

| STATEMENT of POLICY and PROCEDURE |   |            |             |
|-----------------------------------|---|------------|-------------|
| Chapter:                          | Human Resources                         | SPP No.    | HR 4.03.1   |
| Section:                          | Benefits                                | Issued:    | Jan 1, 2009 |
| Subject:                          | <b>STATUTORY HOLIDAYS – BC &amp; AB</b> | Effective: | Jan 1, 2009 |
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| Issued by:                        | Martin Moore                            | Issued:    |             |

## 1 POLICY

1.01 **John Watson Ltd** recognizes **ten (10)** days as statutory holidays and **one (1)** company holiday in British Columbia. **John Watson Ltd** recognizes **nine (9)** days as statutory holidays and **two (2)** company holidays in **Alberta** and **Ontario**. The company grants eligible employees time off work on these days for which the employee is paid Holiday Pay, subject to the conditions outlined herein. The recognized holidays are:

### Statutory Holidays

| <b>British Columbia</b> | <b>Alberta</b>   | <b>Ontario</b>   |
|-------------------------|------------------|------------------|
| New Year's Day          | New Year's Day   | New Year's Day   |
| Family Day              | Family Day       | Family Day       |
| Good Friday             | Good Friday      | Good Friday      |
| Victoria Day            | Victoria Day     | Victoria Day     |
| Canada Day              | Canada Day       | Canada Day       |
| B.C. Day                | -                | -                |
| Labour Day              | Labour Day       | Labour Day       |
| Thanksgiving Day        | Thanksgiving Day | Thanksgiving Day |
| Remembrance Day         | Remembrance Day  | Christmas Day    |
| Christmas Day           | Christmas Day    | Boxing Day       |

### Company Holidays

| <b>British Columbia</b> | <b>Alberta</b> | <b>Ontario</b> |
|-------------------------|----------------|----------------|
| -                       | Heritage Day   | Civic Holiday  |
| Boxing Day              | Boxing Day     | Easter Monday  |

Chinese New Year (*Floating Day for Union EEs only*)

- 1.02 (a) Where a statutory holiday falls on a non-working day for an eligible employee another working day shall be granted as the holiday and be taken on a day specified by **John Watson Ltd**.
- (b) In the alternative, a statutory holiday falls during an employee's vacation, the day is taken and recorded as a statutory holiday, the other days remaining in the week would be recorded as vacation time.
- (c) If a statutory holiday falls during an employee's business trip, the day may be taken in lieu of the statutory holiday upon returning from the trip.

### 1.03 Statutory Holiday Eligibility

To be eligible for a holiday, an employee must be on the payroll for at least thirty (30)

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calendar days before the holiday being observed and have

#### **British Columbia**

- (a) worked or earned wages for fifteen (15) of the thirty (30) calendar days preceding the holiday, or
- (b) worked under an averaging agreement at any time within the thirty (30) calendar period.

#### **<Alberta>**

To be eligible for a holiday, an employee must be employed by John Watson Ltd. for at least thirty (30) work days within the twelve (12) months preceding the holiday, unless

- (a) the employee does not work the holiday when required or scheduled to do so; or
- (b) the employee was absent without consent on the last regular work day preceding the holiday or the next regular work day following the holiday.

#### 1.04 **Company Holiday Eligibility**

The same policy as in paragraph 1.03 above will apply for an employee to be eligible for a company holiday.

### **2 PURPOSE**

- 2.01 The purpose of this Statement of Policy and Procedure is to specify those days, which are observed as Statutory Holidays, and to outline the eligibility requirements for Holiday Pay.

### **3 SCOPE**

- 3.01 This Statement of Policy and Procedure applies to Non-union employees. Where appropriate: Statutory Holiday provisions for Union employees are governed by the terms of the applicable Collective Agreement.

### **4 RESPONSIBILITY**

- 4.01 The Payroll Department is responsible for determining those employees who do not qualify for Statutory Holiday Pay and the reason(s) for disqualification and determine those that do qualify and at what rate, based on each provinces requirement.

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## 5 DEFINITIONS

5.01 **“Statutory Holiday Pay”** means the amount paid to an eligible employee who is given a day off on a statutory holiday, or a day in lieu thereof, and is an amount equal to at least an average day’s pay determined by the formula *amount paid/ days worked* where *amount paid* is the wages paid or payable to an employee within the thirty (30) calendar days preceding the statutory holiday, including vacation pay for vacation days taken within that period, less any amounts paid or payable for overtime, and *days worked* is the number of days an employee worked or earned wages within that thirty (30) calendar day period.

5.02 **“Regular Wage”** means

- (a) (i) if an employee is paid by the hour, the hourly wage,
- (ii) if an employee is paid on a flat rate, piece rate or other incentive basis, the employee’s wages in a pay period divided by the employee’s total hours of work during that pay period,
- (iii) if an employee is paid a yearly wage, the yearly wage divided by the product of 52 times the lesser of the employee’s normal or average weekly hours of work.
- (b) Overtime pay, shift or other premiums, insurance premiums paid by the company on behalf of an employee, benefits provided under any company or government benefit plan are not considered to be wages for the purpose of this policy.

5.03 **“Company Holiday”** means the days listed in 1.01 under Company Holiday.

## 6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

British Columbia *Employment Standards Act* and Regulations

[Alberta Employment Standard Code](#)

SPP HR 2.05 — Employment Classifications

SPP HR 4.02 — Vacation and Vacation Pay

SPP HR 4.04 — Personal Leave of Absence

## 7 PROCEDURE

7.01 It is John Watson Ltd’s policy to be closed on Statutory Holidays.

7.02 An employee hired on the first working day following a Statutory Holiday or thereafter is not eligible for Holiday Pay for that holiday.

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7.03 Work performed on a Company Holiday, an employee is entitled to a day off with pay in lieu of working a Company Holiday.

7.04 **Statutory Holiday Pay on Cessation of Employment**

- (a) An employee who ceases employment before a day that is substituted for a statutory holiday (employees that qualify for the non-working day, see section 1.02) and who is otherwise eligible for that holiday, shall receive Statutory Holiday Pay in lieu of that substituted statutory holiday.
- (b) An employee who ceases employment at the end of the regular work day immediately preceding a statutory holiday which is observed during the same week as the date of termination and who otherwise would normally be eligible for the holiday, shall receive Statutory Holiday Pay in lieu of the statutory holiday in addition to any other wages owing at the time of termination.

**British Columbia**

7.05 For Easter Monday there is to be a skeleton crew on staff comprising of: Inside Sales person, Management Representative, non-union warehouse person.

7.05 Subject to Paragraph 1.03, payment or alternative time off will not be made for holidays occurring during a period of leave of absence without pay.

**8 APPENDICES**

None.