



Powerpay Statutory Holiday Assist Guide

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How to use this Guide

This guide summarizes the Canadian compliance requirements incorporated into the Powerpay Statutory Holiday Assist setup. Each chapter discusses provincial requirements considered when we created these configurations. The customer considerations sections cover assumptions we made about the law, known functionality limitations, and flag when employers should consult with their independent compliance advisors. They also highlight considerations that they will need to be aware of or take action on.

To ensure employers are set up for success, please convey the following:

- This guide is not a comprehensive legal resource. The scope focuses on how the law affects guidance that an employer provides to Powerpay Support when the statutory holiday assist feature is enabled on a payroll.
- This guidance is not legal advice and should not be relied on as or act as a substitute for professional legal advice.
- Dayforce Powerpay does not warrant the accuracy, currency, completeness, or application of the information provided to individual customer circumstances. Employers should consult with their advisors on how to interpret the law according to their unique business circumstances and communicate configuration needs to Powerpay Support.
- Currently, the Powerpay statutory holiday assist feature is designed to accommodate non-exempt, hourly employee populations without regard to industry classification. Additional considerations can apply to the following employee populations:
 - exempt employees (not covered by provincial employment standards)
 - employees paid by commission, piece work or other incentives
 - non-hourly/salaried employees
 - employees working in industries with special requirements
 - minor employees
 - employees subject to collective bargaining agreements
 - public employees or employees working under government contracts or subcontracts
 - employees who earn retroactive pay
 - employees who have multiple job rates

Canadian Customer Considerations

This section of the guide explains functionality that is not currently offered as part of the Powerpay statutory holiday assist feature. Provincial requirements outside of Alberta, British Columbia, Ontario and Quebec are currently out of scope.

It also describes some options/requirements that are not available:

- Minimum wage - Any rule that relies upon the value of minimum wage is an employer's responsibility to maintain. Powerpay does not prevent hourly wage from going below minimum wage.
- Employee level / industry exemptions - Exemptions exist in every Canadian province such that employment standard requirements may be inapplicable.
- Holiday worked hours - Powerpay does not offer an option to pay average holiday pay for a future substitute day off and pay regular (1.0 rate) for a worked holiday.
- Holiday calendars - Employers are responsible for reviewing the appropriateness of their holiday calendars.
- Holiday insurable hours - If less than normal hours are worked on a holiday, normal hours are to be reported for insurable hours purposes. In addition, if an unworked holiday is not a normal working day, insurable hours are not to be reported. The default configuration does not allow normal hours or normal working days to be defined for insurable hours purposes. Currently, insurable hours are determined by dividing included earnings by the rate of pay in effect, regardless of an employee's normal hours of work.

Alberta

Legal Overview

This section of the guide outlines the legal requirements Dayforce Powerpay analyzed to create the Alberta holiday average calculation.

Holiday Average/Holiday Worked

The holiday average is the employee's total wages, excluding general holiday pay and vacation pay earned in the:

- 4 weeks immediately preceding the week of the general holiday OR
- 4 weeks ending on the last day of the pay period immediately preceding the general holiday.

Divided by the number of **days worked** (actual days worked, **not** days with earnings).

To be eligible to receive a holiday average, an employee must:

- have worked for the same employer for 30 work days in the 12 months before the holiday;
- work on a general holiday when they are scheduled or required to do so;
- not be absent without the consent of the employer on the employee's last regular work day preceding, or the employee's first regular work day following, a general holiday.

Eligible employees who work on a general holiday must be paid general holiday pay in accordance with either of these options if it is their normal day of work:

- The employee must be paid at least their average daily wage ("holiday average") plus an amount that is at least time-and-a-half of the employee's wage rate for each hour of work that the employee worked on the day of the general holiday;

OR

- The employee must be paid at least their wage rate on each hour of work that the employee worked on the day of the general holiday plus a day off at a future date and an amount that is their holiday average for that day off.

If it is not their normal day of work, the employee is only entitled to be paid time-and-a-half for hours worked.

Eligible employees who do not work on a general holiday are entitled to the holiday average if it is their normal day of work. If it is not their normal day of work, they are not entitled to receive payment.

If an employee's shift starts on a statutory holiday and the shift continues over midnight, the employee is entitled to time-and-a-half for work performed for the entire shift.

If a shift continues over midnight but started on the day before the statutory holiday, there is no entitlement to time-and-a-half even for the hours of work actually performed on the statutory holiday.

Customer Considerations

This section of the guide explains the assumptions Dayforce made about Alberta requirements when we created the Powerpay statutory holiday assist feature, and some of the limitations employers should know about our ability to automate these requirements.

Holiday Worked

- Powerpay does not automatically pay hours worked on a holiday at a 1.5 rate. Employers must select the appropriate code on the timesheet in Powerpay.
- Powerpay does not automate the alternative but compliant option for an employer to have an employee work a holiday at regular rate and give a substitute day off with the average daily wage. This would need to be entered manually by the payroll admin on the timesheet when the employee takes the substitute day off.

Holiday Average

- During configuration of the Powerpay statutory holiday assist feature, the employer needs to indicate to Powerpay Support which refer back period they would like Powerpay to use:

the 4 weeks immediately preceding the week of the general holiday

OR

the 4 weeks ending on the last day of the pay period immediately preceding the general holiday.

- In addition, the employer will need to provide their work week. E.g., Sunday to Saturday, Monday to Sunday etc.
- As Powerpay does not have schedules, monitoring the before & after qualifiers will be up to the employer and the holiday average will be calculated when they select eligible employees and calculate.
- Included income for the purposes of the average can be variable by jurisdiction:
 - The default configuration includes Regular hours. Employers should consider other Pay Adjustment/regular earnings to include and instruct Powerpay Support which additional earnings should be considered regular wages included in the calculation. Some common

earnings that could be included are - sick pay, training, commissions.

- Bonuses - Work-related, non-discretionary bonuses should be included in the average daily wage. However, Powerpay excludes them by default to avoid the inclusion of discretionary bonuses. Advise Powerpay Support which bonuses are paid and if they should be included in the holiday average.
- The default configuration excludes from earnings:
 - Overtime pay, vacation pay, holiday at 1.5 and holiday average
- By default, the days included in the denominator of the average are those that include Regular hours. All other earnings that should be included as a day (even in the absence of Regular hours) should be communicated to Powerpay Support – some common ones that should be evaluated are: overtime, holiday at 1.5 and training if they are setup on the payroll. If a bonus is the only earning in a day, it will not be counted as a day worked unless selected.
- Normal Day of Work: Powerpay does not validate whether the employee has worked at least 5 of the last 9 "Mondays"—assuming the holiday falls on a Monday. The user must make this eligibility determination and select to calculate the holiday average if the condition is met.
- Construction Employees: Holiday average is 3.6% of wages (excluding overtime, vacation pay and holiday pay) in the calendar year. The default configuration does not support this unique holiday average; however, it would be possible by using a second accumulator. Contact Powerpay Support if this is required.
- Commission Employees: Holiday average is to be calculated with reference to minimum wage if a non-exempt employee is paid entirely on commission. A non-exempt employee paid partially on commission is to have the holiday average calculated with reference to the salary component if it is greater than minimum wage—and is to be no less than minimum wage. The Powerpay statutory holiday assist feature does not calculate for employees paid entirely on commissions, only for employees that are paid hours + commissions and does not validate that wages are higher than minimum wage.

British Columbia

Legal Overview

This section of the guide outlines the legal requirements Dayforce Powerpay analyzed to create the British Columbia holiday average calculation.

Holiday Average/Holiday Worked

The holiday average is calculated by dividing “amount paid” by “days worked” (including **all days when wages were earned**) in the 30-day calendar day period preceding the statutory holiday. To be eligible for the holiday average and/or holiday time-and-a-half the employee must have:

- been employed for a minimum of 30 calendar days prior to the statutory holiday and,
- have worked or earned wages on 15 of the 30 days immediately before the statutory holiday.

An employer and employee can agree to substitute another day off for a statutory holiday.

If an employee's shift starts on a statutory holiday and the shift continues over midnight, the employee is entitled to time-and-a-half for work performed for the entire shift.

If a shift continues over midnight but started on the day before the statutory holiday, there is no entitlement to time-and-a-half even for the hours of work actually performed on the statutory holiday.

For commission earning employees, a calculation must be made each pay period to determine whether the employee earned enough to be excluded from overtime pay and statutory holiday pay entitlements.

Customer Considerations

This section of the guide explains the assumptions Dayforce made about British Columbia requirements when we created Powerpay statutory holiday assist feature and some of the limitations employers should know about our ability to automate these requirements.

Holiday Worked

- Powerpay does not automatically pay hours worked on a holiday at a 1.5 or 2.0 rate. Employers must select the appropriate code on the timesheet in Powerpay.
- Powerpay does not automate the alternative but compliant option for an employer to have an employee work a holiday at regular rate and give a substitute day off with the average daily wage. This would need to be entered manually by the payroll admin on the timesheet when the employee takes the substitute day off.

Holiday Average

- Included income for the purposes of the average can be variable by jurisdiction:
 - The default configuration includes Regular hours. Employers should consider other Pay Adjustment/regular earnings to include and instruct Powerpay Support which additional earnings should be considered regular wages included in the calculation. Some common earnings that could be included are – holiday average and hours worked paid at a 1.5/2.0 rate, training, vacation pay and commissions.
 - Bonuses - Work-related, non-discretionary bonuses should be included in the average daily wage. However, Powerpay excludes them by default to avoid the inclusion of discretionary bonuses. Advise Powerpay Support which bonuses are paid and if they should be included in the holiday average.
 - The default configuration excludes overtime pay.
- By default, the days included in the denominator of the average are those that include Regular hours. All other earnings that should be included as a day (even in the absence of Regular hours) should be communicated to Powerpay Support – some common ones that should be evaluated are: overtime, vacation, commission, holiday at a 1.5/2.0 rate, holiday average and training if they are set up on the payroll. If a bonus is the only earning in a day, it will not be counted as a day worked unless selected.
- Commission-earning employees - Powerpay does not validate on a per pay basis whether employees are entitled to a top-up based on the greater of this comparison:
 - a.) all wages earned by the employee in a pay period (commissions and/or base salary without holiday pay or overtime)
 - AND
 - b.) wages that would be payable if holiday pay and overtime were calculated at the greater of the employee's base rate or the minimum wage (excluding commissions).

It is an employer obligation to verify that these minimum obligations are met.

Ontario

Legal Overview

This section of the guide outlines the legal requirements Dayforce Powerpay analyzed to create the Ontario holiday average calculation.

Holiday Average/Holiday Worked

The holiday average is calculated by dividing the total amount of regular wages earned and vacation pay payable to the employee in the four work weeks before the work week in which the public holiday occurred by 20. To be eligible for the holiday average, the employee must have:

- Not failed, without just cause or without consent of the employer, to work on the employee's regular workday immediately preceding and regular work day immediately following, the public holiday.

An employer and employee can agree to substitute another day off for a statutory holiday.

If an employee's shift starts on a statutory holiday and the shift continues over midnight, the employee is entitled to time-and-a-half for work performed for the entire shift.

If a shift continues over midnight but started on the day before the statutory holiday, there is no entitlement to time-and-a-half even for the hours of work actually performed on the statutory holiday

An employee who, without cause, works partial hours on a holiday when scheduled is not entitled to the average daily wage, only the 1.5 rate.

Non-discretionary bonuses and commissions earned by employees are to be included to determine the regular rate of an employee for the purpose of paying hours worked on a holiday.

Customer Considerations

This section of the guide explains the assumptions Dayforce Powerpay made about Ontario requirements when we created the Ontario statutory holiday assist feature, and some of the limitations customers should know about our ability to automate these requirements.

Holiday Worked

- Powerpay does not automatically pay hours worked on a holiday at a 1.5 rate. Employers must select the appropriate code on the timesheet in Powerpay.
- Powerpay does not automate the alternative but compliant option for an employer to have an employee work a holiday at regular rate and give a substitute day off with the average daily wage. This would need to be entered manually by the payroll admin on the timesheet when the employee

takes the substitute day off.

- An employee who, without cause, works partial hours on a holiday when scheduled is not entitled to the average daily wage, only the 1.5 rate. The customer will handle this by not selecting the employee to calculate the holiday average and manually entering the 1.5 rate for the hours worked on the timesheet.

Holiday Average

- As Powerpay does not have schedules, monitoring the before & after qualifiers will be up to the employer and the holiday average will be calculated when they select eligible employees and calculate.
- The default configuration includes Regular hours. Employers should consider other Pay Adjustment/regular earnings to include and instruct Powerpay Support which additional earnings should be considered regular wages included in the calculation. Some common earnings that could be included are – commissions and vacation pay.
- Bonuses - Work-related, non-discretionary bonuses should be included in the average daily wage. However, Powerpay excludes them by default to avoid the inclusion of discretionary bonuses. Advise Powerpay Support which bonuses are paid and if they should be included in the holiday average.
- The default configuration excludes from earnings:
 - Overtime pay, holiday at a 1.5 rate and holiday average

Quebec

Legal Overview

This section of the guide outlines the legal requirements Dayforce Powerpay analyzed to create Quebec's two holiday average calculations.

Holiday Average

The holiday average is 1/20 of all the wages earned during the four complete weeks of pay preceding the week of the holiday, excluding overtime.

If an employee is remunerated in whole or in part on a commission basis, the indemnity must be equal to 1/60 of the wages earned during the twelve complete weeks of pay preceding the week of the holiday.

To be eligible for the holiday average, the employee must have worked the last scheduled shift before and first scheduled shift after the holiday, or missed these shifts with authorization or valid reason.

Holiday Worked

Time worked on a holiday will be paid at the regular or overtime rate. There is no specific 1.5 holiday wage rate.

Customer Considerations

This section of the guide explains the assumptions Dayforce Powerpay made about Quebec requirements when we created the Powerpay statutory holiday assist feature, and some of the limitations employers should know about our ability to automate these requirements.

Holiday Worked

- Powerpay does not automate the alternative but compliant option for an employer to have an employee work a holiday at regular rate and give a substitute day off with the average daily wage. This would need to be entered manually by the payroll admin on the timesheet when the employee takes the substitute day off.

Holiday Average

- As Powerpay does not have schedules, monitoring the before & after qualifiers will be up to the employer and the holiday average will be calculated when they select eligible employees and calculate.
- Included income for the purposes of the average can be variable by jurisdiction:

- The default configuration only includes Regular hours. Employers should consider other Pay Adjustment/regular earnings to include and instruct Powerpay Support which additional earnings should be considered regular wages included in the calculation. Some common earnings that could be included are – vacation, commissions, holiday at 1.0 and holiday average.
 - Bonuses - Work-related, non-discretionary bonuses should be included in the average daily wage. However, Powerpay excludes them by default to avoid the inclusion of discretionary bonuses. Advise Powerpay Support which bonuses are paid and if they should be included in the holiday average.
 - The default configuration excludes overtime pay.
- Commission-earning employees: Powerpay offers an alternate lookback period of 12 weeks wages divided by 60 for employees paid hourly plus commissions. It does not support a calculation for commission-only employees. Advise Powerpay Support which commission earnings should be used to determine if the commission calculation should apply to an employee and which earnings beyond Regular hours and commissions should be included in the calculation.
 - Tip-earning employees: The default configuration does not include tips in the calculation of the holiday average. Accurately accounting for distributions under tip sharing arrangements is an employer responsibility. Instruct Powerpay Support which tips earning codes should be included in the holiday average calculation.