

## **General Holidays (Until April 30, 2007)**

General holidays, sometimes referred to as statutory holidays or stat holidays, are days recognized by legislation as holidays. Many employees have these days off with pay. Those who work these days are entitled to special pay.

### **What are the general holidays in Manitoba?**

There are eight general holidays throughout the year:

- New Year's Day
- Louis Riel Day (3<sup>rd</sup> Monday in February)
- Good Friday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Christmas Day

### **Are Easter, the August Civic Holiday, Remembrance Day and Boxing Day holidays?**

Easter Sunday, the August Civic holiday, and Boxing Day are not general holidays. Employees who do not work those days do not have to be paid.

Although Remembrance Day is not a general holiday, there are restrictions for operating businesses and special requirements for paying employees who work that day. See the [Remembrance Day](#) page for more details.

### **What does an employee receive as pay for a general holiday?**

Eligible employees must be paid at least what they would have been paid had the day not been a holiday. If employees' schedules vary from day to day, they are paid their average daily wage from the 30 days before the general holiday.

### **Do all employees receive general holiday pay?**

No, employees earn general holiday pay when:

- They earned wages on 15 of the previous 30 calendar days.
- They were not absent from work on a general holiday that is normally a workday and they are expected to work.
- They were not absent from work, without permission, on their last scheduled workday before the holiday or their first scheduled workday after the holiday, unless they are ill.

## **Is there an exception for the construction industry?**

Yes, in the construction industry employees are entitled to general holiday pay, but it is calculated as a percentage of their regular wages. It is often paid on every cheque instead of on the holiday. For more information see the [Construction industry](#) page.

## **Is general holiday pay different for employees earning minimum wage?**

Employees earning minimum wage do not need to work 15 of the previous 30 calendar days to qualify for a general holiday. If they work all of their scheduled shifts the week of the general holiday and were not absent from work without permission for their last shift before the general holiday, they are eligible for general holiday pay.

## **What if employees work on the general holiday?**

Employees who are eligible are paid general holiday pay regardless of whether they work that day or not. An employee who works on a general holiday would normally be paid 1 ½ times the regular rate of pay for the hours worked on the general holiday.

## **What if the general holiday is on a weekend?**

When a general holiday falls on a Saturday or Sunday that is not a regular work day, the next regular work day becomes the general holiday.

## **What if the general holiday is a day the employee does not normally work?**

In some cases, employees might not normally work on certain days of the week. When a general holiday falls on one of those days, employers must give employees another day off, with general holiday pay, before their next annual vacation, or at a time they both agree on.

For example: When a general holiday falls on a Monday and employees normally don't work on Mondays, the employees must receive another work day off before their next vacation, and receive general holiday pay.

## **Do all employers need to pay 1 1/2 times the regular wage for work on a general holiday?**

At most workplaces, employers must pay employees who work on a general holiday their general holiday pay, plus 1 ½ times their wage for the hours worked on that day. The exception is for employers operating a gas station, hospital, hotel, restaurant, place of amusement, continuously operating plant, or a seasonal industry (excluding construction) or those employing domestic workers.

These employers can pay regular wages for work on the holiday if they provide another day off with general holiday pay, within the next 30 days. If employers and employees agree, the day off may be taken sometime before the employees' next annual vacation.

## **What if the employment ends before the alternate day off for the general holiday is taken?**

If the employment ends before the day off is taken, employers must pay the holiday pay within 10 days of the employment ending. This pay cannot be used as part of a notice period.

## **What if the employment ends before the general holiday?**

Employees terminated by employers may still be eligible for general holiday pay. If they worked 15 of the 30 calendar days before the holiday, they are paid for the general holiday, even though they are no longer working.

If employees end employment, they are not entitled to general holiday pay.

## **How does a general holiday affect an employees' rights to have a weekly day of rest or to get paid for overtime?**

A general holiday does not affect the requirement to pay overtime wages or substitute for a weekly day of rest. For both overtime and a weekly day of rest, the wages paid as general holiday pay are considered hours worked.

## **How do general holidays affect vacations and vacation pay?**

When a general holiday falls during a vacation period, an additional day off with pay is to be given. General holiday pay is considered wages earned when calculating annual vacation pay. For more information, see the [Vacations and vacation pay](#) page.

## **For more information contact the Employment Standards Branch at:**

Telephone: 204-945-3352 or Toll free in Manitoba 1-800-821-4307

Fax: 204-948-3046

E-mail: [Employmentstandards@gov.mb.ca](mailto:Employmentstandards@gov.mb.ca)

Website: [www.manitoba.ca/labour/standards](http://www.manitoba.ca/labour/standards)

This information is intended as a guide only and is not a legal opinion. For complete information refer to the *Employment Standards Code* or other relevant legislation or contact us for more details.

Date Published: November 13, 2007