



## ONTARIO ADDS A STATUTORY HOLIDAY – February 18

### Additional Confusion for Employers Across Canada?

Provincial jurisdiction over statutory holidays in Canada provides a challenge to any employer with staff in more than one province but wishing to ensure fairness to all employees regarding holiday leave provisions.

In order to address discrepancies in leave between provinces, to remain competitive in their ability to attract and retain staff, and to provide the flexibility to close operations between Christmas and New Year's, a recent survey conducted by PERSONNEL SYSTEMS of employers across Canada indicate that **approximately seventy-five percent (75%) either now provide, or intend to provide, 'floater' days in addition to their normal holiday leave provisions.**

The survey indicates that most employers adopting this approach provide **between two to three 'floater days' per year.** In most cases, the employer would define when the floater days are utilized. There was little difference in terms of the size of employer, although employers with less than thirty (<30) employees were less likely to provide formal 'floater' days but instead offer a more informal/personalized approach to leave provisions based on each employee's needs.

The following provides a quick summary of the number of Statutory Holidays by province:

		NF	PEI	NB	MN	NS	QC	YK	NN	BC	AB	ON	SK	NT
<b>New Year's</b>	Jan.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Feb.				✓						✓	✓	✓	
<b>Good Friday</b>	Easter	✓	✓	✓	✓	✓	✓*	✓	✓	✓	✓	✓	✓	✓
<b>Easter Monday</b>	Easter						✓*							
<b>Victoria</b>	May				✓		✓	✓	✓	✓	✓	✓	✓	✓
	Jun.						✓							✓
<b>Canada</b>	Jul.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Aug.			✓				✓	✓	✓			✓	✓
<b>Labour</b>	Sep.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>Thanksgiving</b>	Oct.				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>Remembrance</b>	Nov.	✓	✓	✓				✓	✓	✓	✓		✓	✓
<b>Christmas</b>	Dec.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>Boxing</b>	Dec.					✓						✓		
	<b>Total</b>	<b>6</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>10</b>	<b>10</b>

Notes:

- \*QC employers may provide either Good Friday or Easter Monday as the stat. at their discretion
- The holidays indicated in February, June and August are known by a variety of names. The holiday in May is most commonly called Victoria or Memorial Day.
- Where the August holiday is not indicated above as a stat. holiday, most jurisdictions do provide a holiday although qualification and payment provisions may differ from those of a stat. holiday
- Individual employers may choose to provide additional common holidays such as Boxing Day or Easter Monday as a paid holiday.

**The province of Ontario has introduced a new Statutory Holiday, beginning in 2008 – Family Day, February 18.** By doing so Ontario joins Saskatchewan and Alberta who have already enacted the Family Day holiday in the February time-period. Manitoba also provides for a statutory holiday in February – Louis Riel Day.

Advocates for the February holiday have long indicated that employees deserve a holiday in February to provide a break over the long period between New Year's and Easter. Many employers, although perhaps agreeing with the philosophy, are concerned about the productivity and economic cost at a time when market conditions may already be challenging their bottom lines. As such, many employers are struggling with the question as to whether to add the holiday to their existing complement of leave provisions or replace an existing leave day (perhaps a 'floater' day) with the new holiday.

Most respondents to the survey from Ontario represented the broader technology/biotechnology sectors with a smaller sampling of organizations from other industry sectors such as insurance, financial, etc. Within both groupings, the **majority, eighty-five percent (85%), are choosing to add the new statutory holiday as an addition to their existing holiday complement.** Five percent (5%) indicate they plan to replace an existing floater day with the new holiday. Ten percent (10%) of employers indicate they have not as yet determined their course of action.

Many of the employers that have decided to add the day to their existing complement of holidays, indicate two main reasons for their decision:

- In many cases the float days were used to provide employees time off between Christmas and the New Year and to take away a float day removed this opportunity.
- Attraction and retention of skilled staff is an on-going and growing challenge for their company. As such, despite the economic impact, they wanted to ensure that they were not perceived to be 'taking away' a leave day that the employer offered in order to accommodate a legislated day.

PERSONNEL SYSTEMS

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