

**LEGISLATIVE ASSEMBLY OF BRITISH COLUMBIA  
POLICY MANUAL**

<b>SECTION</b>	Human Resources
<b>POLICY</b>	4320 – Statutory and Observed Holidays

**Objective** To set out statutory and observed holidays and the payment eligibility for Legislative Assembly employees.

**Application** This policy applies to all employees of the Legislative Assembly appointed under section 39 of the *Constitution Act* (R.S.B.C. 1996, c. 66).

**Authority** Legislative Assembly operational policies are approved by the Clerk of the Legislative Assembly, as per *Policy 1000 – Legislative Assembly Policy Framework*.

**Key Definitions** “**auxiliary term employee**” means an employee appointed to a temporary position, working a defined full-time or part-time schedule;

“**auxiliary as-and-when employee**” means an employee hired to work on an on-call basis and paid based on a submission of a timesheet;

“**department management/director**” means the manager(s) and/or director of a Legislative Assembly Administration department;

“**regular schedule**” refers to an employee who works Monday to Friday with regular days off on Saturday and Sunday;

“**shift schedule**” refers to an employee who works a standard shift for a number of days, followed by a number of days off (e.g., Legislative Assembly Protective Services employees work 11.25-hour shifts scheduled as two day shifts and two night shifts, followed by four days off);

“**supervisor**” means the person the employee directly reports to.

**1. General** .01 The Legislative Assembly recognizes the following 13 statutory and observed holidays in British Columbia and grants eligible employees time off work on these days for which the employee is paid holiday pay as outlined in this policy:

- |                         |  |
|-------------------------|--|
| 1) New Year’s Day       | 8) Labour Day                                |
| 2) Family Day           | 9) National Day for Truth and Reconciliation |
| 3) Good Friday          | 10) Thanksgiving Day                         |
| 4) Easter Monday        | 11) Remembrance Day                          |
| 5) Victoria Day         | 12) Christmas Day                            |
| 6) Canada Day           | 13) Boxing Day                               |
| 7) British Columbia Day |  |

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- .02 An employee may be entitled to additional leave to participate in religious or cultural observances, in accordance with *Policy 4330 – Leaves*.
- .03 For pay purposes, an employee working a regular schedule shall observe each holiday as follows:
  - a) If a holiday falls on a weekday (Monday to Friday), the calendar day on which the holiday falls is the holiday.
  - b) If a holiday falls on a weekend (Saturday or Sunday), the following Monday is designated the holiday. If that Monday is also a holiday or a designated holiday, the following Tuesday is designated the holiday.
- .04 For pay purposes, an employee working a shift schedule shall observe each holiday, as follows:
  - a) If an employee’s shift starts on a statutory holiday and the shift continues over midnight, the employee is entitled to statutory holiday pay for work performed for the entire shift.
  - b) If an employee’s shift starts on the day before the statutory holiday and the shift continues over midnight, there is no entitlement to statutory holiday pay, including for the hours of work performed on the statutory holiday.

**2. Eligibility**

- .01 All employees are eligible for holiday pay effective their first day of employment.
- .02 While on a leave of absence without pay, an employee will not receive holiday pay or accrue time in lieu in respect of a holiday that falls within the leave period.
- .03 An employee must maintain their employment relationship with the Legislative Assembly following a holiday to be eligible for holiday pay or time in lieu.

**3. Holiday Pay**

- .01 All regular and auxiliary term employees are entitled to a day off with pay, prorated to the employee’s full-time equivalency.
- .02 An employee working a regular schedule shall be paid holiday pay for working on a holiday if the work was authorized in advance by the department manager/director.

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- .03 Regular and auxiliary term employees working a regular schedule who work on a holiday will be compensated for those hours worked as follows:
- a) **Management employee working on a holiday:** Employee will be given time off in lieu equivalent of the hours worked that day which cannot exceed one regular working day.
  - b) **Non-management employee working on a holiday (excluding Christmas Day and New Year’s Day):** All hours worked will be paid at double time (2.0) in addition to time off in lieu. The time off in lieu given is the equivalent of the hours worked that day but cannot exceed one regular working day.
  - c) **Non-management employee working on Christmas Day or New Year’s Day:** All hours worked will be paid at double time and a half (2.5) in addition to time off in lieu. The time off in lieu given is the equivalent of the hours worked that day but cannot exceed one regular working day.
- .04 Regular and auxiliary term employees working a shift schedule who work on a holiday will be compensated for those hours worked as follows:
- a) **Management employee working on a holiday:** Employee will be given time off in lieu equivalent of the hours worked that day which cannot exceed one regular working day.
  - b) **Non-management employee working on a holiday, excluding Christmas Day and New Year’s Day:** All hours worked will be paid at double time (2.0).
  - c) **Non-management employee working on Christmas Day or New Year’s Day:** All hours worked will be paid at double time and a half (2.5).
  - d) **Overnight shifts:** An overnight shift starting the day preceding the holiday will be considered a regular workday and will be compensated at a regular rate of pay.
  - e) **Legislative Assembly Protective Services (LAPS) employees:** Receive an additional eight (8) working days off within a calendar year, prorated according to time worked.
- .05 Regular and auxiliary term employees scheduled to work on a holiday who are directed not to report to work by management for operational reasons will be entitled to a day off with pay, prorated to the employee’s full-time equivalency.

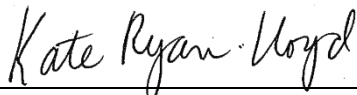
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- .06 An overnight shift starting on a holiday, excluding Christmas Day and New Year’s Day, and ending on the following day shall be compensated at double time for all hours worked during that shift.
- .07 An overnight shift starting on Christmas Day or New Year’s Day and ending on the following day shall be compensated at double time and a half (2.5) for all hours worked during that shift.
- .08 An auxiliary as-and-when employee who does not work on the holiday shall receive compensation for the day based on the following formula: straight-time hours paid in the previous 30 calendar days divided by the straight-time hours of work of a full-time employee for the same 30 calendar day period, multiplied by the hourly rate, multiplied by seven (hours per day).
- .09 An auxiliary as-and-when employee required to work on a holiday will be compensated at the same rate as a regular employee in the same situation, as outlined in section 3 of this policy. The day off in lieu shall be compensated based on the formula described in section 3.08.
- .10 If an employee is on vacation leave and a holiday falls within that period, the holiday shall not count as a day of vacation.
- .11 For the purpose of scheduling a day off in lieu of a holiday, employees must make arrangements with their direct supervisor to schedule and take the time as earned. This time cannot be banked for more than a month unless approval is given by department management/director.

**Contact** Questions regarding this policy may be directed to Human Resource Operations at [Human.Resources@leg.bc.ca](mailto:Human.Resources@leg.bc.ca).

**References** **Policy 4330 – Leaves**



Approved and authorized by Kate Ryan-Lloyd,  
Clerk of the Legislative Assembly

April 5, 2023

Date

POLICY HISTORY	
Version 1	March 16, 1998
Version 2	May 2002
Version 3	September 10, 2020
Version 4	April 5, 2023