC) or the author of this document for any errors, omissions, or statements made within this document. The COC and the author accept no responsibility for any loss, damage or inconvenience caused as a result of reliance on such information.** It is the NSF's responsibility as an employer to stay current with the employment legislation in the jurisdictions where it has employees - as legislation can, and does, change - and to ensure compliance with same legislation.

Employment legislation stipulates the bare minimum requirements and entitlements. As an employer, you cannot offer less than what is legislated but can certainly offer more. Some key questions to ask yourself are:

- What is the culture and values of our organization?
 - How can our culture and values be reflected in the employment relationship?
- What do we currently offer our employees in the employment agreements and in the policies (these should be consistent!)
 - At a minimum, are our employee policies legislatively compliant?
- If we want to offer more than the minimum legislated benefits, why do we want to do so and can we sustainably afford to do so?
 - It is easier to build up than to tear down or take away

Abbreviations for the provinces and territories and source of information presented in this document:

Abbreviation	Province/Territory	Link to the Provincial / Territorial Employment / Labour Standards
BC	British Columbia	https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards
AB	Alberta	https://www.alberta.ca/employment-standards.aspx
SK	Saskatchewan	https://www.saskatchewan.ca/business/employment-standards
MB	Manitoba	https://www.gov.mb.ca/labour/standards/index.html
ON	Ontario	https://www.ontario.ca/document/your-guide-employment-standards-act-0
QC	Quebec	https://www.cnt.gouv.qc.ca/accueil/index.html
NB	New Brunswick	https://www2.gnb.ca/content/gnb/en/departments/post-secondary_education_training_and_labour/People/content/EmploymentStandards.html
PEI	Prince Edward Island	https://www.princeedwardisland.ca/en/topic/employment-standards-0
NL	Newfoundland & Labrador	https://www.gov.nl.ca/aesl/files/labour_relations_work.pdf
NS	Nova Scotia	https://novascotia.ca/lac/employmentrights/
YT	Yukon	http://www.community.gov.yk.ca/es.html
NT	Northwest Territories	https://www.ece.gov.nt.ca/en/services/employment-standards
NU	Nunavut	http://nu-lsco.ca/faq-s

OVERTIME

The following are the minimum standards for overtime for most employees but not all. For example, managers do not always qualify for overtime. Please refer to the relevant employment legislation for specific terms and conditions, eligibility, exemptions, calculations, and other procedural details.

	BC	AB	SK	MB	ON	QC	NB	PEI	NL	NS	YT	NT	NU
What is deemed overtime	Hours in excess of 8/day or 40/week	Hours in excess of 8/day or 44/week, whichever is greater	Hours in excess of 8/day or 10/day or 40/week	Hours in excess of 8/day and 40/week	Hours in excess of 44/week	Hours in excess of 40/week	Hours in excess of 44/week	Hours in excess of 48 /week	Hours in excess of 40/week	Hours in excess of 48 /week	Hours in excess of 8/day or 40/week	Hours in excess of 8/day or 40/week	Hours in excess of 8/day and 40/week
Overtime rate to be paid	1.5x plus 2x for hours over 12/day	1.5x unless there is a written agreement for 1x IF the OT is to be taken as time off	1.5x	1.5x	1.5x	1.5x	the greater of 1.5x minimum OT wage rate OR 1x employee's hourly wage	1.5x	1.5x	1.5x or the legislated minimum overtime wage rate	1.5x	1.5x	1.5x
Banking allowed¹?	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No provision	Yes	Yes	No provision
How long can overtime remain in the "time bank"?	6 months after earned	6 months after it was earned. If time not taken, OT must be paid out at 1.5x	12 months after earned	3 months after earned	3 months of being earned & no later than 12 months with written employee consent	Not addressed	Not applicable	3 months after earned	3 months of being earned & no later than 12 months with employee consent		12 months after earned or within calendar year	3 months after earned	

- The following notes regarding banked overtime generally apply across jurisdictions. Please refer to the relevant employment legislation for specific terms and conditions, eligibility, exemptions, calculations, and other procedural details.
 - Employee & Employer must agree in writing to overtime banking.
 - The employee may request the employer to pay all/part of the banked overtime or to use the banked time off with pay at a mutually agreed time.
 - Time is banked at the same rate as it would have been paid. Time not taken within the specified period of time (see chart above), must be paid to the employee.
 - If the employment relationship ends before the banked overtime is taken, the employer must pay the employee the balance of the banked overtime account.

STATUTORY HOLIDAYS

Below are the Statutory Holidays observed in each province/territory. Only 4 are commonly observed: New Year's Day, Good Friday, Canada Day, Christmas Day.

	BC	AB	SK	MB	ON	QC	NB	PEI	NL	NS	YT	NT	NU
New Year's Day	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Family Day	Yes	Yes	Yes		Yes		Yes						
Louis Riel Day				Yes									
Islander Day								Yes					
Nova Scotia Heritage Day										Yes			
Good Friday (1)	Yes	Yes	Yes	Yes	Yes	Yes ¹	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Victoria Day	Yes	Yes	Yes	Yes	Yes						Yes	Yes	Yes
National Patriots Day						Yes							
National Aboriginal Day											Yes	Yes	
National Holiday (June 24)						Yes							
Canada Day	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Civic Holiday/1 st Mon. in Aug.												Yes	Yes
BC Day	Yes												
Saskatchewan Day			Yes										
New Brunswick Day							Yes						
Discovery Day											Yes		
Labour Day	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Thanksgiving Day	Yes	Yes	Yes	Yes	Yes	Yes					Yes	Yes	Yes
Remembrance Day (2)	Yes	Yes	Yes	See note 2			Yes	Yes	Yes	See note 2	Yes	Yes	Yes
Christmas Day	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Boxing Day					Yes								
Total	10	9	10	8	9	8	8	7	6	6²	10	10	9

Notes:

1. In Quebec, employer may substitute Easter Monday for Good Friday
2. In Manitoba and Nova Scotia, it is not provided that employees be paid for Remembrance Day if they are not required to work.

Please refer to the relevant employment legislation for specific terms and conditions, eligibility, exemptions, calculations, and other procedural details.

VACATION AND VACATION PAY

These are the minimum yearly vacation time and vacation pay entitlements that must be provided to employees by province/territory. Vacation time and vacation pay are not the same. Generally, employees are required to work for 12 months before being entitled to paid vacation time, unless employer provides for a more lenient policy. Please refer to the relevant employment legislation for specific terms and conditions, eligibility, exemptions, calculations, and other procedural details.

Minimum Annual Vacation Entitlement

	<i>Length of Annual Vacation</i>	<i>Vacation Pay (% of annual earnings)</i>
BC	2 weeks up to 5 years of service 3 weeks after 5 years of service	4% up to 5 years of service 6% after 5 years service
AB	2 weeks up to 5 years of service 3 weeks after 5 years of service	4% up to 5 years of service 6% after 5 years of service
SK	3 weeks up to 10 years of service 4 weeks after 10 years of service	3/52 up to 10 years of service 4/52 after 10 years of service
MB	2 weeks up to 5 years of service 3 weeks after 5 years of service	4% up to 5 years of service 6% after 5 years of service
ON	2 weeks up to 5 years of service 3 weeks after 5 years of service	4% up to 5 years of service 6% after 5 years of service
QC	2 weeks up to 3 years of service 3 weeks after 3 years of service	4% up to 3 years of service 6% after 3 years of service
NB	2 weeks up to 8 years of service 3 weeks after 8 years of service	4% up to 8 years of service 6% after 8 years of service
PEI	2 weeks up to 8 years of service 3 weeks after 8 years of service	4% up to 8 years of service 6% after 8 years of service
NL	2 weeks up to 15 years of service 3 weeks after 15 years of service	4% up to 15 years of service 6% after 15 years of service
NS	2 weeks up to 8 years of service 3 weeks after 8 years of service	4% up to 8 years of service 6% after 8 years of service
YT	2 weeks	4%
NT	2 weeks up to 6 years of service 3 weeks after 6 years of service	4% up to 6 years of service 6% after 6 years of service
NU	2 weeks up to 6 years of service 3 weeks after 6 years of service	4% up to 6 years of service 6% after 6 years of service

PROBATION

Generally:

1. Probation is intended for both parties – employer and employee - to assess whether the employment relationship is right for them.
2. During probation, either party can end the relationship with no further obligation so long as the termination occurs within the legislated probation period.
3. The probation period must be explicitly stated in the employment agreement along with the implications of termination during the probation period.

Please refer to the relevant employment legislation for specific details.

BC	AB	SK	MB	ON	QC	NB	PEI	NL	NS	YT	NT	NU
3 months	90 days	13 weeks	30 days	3 months	3 months	6 months	6 months	3 months	3 months	6 months	90 days	90 days

TERMINATION

Terminations is one of the most challenging situations for employers as each case needs to be dealt with on its own merits. The table below only outlines the minimum notice / pay entitlements for terminations without cause but does not contain all the other minimum entitlements such as benefits continuation, etc. Employers needs to be aware that there are often common law entitlements which vary by case. Many factors need to be considered in each termination, including how the employment agreement was written. **Employers are strongly advised to seek legal advice before proceeding with a termination.** The information provided in this chart is a quick reference only but cannot, and should not, be relied upon when preparing a termination. The employer is solely responsible for ensuring it has all the information required before proceeding with a termination.

Province/Territory	Length of Service	Pay /Notice	Resignation Notice from Employee
BC	< 3 months 3 months to 1 year 1- 3 years 3-8 years	0 weeks 1 week 2 weeks 1 week per year to max 8 weeks	No notice required
AB	< 90 days > 90 days to 2 years 2-4 years 4-6 years 6-8 years 8-10 years 10 + years	0 weeks 1 week 2 weeks 4 weeks 5 weeks 6 weeks 8 weeks	< 90 days service = no notice required >90 days < 2 years service= 1 week notice > 2 years service= 2 weeks notice
SK	< 13 weeks 13 weeks to 1 year 1- 3 years 3-5 years 5-10 years 10 + years	0 weeks 1 week 2 weeks 4 weeks 6 weeks 8 weeks	< 13 weeks service = no notice > 13 weeks service = 2 weeks notice
MB	< 30 days >30 days to 1 year 1- 3 years 3-5 years 5-10 years 10 + years	0 weeks 1 week 2 weeks 4 weeks 6 weeks 8 weeks	< 30 days service = no notice >30 days < 1 year service= 1 week notice > 1 year service= 2 weeks notice

ON	<p>< 3 months 3 months to 1 year 1- 3 years 3-8 years</p> <p>*Ontario also has severance pay obligations where employers have a payroll of \$2.5+ million and the terminated employee has 5+ years of service. Severance is in addition to termination pay.</p>	<p>0 weeks 1 week 2 weeks 1 week per year to max 8 weeks</p> <p>*In addition to termination pay, and where applicable, severance pay is calculated as 1 week per year of service (including the months in the last year if incomplete), up to a maximum of 26 weeks</p>	Not addressed
QC	<p>< 3 months 3 months to 1 year 1- 5 years 5-10 years 10 + years</p>	<p>0 weeks 1 week 2 weeks 4 weeks 8 weeks</p>	While not addressed under the Normes du Travail/Act Respecting Labour Standards, the Civil Code of Quebec stipulates that a reasonable notice must be given by an employee who resigns
NB	<p>< 6 months 6 months to 5 years 5 + years</p>	<p>0 weeks 2 weeks 4 weeks</p>	No notice required
PEI	<p>< 6 months 6 months to 5 years 5- 10 years 10- 15 years 15 + years</p>	<p>0 weeks 2 weeks 4 weeks 6 weeks 8 weeks</p>	<p>< 6 months = no notice 6 months to 5 years = 1 week notice 5+years = 2 weeks notice</p>
NLD	<p>< 3 months 3 months to 2 years 2-5 years 5-10 years 10- 15 years 15 + years</p>	<p>0 weeks 1 week 2 weeks 3 weeks 4 weeks 6 weeks</p>	Same resignation requirements for the employee
NS	<p>< 3 months 3 months to 2 years 2-5 years 5-10 years 10+</p>	<p>0 weeks 1 week 2 weeks 4 weeks 8 weeks but cannot be fired without good reason or cause</p>	<p>>3 months < 2 years service= 1 week notice > 2 years service = 2 weeks notice</p>
YT	<p>< 6 months >6 months to 1 year 1- 3 years 3-4 years 4-5 years 5-6 years 6-7 years 7-8 years 8 + years</p>	<p>0 weeks 1 week 2 weeks 3 weeks 4 weeks 5 weeks 6 weeks 7 weeks 8 weeks</p>	<p>< 6 months = no notice >6 months to 2 years = 1 week 2-4 years = 2 weeks 4-6 years = 3 weeks 6+ years = 4 weeks</p>
NT	<p>< 90 days >90 days to 3 years 3-4 years 4-5 years 5-6 years 6-7 years 7-8 years 8 + years</p>	<p>0 weeks 2 weeks 3 weeks 4 weeks 5 weeks 6 weeks 7 weeks 8 weeks</p>	No notice required
NU	<p>< 90 days > 90 days to 3 years > 3 years</p>	<p>0 weeks 2 weeks 1 week per year to max 8 weeks</p>	Not addressed

LEAVES

	BC	AB	SK	MB	ON	QC	NB	PEI	NL	NS	YT	NT	NU
Adoption Leave			Yes			Yes		Yes	Yes				
Bereavement Leave	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Citizenship Ceremony Leave		Yes	Yes	Yes						Yes			
Compassionate Care Leave	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes	Yes
Critical Illness or Injury Leave	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes		
Emergency Leave										Yes			
Family Caregiver Leave					Yes								
Family Medical Leave					Yes								
Family Responsibility Leave	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes				
Jury Duty / Court Leave	Yes						Yes	Yes		Yes		Yes	
Death of a child	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Disappearance of a child	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Domestic or sexual violence	Yes	Yes	Yes	Yes	Yes		Yes		Yes	Yes			
Long term Illness and Injury Leave		Yes		Yes									
Maternity / Pregnancy Leave	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Nomination/Election and Candidate/Public Office			Yes										
Organ Donor Leave			Yes	Yes	Yes	Yes							
Parental / Child Care Leave	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Personal Leave		Yes											
Paternity Leave						Yes							
Reservists' Leave	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Sick Leave			Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Suicide						Yes							
Victim of a crime						Yes							
Wedding / civil union						Yes							

Notes: most of the above leaves are usually – but not always - unpaid and are job-protected. Some leaves are paid. It is incumbent upon the employer to verify and comply with the employment legislation in the jurisdictions where it has employees. Please refer to the relevant employment legislation for specific terms and conditions, eligibility, exemptions, calculations, and other procedural details.