New Brunswick Employment Standards

Eye Care Collective

Annual Vacation Entitlements

Two weeks per year or one day for each month worked in the year, whichever is less, for less than eight years of continuous service, and three weeks per year or 1.25 days for each month worked in the year, whichever is less, after eight consecutive years of employment.

Averaging Agreements

Averaging agreements are not legislated in New Brunswick.

Calculating Overtime

Overtime hours are calculated on any hours worked in excess of 44 hours in a week.

Employer Termination Notice

- No notice required for less than six months of employment;
- Two weeks of written notice for six months or more of employment but less than five years; and
- Four weeks of written notice for five or more years of employment.

Hours Free From Work

A weekly rest period of 24 consecutive hours must be given and if possible these 24 hours should be given through Sunday.

Maximum Hours Before Overtime

44 hours per week.

Medical Certificates

Employers cannot ask for a medical certificate for:

- Sick leave absences of less than four consecutive days.

Minimum Daily Hours of Work

Employees are paid for a minimum of three hours at their regular wage rate each time they must report to work, whether they work for the full three hours or not.

Minimum Wage

$15.90 per hour.

Overtime Rate

No less than 1.5 times the current minimum wage rate. Those who regularly earn more than 1.5 times the minimum wage are to be paid no less than their regular wage for overtime worked.

Overtime Required?

Yes, employers are permitted to require employees to work overtime.

Pay for Public Holidays Worked

- Holiday pay (the employee's regular daily wages) plus 1.5 times regular wage rate for any hours worked on the holiday; or
- Regular wages and a substitute paid day off, taken before the employee's next vacation.

Pay Transparency

Under the Pay Transparency Act, employers must include the expected hourly wage or salary, or the expected hourly wage or salary range, in publicly advertised and internal job postings. Employers also cannot ask for a candidate's compensation history, either from the candidate or through a third party.

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Protected Leaves

- Maternity leave;
- Child care leave;
- Sick leave;
- Family responsibility leave;
- Court leave;
- Compassionate care leave;
- Critically ill child leave;
- Critically ill adult leave;
- Death or disappearance leave;
- Domestic violence leave, intimate partner violence leave or sexual violence leave;
- Emergency leave;
- Long-term illness and injury leave;
- Bereavement leave;
- Leave for members of the reserves;
- Time for voting; and
- Time to attend an educational program for joint health and safety committee members.

Public/Statutory/General Holidays

1. New Year's Day;
2. Family Day;
3. Good Friday;
4. Canada Day;
5. New Brunswick Day;
6. Labour Day;
7. Remembrance Day; and
8. Christmas Day.

Businesses must also be closed on the following prescribed days of rest unless otherwise exempt (Pay for Public Holidays Worked section does not apply):

1. Victoria Day;
2. Thanksgiving Day; and
3. Boxing Day.

Scheduled Breaks

If an employee works five consecutive hours, a 30-minute break must be provided sometime within this period.

Termination Pay in Lieu of Notice

Termination pay in lieu of notice is equal to all regular wages the employee would have earned in those weeks if they had worked throughout the applicable notice period.

Time off in Lieu

Banking of hours is not permitted.

Training Requirements

- Occupational Health and Safety Awareness
- WHMIS 2015
- Workplace Violence and Harassment

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