

# Statutory Holidays



# Statutory Holidays

## Non-regular employees (less than 280 hours) (1.01b Decree)

### 8 holidays

(the same as those of the *Normes du travail* (7.07.1) Decree and (7.08) ref. applied to unionized employees)

- January 1<sup>st</sup>
- Good Friday or Easter Monday
- The Monday preceding May 25<sup>th</sup> (National Patriots' Day)
- June 24<sup>th</sup>
- July 1<sup>st</sup>
- Labour Day (1<sup>st</sup> Monday in September)
- Thanksgiving (2<sup>nd</sup> Monday in October)
- December 25<sup>th</sup>

## Regular Employee (280 hours or more)

### Less than a year of uninterrupted service

#### 10 holidays

(7.01) Decree

- January 1<sup>st</sup>
- Good Friday or Easter Monday
- The Monday preceding May 25<sup>th</sup> (National Patriots' Day)
- June 24<sup>th</sup>
- July 1<sup>st</sup>
- Labour Day (1<sup>st</sup> Monday in September)
- Thanksgiving (2<sup>nd</sup> Monday in October)
- December 25<sup>th</sup>

+ December 31<sup>st</sup>  
or January 2<sup>nd</sup>  
(art. 7.01, paragraph 1a)

+ December 24<sup>th</sup> or 26<sup>th</sup>  
(art. 7.01, paragraph 10a)

### Over a year of uninterrupted service

#### 12 holidays

(7.01) Decree

- January 1<sup>st</sup>
- Good Friday or Easter Monday
- The Monday preceding May 25<sup>th</sup> (National Patriots' Day)
- June 24<sup>th</sup>
- July 1<sup>st</sup>
- Labour Day (1<sup>st</sup> Monday in September)
- Thanksgiving (2<sup>nd</sup> Monday in October)
- December 25<sup>th</sup>

#### NON-UNIONIZED

+ December 31<sup>st</sup>  
and January 2<sup>nd</sup>  
(art. 7.01, paragraph 1b)

+ December 24<sup>th</sup> and 26<sup>th</sup>  
(art. 7.01, paragraph 10b)

#### UNIONIZED\*

+ December 24<sup>th</sup> or 26<sup>th</sup>  
+ December 31<sup>st</sup> or January 2<sup>nd</sup>  
+ 2 mobile holidays  
(that can be cashed)

\*For unionized employees, please refer to the same clauses listed in the collective agreement.

# Calculation of indemnity

## Non-Regular employees (less than 280 hours) (1.01b Decree)

### Indemnity of 1/20

(7.07.2 Decree)

**Reference:** the last 4 weeks preceding the holiday

**Attention:** if you pay once every 2 weeks, refer to the last 4 worked weeks rather than the last 4 paid weeks.

**Calculation:** total of hours for the last 4 worked weeks preceding the holiday x 1/20 (0.05)

**Example:** 35 + 40 + 32 + 40 = 147 x 0.05 = 7.35 hours

### If employee works on the holiday

(7.07.3 Decree)

Indemnity of 1/20 + worked hours paid at the regular rate

or

Worked hours at the regular rate along with a compensatory leave (3 weeks preceding or following the holiday, at the employer's choice)

## Regular employees (280 hours or more)

### 4 days or less per week

An employee is considered to work 4 days or less per week, if during the last 8-week period, preceding the holiday, he did not work at least 5 weeks of 5 days.

### Indemnity

(7.02 Decree)

10% or 20% (of the preceding pay period)

### If employee works on the holiday

(7.07 Decree)

Indemnity of 10% or 20% + worked hours paid at 150%

or

Worked hours at the regular rate + compensatory leave (3 weeks preceding or following the holiday, with an agreement)

### 5 days and more per week

Verify over the last 8 weeks preceding the holiday, if the employee worked at least 5 times the day of the week which corresponds to the day of the holiday. If so, it is considered a usual work day. If not, refer to the following section (does not coincide).

### If the holiday is a usual work day (5/8)

(7.02 Decree)

#### REGULAR SCHEDULE

Indemnity: regular hours

#### VARIABLE SCHEDULE

Indemnity: Based on the last 8 weeks, calculate the average of worked hours performed over the last 5 days, representing the same weekday as the holiday.

### Indemnity if the holiday does not coincide

(7.05 Decree)

10% or 20%

#### CHOICES:

01. No holiday but + 10% or 20% on the pay
02. Carry over the holiday to 1 day preceding or following the holiday at the employer's choice (7.04 Decree)
03. Carry over the holiday to 3 weeks preceding or following the holiday, with a written agreement (7.07 Decree)

### If employee works on the holiday

Indemnity (number of regular hours or average) + worked hours paid at 150% (7.07 Decree)

or

Worked hours at the regular rate + compensatory leave (3 weeks preceding or following the holiday, with a written agreement) (7.02 Decree)

## Criteria to be eligible

(7.06 Decree + 8.06 Decree):

The employee must be present at work on his working day preceding and also his working day following the holiday, **except on cases of:**

1. Vacation leave
2. Leave of absence for 14 days or less with the employer's prior consent
3. Sick leave for less than 14 days (13 days + holiday = 14)
4. Lay off on the working day preceding the holiday (laid off on Friday and holiday on the following Monday)
5. Lay off on the working day following the holiday (Holiday on Easter Friday and laid off on the following Monday)
6. Lay off for 3 weeks or less (21 days)

## Specific cases where the carry over of a holiday is considered to be invalid:

01.

Carry over exceeding  
3 weeks

02.

Carry over within  
the 3 weeks **without  
an agreement**

03.

Carry over of a holiday  
which coincides with a  
usual work day, to a day  
where the employee  
does not normally work  
on (with or without  
an agreement)