



INTERNATIONAL LONGSHORE & WAREHOUSE UNION CANADA

180 - 111 Victoria Drive, Vancouver, BC V5L 4C4. (604) 254-8141 Fax (604) 254-8183 E-Mail: officers@ilwu.ca

LCEB BULLETIN

Changes to Statutory Holiday Pay Qualifications

April 9, 2015

The Federal Government recently announced changes to the qualifications for Statutory Holiday Pay, as mandated by recent changes to the Canada Labour Code Regulations for federally regulated industries.

The qualifiers we have always used “15 days worked in the previous 30 days, or 120 hours worked in that period” will no longer be used. The new qualifier is based on “the number of shifts worked in the four week period prior to the week in which the holiday occurs”. If “20 shifts are worked in the four week period it will qualify for a full days’ pay. Less than 20 shifts will be prorated; i.e. 13 days over 20 days. Even one shift in the qualifying period will result in a small payment. The 1/20th provision applies to all Longshore Workers, so even if you only work one day you will get paid, although it will be a small amount for only one day.

By the Canada Labour Code every day worked in this period will qualify you for one-twentieth of a day’s pay. With this change under the Labour Code now you need to work 20 days to get a full eight hour day paid. The Code also allows for payment beyond 20/20th for those working more than 20 days.

To maintain what we already have negotiated and to adopt the new qualifications your Longshore Contract Executive Board has agreed to make the following changes:

- The four calendar week qualifying period as stated above
- Anyone working 1 to 14 days will receive 1/20th of a day’s pay for each day worked.
- Anyone working 15 or more days will receive 8 hours pay as they always have.

All the current provisions in the Collective Agreement in regard to Vacation Time and Sick Days, whether on Weekly Indemnity or collecting Worksafe Benefits, will apply for those that return to work before the Holiday.

This new qualification will come into effect for Victoria Day, May 18, 2015, and the four-week qualifying period will be April 19 to May 16. Timing did not allow the new change to be in effect for the qualifying periods for Good Friday and Easter Monday, which will for this time only, remain under the ‘old’ system.

The full Letter of Understanding will soon be available in all Local Union Offices and ILWU Canada. It will amend the current Article 10 of the Collective Agreement but will not be printed in the Agreement until the next round of bargaining in 2018. Although there are improvements in these changes the Statutory Holidays listed in the Agreement stay the same; there is no Family Day in February yet. It is hard to put all the language into a bulletin so if you have any questions please go and request a copy.

Longshore Contract Executive Board