

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

Regular Employee (280 hours or more)

Less than a year of uninterrupted service

10 holidays

(7.01 Decree)

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

✚ December 31st
or January 2nd
(art. 7.01, paragraph 1a)

✚ December 24th or 26th
(art. 7.01, paragraph 10a)

Over a year of uninterrupted service

12 holidays

(7.01 Decree)

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

NON-UNIONIZED

✚ December 31st
and January 2nd
(art. 7.01, paragraph 1b)

✚ December 24th and 26th
(art. 7.01, paragraph 10b)

UNIONIZED*

✚ December 24th or 26th
✚ December 31st or January 2nd
✚ 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: $35 + 40 + 32 + 40 = 147 \times 0.05 = 7.35$ 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 (8 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 8 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 (8 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. During an absence of less than 14 days for sick leave, special leave section 9.00 or to fulfill family obligations (Division V.1 of Chapter IV of the Act Respecting Labour Standards)
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
8 weeks

02.

Carry over within
the 8 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)