EMPLOYMENT STANDARDS
RIGHTS AND RESPONSIBILITIES
Effective January 1, 2019

What’s new?
The rules apply to most employees in Alberta.
Key changes to Employment Standards include:

Unpaid, job-protected leaves

New leaves:
• Bereavement leave
• Citizenship ceremony leave
• Critical illness leave
• Death or disappearance of a child leave
• Domestic violence leave
• Long-term illness and injury leave
• Personal and family responsibility leave

New eligibility requirements:
• Eligible after 90 days of employment (with the same employer) for all leaves, except reservist leave (26 weeks of employment)

Youth employment

12 year olds and under can only be employed in ‘artistic endeavours’.

Daily breaks

Employees are entitled to a paid or unpaid 30-minute break for every 5 consecutive hours worked.

General holiday pay

There’s no distinction between a regular and non-regular work day and there’s a new calculation for general holiday pay.

Overtime

Overtime hours banked for paid time off must be banked at a rate of at least 1.5 hours off for each overtime hour worked.

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

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.
How Alberta’s Employment Standards apply to employees and employers

**Unpaid, job protected leaves**

Employees are eligible for most unpaid leaves after 90 days of employment with the same employer. The following outlines the maximum length for each unpaid job-protected leave available to employees in Alberta:

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

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

**What are the rules around employing youth?**

- **12 year olds and under:** can only be employed in artistic endeavours authorized by a permit from the Director of Employment Standards.
- **13 - 14 year olds:** can be employed in a variety of retail, office, newspaper or flyer delivery and some restaurant jobs without a permit. Artistic endeavours and other positions not listed above may be allowed with a permit from the Director of Employment Standards.
- **15 - 17 year olds:** can be employed in any type of work without a permit.

There are additional rules about what hours youth can work on school days and at night. For more details, see alberta.ca/ESyouth.

**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 an employee is working a split shift, the work hours need to remain within a 12-hour period.

**Do employees get days of rest?**

They are entitled to at least 1 day of rest each work week. Work weeks can be combined so the employee receives the following days of rest:

<table>
<thead>
<tr>
<th>Consecutive work weeks per period</th>
<th>Consecutive days of rest in each period</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 weeks</td>
<td>2 days</td>
</tr>
<tr>
<td>3 weeks</td>
<td>3 days</td>
</tr>
<tr>
<td>4 weeks</td>
<td>4 days</td>
</tr>
</tbody>
</table>

They must receive at least 4 consecutive days of rest after each period of 24 consecutive work days.

**What if employees can’t take breaks?**

If an employer prevents them from taking a break during their shift, the break must be paid.

**What are the rules for paying employees?**

**General holiday pay**

Employees are entitled to general (statutory) holiday pay, unless:
- they miss their scheduled shifts right before or after the general holiday without their employer's consent OR
- they don't work on the general holiday when required to.

**Minimum wage**

Employees must be paid no less than minimum wage (lowest hourly rate) and at least once a month.

Alberta general minimum wage: $15.00/hour, effective October 1, 2018

**Overtime hours and overtime pay**

Employers must pay eligible employees at least 1.5 times their regular hourly rate for overtime worked, or provide banked overtime at a rate of 1.5 times for each overtime hour worked.

Overtime pay is calculated on the greater of:
- number of hours worked in a week (in excess of 44 hours)
OR
- number of hours worked in a day (in excess of 8 hours).

Check alberta.ca/EmploymentStandards for more information.

**Pay statements**

Employers must provide their employees with a statement of earnings and deductions within 10 days of the end of each pay period.

**Deductions**

- Some deductions are required (e.g. income taxes).
- No other deductions are allowed without advance written permission.
- Some deductions are never allowed: faulty work, uniforms, breakage or cash shortages/loss of property (e.g. “dine-and-dash”, “gas-and-dash”).
  
  *If more than one individual has access

**Vacations and vacation pay**

After 1 year, employees are entitled to 2 weeks’ paid vacation. Vacation pay is 4% of wages from the previous year.

After 5 years, employees are entitled to 3 weeks’ paid vacation. Vacation pay increases to 6% of wages from the previous year.

**How much notice is needed if...**

**An employee quits?**

An employee’s requirement to provide written notice to an employee depends on their length of employment:

<table>
<thead>
<tr>
<th>Length of Employment</th>
<th>Written Notice Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>90 days or less</td>
<td>No requirement</td>
</tr>
<tr>
<td>Between 91 days and &lt; 2 years</td>
<td>1 week notice</td>
</tr>
<tr>
<td>Between 2 years or more</td>
<td>2 weeks notice</td>
</tr>
</tbody>
</table>

**An employee is let go?**

An employer’s requirement to provide written notice to an employee depends on the length of employment:

<table>
<thead>
<tr>
<th>Length of Employment</th>
<th>Written Notice Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dismissal for just cause</td>
<td>No requirement</td>
</tr>
<tr>
<td>90 days or less</td>
<td>No requirement</td>
</tr>
<tr>
<td>Between 91 days and &lt; 2 years</td>
<td>1 week notice</td>
</tr>
<tr>
<td>Between 2 years and &lt; 4 years</td>
<td>2 weeks’ notice</td>
</tr>
<tr>
<td>Between 4 years and &lt; 6 years</td>
<td>4 weeks’ notice</td>
</tr>
<tr>
<td>Between 6 years and &lt; 8 years</td>
<td>5 weeks’ notice</td>
</tr>
<tr>
<td>Between 8 years and &lt; 10 years</td>
<td>6 weeks’ notice</td>
</tr>
<tr>
<td>10 years or more</td>
<td>8 weeks’ notice</td>
</tr>
</tbody>
</table>

If an employer wants an employee to leave right away, instead of written notice, they can pay the employee what they would have earned had they worked for the full notice period.

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