

INTERPRETATIONS – CUPE Local 30
SUBJECT: Statutory Holidays – Good Friday (April 2, 2021) and
Easter Monday (April 5, 2021)

QUESTION: When are eligible employees who work on the Good Friday and Easter Monday statutory holidays eligible for premium pay?

Relevant Collective Agreement Clauses:

6.05 Pay for Work on Statutory Holidays:

6.05.01. An employee required to work on a recognized statutory holiday for which they are eligible shall be paid 2 times their regular rate of pay for each hour worked.

6.05.02 The provision for the minimum call-out time specified in clause 6.02.03 and the overtime continuance provision specified in clause 6.02.04 shall be applicable in this section.

6.05.03 The provisions in this section of the Agreement shall supersede the provisions of the sections of this Agreement covering overtime and off day premium.

8.01 Statutory Holidays:

8.01.06 The following days shall be recognized as statutory holidays for the purpose of this Agreement, and all permanent, provisional and probationary employees shall be entitled to the holidays specified, provided they meet the terms and conditions set out in this section:
New Year's Day, Family Day, **Good Friday, Easter Monday**, Victoria Day, Canada Day (July 1, or July 2 when July 1 is a Sunday), Civic Holiday (Heritage Day), Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day (December 26), and any other holiday which the City allows employees as a whole.

8.01.07 Temporary employees who have completed 30 calendar days of continuous service immediately prior to the statutory holiday or have completed 30 working days with the City in the preceding 12 months shall be entitled to receive such statutory holidays as are set forth in the current Employment Standards Code¹, or as follows (whichever is more favourable).
New Year's Day, Family Day, **Good Friday**, Victoria Day, Canada Day (July 1, or July 2 when July 1 is a Sunday), Labour Day, Thanksgiving Day, Remembrance Day, and Christmas Day.

Interpretation:

Premium pay (x2 regular rate of pay) is owed to eligible employees who work on the Named Holiday day, not on lieu days that may be established by the City. For permanent and probationary employees covered under the CUPE Local 30 Collective Agreement – the Agreement provides for Good Friday and Easter Monday as stat holidays. In 2021, the Named Holiday day for **Good Friday** is **April 2nd** and for **Easter Monday** is **April 5th**.

Therefore, eligible employees who work on **Good Friday** and **Easter Monday** should be paid at 2 times the regular rate of pay for every hour worked.

Sunday, April 4th is not a statutory holiday, therefore employees who are working their regular shift on this day should be paid at 1 times their regular rate of pay for every hour worked.

Permanent/Probationary Employees:

If Friday **April 2nd** and Monday **April 5th** are scheduled **work days** for the employee, the City can provide

¹ *Employment Standards Code*, R.S.A. 2000, c E-9

these days off with pay, or other day(s) off in lieu of those days, with pay. If the conditions of service preclude the operation from allowing the employee to be “off with pay” on April 2nd and April 5th and/or another lieu day(s), the employee receives their normal daily hour amount at 2 times the employee’s regular rate of pay for each hour worked on these dates (April 2nd and April 5th).

If Friday **April 2nd** and Monday **April 5th** are scheduled **off days** for the employee, they get (bank) another day off in lieu with pay at their normal daily hour amount or 8.0 hours Stat Holiday pay (SHL) on Friday **April 2nd** and Monday **April 5th**. If the employee is scheduled to be off on Friday **April 2nd** and Monday **April 5th**, but is subsequently called in due to the conditions of service, they would receive two (2) times their regular rate of pay for each hour worked unless they have received five (5) working days’ notice of such change (Clause 8.01.05).

Temporary Full-time or Part-time Employees:

Temporary (Full-time or Part-time) employees are **not eligible** for the Easter Monday stat (as per Article 8.01.07 of the CUPE 30 Agreement). If the part-time (non-permanent) employee is eligible for a particular statutory holiday (e.g. Good Friday), in accordance with *Employment Standards Code*², the employee will be paid their average daily wage, which is calculated as 5% of their wages, vacation pay and general holiday pay earned in the 4 weeks immediately preceding the general holiday. *note this is a system generated calculation - HOL should not be keyed for part time employees).

Employees on Standby

If an employee is on standby on **April 2nd** or **April 5th** (excluding temporary employees on Easter Monday), they shall be paid per Article 6.10.01.03 Statutory Holidays: “*At their regular rate of pay, at the rate of 1 hour in every 6 for those hours held on standby on that recognized statutory holiday.*”

COVID-19 Scenarios

Employees on Paid Quarantine leave (IWP or QWP)

- Employees will be issued holiday in accordance with their eligibility (Permanent/Probationary/Temporary) as if the Friday **April 2nd** and Monday **April 5th** are scheduled **off days** for the employee. **Don’t code IWP/QWP on these days.**
 - If you are a Full time Permanent or Provisional employee, code HOL or SHL should be reported for April 2 and/or 5. If you are a part time employee, PeopleSoft will generate your holiday pay, don’t code anything on the stats.
 - If you are a Full time Temporary employee, HOL or SHL should be reported for April 2 and HWO on April 5. If you are a part time employee, PeopleSoft will generate your holiday pay for April 2, don’t code anything on the stats.

Employees Temporarily Working From Home (TWH) or on Redeployment (ST)

- Employees will be issued holiday pay and premium in accordance with their eligibility (Permanent/Probationary/Temporary) as if the Friday **April 2nd** and Monday **April 5th** are normally scheduled **work days** for the employee.
 - If you are a Full time Permanent or Provisional employee, code SHW/SBW (in addition to HOL and/or HNN) for hours worked on April 2 and/or 5. If you are a part time employee, code SHW/SBW for hours worked on any of these stats, PeopleSoft will generate your holiday pay.
 - If you are a Full time Temporary employee, code SHW/SBW (in addition to HOL and/or HNN) for hours worked on April 2 and code **TWH or ST for hours worked on April 5**. If you are a part time employee, code SHW/SBW for hours worked on April 2 and TWH or ST for hours worked on April 5, PeopleSoft will generate your holiday pay for April 2.

² *Employment Standards Code*, R.S.A. 2000, c E-9