



For Immediate Release

February 5, 2013

“ALL IN THE FAMILY (DAY)”

It’s a new holiday to all of us – so what exactly are the “rules” for employers and employees alike?

VANCOUVER, BC — On February 11, 2013, British Columbia will join five other provinces in observing a holiday in the month of February - Family Day.

This is the first time since 1974 that a statutory holiday was introduced in BC, so it may be beneficial for business owners – and employees - to get a quick “HR101” on statutory holidays, and where our new holiday fits in, since our Family Day is on a different day than all the others.

The following guide is offered by the BC-based Human Resources Management Association (BC HRMA):

1. What are the statutory holidays in BC?

As of this year, there are now 10 statutory holidays in BC:

New Year’s Day (January 1st)	B.C. Day (first Monday in August)
Family Day (second Monday in February)	Labour Day (first Monday in September)
Good Friday	Thanksgiving Day (second Monday in October)
Victoria Day (first Monday before May 25th)	Remembrance Day (November 11th)
Canada Day (July 1st unless it falls on a Sunday, in which case it is on July 2nd)	Christmas Day (December 25th)

(Note: Boxing Day, Easter Sunday and Easter Monday are not statutory holidays in BC)

2. What if my employer’s head office is outside of BC, where it’s not a holiday? Do I still get the day off?

Family Day may pose a challenge to employers with operations across provinces. While some of their BC workforce is enjoying a day with family next week, the rest of their Canadian operations may be working.

Alberta, Manitoba, Ontario, Prince Edward Island, and Saskatchewan observe their holiday on the third Monday of February, a week later than BC. In Manitoba and Prince Edward Island, the statutory holidays on this date are instead termed Louis Riel Day and Islander Day respectively.

Employers in this situation should be warned, you *cannot* simply ask people to work on a statutory holiday without having to pay overtime rates of pay. However, an employer is permitted to substitute another day off for a statutory holiday, but only with the expressed support of the majority of its employees.

To be eligible for a statutory holiday and statutory holiday pay an employee must be employed for 30 calendar days before the statutory holiday, and have worked 15 of the 30 days immediately before the holiday. Employees who don't meet these criteria are generally not eligible for statutory holiday pay. Furthermore, certain categories of employees including managers, some professionals, and others as well as federally regulated places of work are specifically exempt from the statutory holiday requirements in the BC Employment Standards Act.

3. Some members of my staff have Mondays off. Do I have to pay statutory holiday pay?

Yes, if a statutory holiday falls on an employee's regular day off and s/he is otherwise entitled to the holiday then the employee must be paid an average day's pay for the holiday. An average day's pay is calculated by dividing the employee's "total wages" earned in the 30 calendar days before the statutory holiday by the number of days worked.

4. What wages must be paid if an employee works on a statutory holiday?

Employees who work on a statutory holiday are entitled to be paid overtime rates of pay (i.e. time-and-a-half for the first 12 hours worked and double-time for any work over 12 hours), plus an average day's pay (often given as a day in lieu).

About BC HRMA

The BC-based Human Resources Management Association (BC HRMA) is a non-profit organization dedicated to advancing professional people practices through professional development opportunities such as conference, workshops, symposiums, mentorship and volunteer programs.

The association provides leadership to more than 5,500 members and 3,000 affiliates that collectively represent CEOs, directors of HR, consultants, educators, students, HR generalists, and small-business owners. Established in 1942, BC HRMA is a founding member of the Canadian Council of Human Resources Associations (CCHRA) and the exclusive grantor of the Certified Human Resources Professional (CHRP) designation in British Columbia and Yukon.

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