



Public Holiday Pay Calculation is Changing Again

As discussed in a previous edition of this newsletter, on January 1, 2018 the Ontario Government introduced several changes to the employment and labour standards in Ontario. One of those changes was to introduce a new way for employers to calculate public holiday pay.

Under the previous system, public holiday pay was calculated by taking the employee's total wages in the four weeks prior to the work week in which the public holiday occurs and dividing that number by 20.

On January 1, 2018, the calculation changed. Currently an employee's public holiday pay is calculated by taking the total amount of regular wages earned in the pay period immediately preceding the public holiday, divided by the number of days the employee worked in that period.

Following consultation with stakeholders, the practical reality of the new calculation proved to be inequitable. Not only could it entitle employees to a higher public holiday pay, but it also made it possible for employees who worked less than others to receive the same, or more, public holiday pay.

As a result, the government has announced that on July 1, 2018 it will temporarily revert back to the previous calculation method until December 31, 2019. The intention is for the Ontario Ministry of Labour to conduct a review during that time. With the upcoming Ontario election, however, the future of employment and labour standards is uncertain.

If you have any questions about how to calculate public holiday for your workers, please reach out to a lawyer directly, or to cvokey@robinsonheeneey.com.

Robinson Heeney LLP Announcements

We are pleased to announce that Julia Burke will be joining the firm as an Associate in June 2018.

