Report workplace health and safety incidents

It's the law to report certain types of health and safety incidents to Alberta OHS. Here's how.

Call OHS 1-866-415-8690 as soon as possible if there has been:

- A worker fatality at the work site
- A workplace injury, illness or incident that resulted in:
  - a worker fatality
  - a worker being admitted to hospital
  - a worker injury or illness that the employer believes may lead to hospital admission
- An unplanned or uncontrolled explosion, fire or flood that caused or could have caused a serious injury or illness
- A crane, derrick or hoist collapse or upset
- A (full or partial) building or structural collapse or failure
- A worker overexposed to radiation

Report online to OHS if there has been:

- A mine or mine site incident
- A potentially serious incident

Report mine or mine site incidents **as soon as possible**.

Report potentially serious incidents **after your investigation is complete**.

oirportal.labour.alberta.ca/pre-screening

Learn more about incident reporting and investigating requirements.

Consult the *Occupational Health and Safety Act* directly.

Questions, concerns, need more info?

Call Alberta Occupational Health and Safety.

1-866-415-8690 Throughout Alberta

780-415-8690 Edmonton and area

1-800-232-7215 For the deaf or hard of hearing (TTY)

Alberta

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Employment Standards Guide for Employees

Basic information on pay, time off, breaks, and more

Minimum wage

Minimum wage is the lowest hourly rate an employer can pay. Current minimum wage is:

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

Maximum hours per workday

Typically, no one should be working more than 12 hours in a row. Exceptions can be made if there is an accident or urgent work is required.

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 a.m., you shouldn't be expected to work past 9 p.m.

Breaks

LENGTH OF SHIFT	BREAKS
5 hours or less	No break entitlement
More than 5 hours but less than 10 hours	At least one 30-minute break
10 hours or more	At least two 30-minute breaks

There are exceptions if:

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

You and your employer can decide if your break is taken all at once or is split up into 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.

Pay periods and pay statements

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

For example, 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.

Days of rest

You are entitled to at least 1 day of rest each work week.

Work weeks can be combined so that you receive the following days of rest:

CONSECUTIVE WORK WEEKS	CONSECUTIVE DAYS OF REST
2 weeks	2 days
3 weeks	3 days
4 weeks	4 days

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

3 hour minimum

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.

Learn more at alberta.ca/EmploymentStandards

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General holiday pay

You are entitled to general holiday pay if you have worked for the same employer for at least 30 workdays in the 12 months prior to the holiday.

Whether you receive general holiday pay will also depend on whether you worked that day, and whether the day the general holiday falls on is a regular workday for you.

IF GENERAL HOLIDAY IS A REGULAR DAY OF WORK	
If you 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
If you didn't work	Average daily wage

IF GENERAL HOLIDAY IS NOT A REGULAR DAY OF WORK	
If you worked	Hours worked x hourly wage x 1.5
If you didn't work	Not eligible for general holiday pay

Regular day of work

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

Average daily wage

Average daily wage is calculated by dividing total wages earned by the number of days worked in a 4 week period. The 4 week period is either:

- immediately preceding the general holiday, or
- ending on the last day of the pay period that immediately preceded the general holiday

For information on calculating average daily wage and more details on general holidays, see alberta.ca/general-holidays-pay.aspx

ALBERTA GENERAL HOLIDAYS	
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

There are additional days that your employer may choose to recognize as general holidays. If your employer recognizes a day as a general holiday, then all employment standards rules related to general holiday pay still apply for these additional holidays. You should confirm this and any pay entitlements with your employer.

OPTIONAL ALBERTA GENERAL HOLIDAYS	
Easter Monday	First Monday following Easter
Heritage Day	First Monday in August
Boxing Day	December 26

Job-protected leaves

Job-protected leaves provide time off to deal with life events without losing your job. You are eligible for most job-protected leaves after 90 days of employment with the same employer.

Leaves are unpaid but in some cases income support may be available from Employment Insurance.

You must provide your employer with notice stating your intention of taking leave, preferably in writing. Some leaves require notice several weeks before starting the leave and some leaves have additional requirements.

TYPE OF LEAVE	MAXIMUM LENGTH
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

Learn more at alberta.ca/EmploymentStandards

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Vacations and vacation pay

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

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

Vacation pay can be paid on each paycheque or when you take your vacation.

Youth employment

There are additional rules if you're under 18 years of age. For all the details, see the Employment Standards Guide for Youth or alberta.ca/youth-employment-laws.aspx

Overtime pay

Overtime pay is owed for all hours worked over 8 hours a day or 44 hours a week, whichever is greater. Your employer must calculate overtime on both a daily and weekly basis and pay out the larger amount.

Your employer must pay you at least 1.5 times your regular hourly rate for overtime worked, unless you have a written banked overtime agreement.

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

Banked Overtime

If you have a written 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 limit 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.

Averaging arrangements

If you are covered by an averaging arrangement, the calculation of overtime will be different. Your employer must provide you a copy of the arrangement which explains how overtime will be calculated.

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

Ending employment

Notice if you quit

You'll need to provide written notice to your employer that varies based on your length of employment:

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

Notice if your employer lets you go

Your employer must give you written notice that varies based on the length of your employment:

Dismissal for just cause	no notice
90 days or less	no notice
Between 91 days and < 2 years	1 week
Between 2 years and < 4 years	2 weeks
Between 4 years and < 6 years	4 weeks
Between 6 years and < 8 years	5 weeks
Between 8 years and < 10 years	6 weeks
10 years or more	8 weeks

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

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.

Deductions

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

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

Your employer can make deductions for vacation pay paid before it is earned or to correct payroll errors made in the last six months.

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

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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),
- cash shortages if more than one individual has access, or
- loss of property (e.g. ‘dine-and-dash’).

Exceptions to employment standards rules

Some industries and occupations have exceptions to the rules described here. For a full list of exceptions, see:

alberta.ca/exceptions-for-specific-industries.aspx

Your employer might have something called a variance. This is permission from the government for your employer to follow different rules. If a variance applies to you, your employer must provide you a copy of the variance.

Filing a complaint

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, find more details on filing a complaint:

alberta.ca/EScomplaints

Learn more

This guide provides basic information on important Employment Standards rules. More information on everything in this guide can be found online:

alberta.ca/EmploymentStandards

If you have questions about anything in this guide you can get answers from the Employment Standards Contact Centre:

Online: alberta.ca/ESquestions

Toll-free: **1-877-427-3731**

Within Edmonton: **780-427-3731**

Disclaimer

Information in this publication was accurate, to the best of our knowledge, at the time of publication. 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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Working?

Know the Rules



What is minimum wage?



Are you entitled to breaks?



Do you get paid overtime?

For this and more information, visit:

Occupational Health and Safety Contact Centre
1-866-415-8690 toll-free in Alberta
alberta.ca/ohs

Employment Standards Contact Centre
1-877-427-3731 toll-free in Alberta
alberta.ca/employmentstandards

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Stop violence and harassment in the workplace

Workplace violence and harassment is not acceptable.

By law, employers and supervisors must ensure that none of their workers are subjected to or participate in violence or harassment at the work site.

Workers must not cause or participate in violence or harassment at the work site.

Violence and harassment can include:

- Unwelcome comments (written, digital or verbal) or actions because of race, religious beliefs, colour, physical disability, gender, etc.
- Exclusion, withholding information and setting the individual up for failure.
- Lateral violence (peer to peer).
- Psychological or physical harm.
- Physical attacks or aggression (threatening behaviour).
- Domestic violence.
- Sexual violence.

Prevent and stop violence and harassment

- Follow your employer's violence and harassment prevention plan.
- Refrain from causing or participating in violence or harassment.
- Report violence or harassment to your supervisor or employer and keep a journal with dates, times, witnesses and what happened.

Need to talk, have health and safety questions, or need to report an incident of workplace violence or harassment?

Call Alberta Occupational Health and Safety.

1-866-415-8690 Throughout Alberta

780-415-8690 Edmonton and area

1-800-232-7215 For the deaf or hard of hearing (TTY)

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