

## New Brunswick employment standards and regulations: Quick reference chart as of April 2018

Minimum wage

\$11.50 per hour as of April 1, 2019

Overtime hours	Hours in excess of 44 hours per week. It cannot be averaged over two weeks.
Overtime pay	At least 1.5 times the minimum wage.
Can overtime pay be banked	No
Call-in pay	Employees whose regular rate of pay is less than two times the minimum wage and who are regularly scheduled to work more than three hours, are entitled to the greater of the following: a) three hours pay at minimum wage; or b) the employee's regular rate of pay for the hours actually worked.
Pay intervals	Must be paid at least every 16 days and must include all overtime earned during that period.
Public holidays	<ul style="list-style-type: none"> <li>• New Year's Day</li> <li>• Family Day</li> <li>• Good Friday</li> <li>• Canada Day</li> <li>• New Brunswick Day</li> <li>• Labour Day</li> <li>• Remembrance Day</li> <li>• Christmas Day</li> </ul>
Holiday Pay Eligibility	Must have been employed 90 calendar days in the 12 calendar months before the statutory holiday.
Holiday pay	a) If eligible for holiday pay and does not work, the holiday pay shall be equal to the average number of non-overtime hours worked per day during the previous 30 days, times the normal rate/ hour. b) If eligible for holiday pay but also works on the holiday, the rate of pay shall be 1.5 times the normal rate of pay times the number of hours worked, plus the statutory pay expected under (a) above.
Vacation time	In the first eight years of employment, an employee is entitled to a vacation of the lesser of: a) two weeks of vacation per vacation year; or b) one day for each month worked.
Vacation pay	Once an employee is continuously employed eight years or more, the vacation entitlement increases to the lesser of three weeks of vacation per vacation year or 1.25 days for each calendar month worked, and vacation pay also increases to six per cent of wages.

## Agricultural worker exemptions and definitions

An agricultural employer is exempt from the <i>Employment Standards Act</i> , ONLY IF ALL of the following four conditions apply. Otherwise they apply to agricultural operations.	1) The employee(s) are doing work related to the production of food. 2) The employee(s) work for more than six months of the year. 3) The employer has three or fewer employees, not counting persons who are in a close family relationship with the employer. 4) The act's provisions on the employment of children under the age of sixteen apply, regardless of any other criteria. This includes hours of work, restricted industries, and Director's exemptions.
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Definitions:

Close family members	Includes married persons or persons in similar intimate relationship, parents, children, siblings, grandparents, grandchildren and in-laws. Cousins are not included.
A substantial period of the year (section 5 of the act)	more than six months.