



What can my employer deduct from my earnings?

By law, your employer must deduct money from your earnings to cover:

- income taxes,
- Canada Pension Plan (CPP),
- Employment Insurance (EI), and
- court-ordered garnishes or judgments.

No other deductions are allowed without advance written permission or through a collective agreement.

Your employer is not allowed to deduct the following from your earnings:

- faulty work (e.g. errors in an estimate),
- uniforms,
- breakage (e.g. a broken tool), or
- cash shortages*/loss of property (e.g. 'dine-and-dash', 'gas-and-dash').

**If more than one individual has access.*



Notice

How much notice is needed if I quit my job?

Depending on the length of your employment, you'll need to provide 1 or 2 weeks' written notice.

90 days or less	no requirement
Between 91 days and < 2 years	1 week notice
2 years or more	2 weeks' notice

How much notice is needed if my boss lets me go?

Depending on the circumstances and the length of your employment, your boss must give you between 1 and 8 weeks' notice.

Dismissal for just cause	no requirement
90 days or less	no requirement

Your employer cannot require you to use banked overtime or vacation time during the notice period, unless agreed to otherwise.

If you are asked to leave immediately after receiving written notice, your employer must pay you what you would have earned for the full notice period.



How long is a regular work day?

Rules apply for work days longer than 8 hours.

Typically, no one should be working more than 12 hours in a row. If you're working a split shift, your work hours need to remain within a 12-hour period. So, if you start work at 9:00 am, you shouldn't be expected to work past 9:00 pm.



Do I get breaks at work?

You must be provided with **at least 30 minutes of rest within every five hours of work, unless:**

- an accident occurs or urgent work is required,
- there are other unforeseeable or unpreventable circumstances, or
- you belong to a union and different break arrangements have been made through your collective agreement.

You and your employer can decide if your break is taken all at once or is split up in to two 15-minute periods.

Breaks can be paid or unpaid, at your employer's discretion.

What if I can't take breaks?

If you cannot take breaks during your shift or your employer does not allow you to leave the premises during your break, you must be paid for that time.



When can I expect to be paid?

Your employer must commit to regular pay periods. You must be paid within 10 days of the end of each pay period and provided with a statement of earnings and deductions. A pay period cannot be longer than one month.

If your employer has defined a 2-week pay period, you should expect to receive your first payment within 24 days of your start date. From then on, you can expect an average of 2 payments per month.

Find more detailed information about Alberta's Employment Standards at alberta.ca/EmploymentStandards



Need support? Let's talk.

The Employment Standards Contact Centre is your direct line to the answers you need.

780-427-3731
within Edmonton

1-877-427-3731
toll free from anywhere in Alberta

Ask a question online at alberta.ca/ESquestions

If you think your employer is not following the rules, talk with your employer first and show them this guide for reference. If your issue is not resolved, see alberta.ca/EScomplaints for details on how to file a complaint.

Disclaimer: In the event of any discrepancy between this information and Alberta Employment Standards legislation, the legislation is considered correct. This guide is not a comprehensive list of Alberta's Employment Standards.

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EMPLOYMENT STANDARDS GUIDE

Effective September 1, 2019

Overview

This brochure covers basic employment standards.

Here, you'll find answers to questions about pay, breaks, vacation and more.

Further information about Alberta's Employment Standards is available at alberta.ca/EmploymentStandards



How old do I have to be to work in Alberta?

If you are under 18 years of age, specific rules apply under Alberta laws.

- **12 year olds and under:**
you can **only** work in artistic endeavours, and will require a permit.*
- **13 - 14 year olds:**
you can work in any of the following jobs:
 - clerk or messenger in an office or retail store,
 - delivery person for small goods and merchandise for a retail store
 - certain duties in the restaurant industry
 - An artistic endeavour with a permit*
 - Work not listed above with a permit*

- **15 - 17 year olds:**
you can be employed in any type of work. No permits are required.

**Permits require parental consent and must be authorized by the Director of Employment Standards.*

There are additional rules about what hours youth can work on school days and at night.

For more information about hours of work, working in the restaurant industry and other details, visit alberta.ca/ESyouth

What can I expect to be paid?



Minimum wage

Your employer must pay you no less than minimum wage (lowest hourly rate), based on the following:

Over 18	\$15/hour
Under 18 and a student	\$13/hour (some exceptions apply)
Under 18 and not a student	\$15/hour



Vacation and vacation pay

After 1 year on the job, you're entitled to 2 weeks' paid vacation. Vacation pay is 4% of your wages.

After 5 years on the job, you're entitled to 3 weeks' paid vacation. Vacation pay increases to 6% of your wages.



Minimum call-out pay

If you're called in for a meeting or to work a shift but then sent home, you must be paid whichever works out to be more:

- your hourly wage multiplied by the time actually worked, or
- 3 hours at a rate of **at least** minimum wage.

Employee example:

The following is an example of two employees who were called in for a 2-hour shift on May 10 (a non-holiday). Employee A has an hourly wage of \$25/hr and Employee B has an hourly wage of \$18/hr.

CALCULATING MINIMUM CALL-OUT PAY		
	EMPLOYEE A	EMPLOYEE B
1) Hours worked at regular hourly rate	2 hours x \$25/hr = \$50	2 hours x \$18/hr = \$36
2) 3 hours worked at minimum wage*	3 hours x \$15/hr = \$45	3 hours x \$15/hr = \$45
Minimum call-out pay (the greater of 1 and 2)	\$50	\$45

*This example assumes a minimum wage of \$15/hour.



General holiday pay

An employee is entitled to general holiday pay if:

- They have worked for the same employer for at least 30 workdays in the 12 months prior to the holiday.
- A general holiday is an employee's **regular day of work** and/or the employee works on the holiday.

Regular day of work is a day of the week that an employee works consistently, or has worked at least 5 times in the 9 weeks prior to the holiday.

What is an employee entitled to on a general holiday if...

General holiday is a regular day of work	
Employee worked	Hours worked x hourly wage x 1.5 + average daily wage* OR Hours worked x hourly wage + future day off at average daily wage
Employee didn't work	Average daily wage

General holiday is a non-regular day of work	
Employee worked	Hours worked x hourly wage x 1.5
Employee didn't work	Not eligible for general holiday pay

*Average daily wage is 5% of an employee's wages, vacation pay and general holiday pay earned in the 4 weeks prior to the general holiday.

Employee example: An employee makes \$20/hour. Her vacation pay is paid out on each cheque. In the 4 weeks (28 days) leading up to the July 1 holiday (between June 3 and June 30), she worked 141 hours.

CALCULATING AVERAGE DAILY WAGE		
	CALCULATION/DETAILS	TOTAL
Wages	Hours worked in previous 28 days x Hourly wage	141 hours x \$20/hr = \$2820
Vacation pay	4% of Wages	\$2820 x .04 = \$112.80
General holiday pay (from previous general holidays)*	There were no general holidays between June 3 and June 30	\$0
Average daily wage	5% of (Wages + Vacation pay + General holiday pay)	(\$2820 + \$112.80 + \$0) x .05 = \$146.64

*Any general holiday pay paid out in the previous 4 weeks.

General holidays

Alberta has 9 official general holidays (statutory holidays). These are:

New Year's Day	January 1
Alberta Family Day	Third Monday in February
Good Friday	Friday before Easter
Victoria Day	Monday before May 25
Canada Day	July 1, except when it falls on a Sunday, then it is July 2
Labour Day	First Monday in September
Thanksgiving Day	Second Monday in October
Remembrance Day	November 11
Christmas Day	December 25



Job-protected leaves

Employees are eligible for most job-protected leaves after 90 days of employment with the same employer.* You must provide your employer with written notice as soon as possible, stating the intention of taking leave. Certain leaves have additional requirements.

The following outlines the maximum length for each unpaid job-protected leave available to employees in Alberta:

Maternity leave	16 weeks
Parental leave	62 weeks
Reservist leave	as needed
Compassionate care leave	27 weeks
Bereavement leave	3 days per year
Domestic violence leave	10 days per year
Citizenship ceremony leave	half day – once in a lifetime
Critical illness leave	36 weeks for a child 16 weeks for an adult
Long-term illness and injury leave	16 weeks per year
Personal and family responsibility leave	5 days per year
Death or disappearance of a child leave	52 weeks or 104 weeks

*Employees are eligible for reservist leave after 26 weeks of employment.

Find more information on how it all works at alberta.ca/EmploymentStandards

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Overtime pay for overtime work

Overtime pay is owed for all hours worked over 8 hours a day or 44 hours a week, **whichever is greater**. Unless there is a banked overtime agreement in writing, your employer must pay you **at least 1.5 times** your regular hourly rate for overtime worked.

Banked Overtime

If you have a banked overtime agreement, you must be given time off at a rate of **at least 1 hour for each overtime hour worked**, paid at your regular wage rate. The time limited to bank overtime is 6 months. After that, overtime that has not been used, must be paid out at a rate of **1.5 hours for every hour worked**.

Written or verbal agreements between an employer and employee to not pay overtime are **not** allowed.

Some employees are not eligible for overtime hours and pay, including managers, supervisors and select salespersons. Visit alberta.ca/EmploymentStandards for a complete list of overtime exemptions and exceptions.

Employee example:

STANDARD OVERTIME PAY								
	SUN	MON	TUES	WED	THURS	FRI	SAT	TOTAL
Hours worked	10	9	Day off	Day off	8	10	9	46 hours
# of hours > 8-hour daily max.	+ 2	+ 1	-	-	-	+ 2	+ 1	6 hours
Standard overtime pay is calculated as the greater of either daily or weekly overtime hours.							Weekly overtime	46 - 44 = 2 hours
							Daily overtime	6 hours



Averaging agreements*

- An averaging agreement enables you to work longer scheduled hours per day at your regular wage rate in exchange for days off.
- Overtime is calculated differently under averaging agreements.
- Employees can't be scheduled for more than 12 hours a day or 44 hours a week.
- Only one work schedule can be in the averaging agreement and must be provided in advance.
- Averaging agreements exist between an individual employee or group of employees and an employer.
- An employee may become part of a group agreement if they are hired into a group that has one in place.
- After September 1, 2019, it is no longer possible to enter into a Flexible Averaging Agreement (FAA).

Visit alberta.ca/EmploymentStandards for more information on averaging agreements.

*All of the above refers to Hours of Work Averaging Agreements.