

Remembrance Day

Remembrance Day gives us the opportunity to honour the people who have served, and continue to serve, in war, military conflict, and international peacekeeping activities. It is a time to remember those who lost their lives and cherish those who have suffered injury in the pursuit of human dignity and freedom.

Who is allowed to work on Remembrance Day?

Most industries in Manitoba are not allowed to operate on November 11. Exceptions include:

- Hospital employees
- Hotel and restaurant employees
- Police, firefighters and security officers
- Power engineers, janitors
- Child care, home care and domestic workers
- Workers who do emergency repairs
- Workers who supply heat, gas, light, water or electrical services
- Workers who transport goods or passengers on railways, aircrafts or motor vehicles (including vehicle rental agencies)
- Workers caring for perishable products or live animals (including animal hospitals)
- Workers in dairy or milk processing plants
- Bakery workers, for baking only
- Employees in continuous operation businesses, (except a retail business)
- Workers in meat packing plants (some restrictions)
- Employees in registered brokerage houses who do business for clients on stock exchanges outside Manitoba
- Workers conducting commemorative or religious services
- Employees at newspapers, telecommunication carriers, television or radio stations and cable companies
- Workers in the farming industry
- Any establishment operating under a licence or permit issued under *The Liquor, Gaming and Cannabis Control Act*

Are restaurants and hotels allowed to be open on Remembrance Day?

Yes. Restaurants and hotels are allowed to be open on Remembrance Day. A restaurant includes street vendors, kiosks, coffee shops, patios and indoor restaurants. These types of businesses are not restricted on Remembrance Day.

Are retail stores and services allowed to be open?

Retail businesses may operate on Remembrance Day but cannot be open between 9:00 a.m. and 1:00 p.m.

What is a retail business?

Most businesses that sell goods or services are considered retail businesses. This includes trades people and employees of professional services, rental companies, arenas, and businesses charging admission to performances such as movies, concerts, theatre, exhibits, and sporting events.

Can any retail business be open between 9:00 a.m. and 1:00 p.m.?

All retail businesses must be closed during these hours unless the only goods and services they sell or provide between 9:00 a.m. and 1:00 p.m. are:

- Prepared meals or goods and services connected to living accommodations
- Professional health services
- Veterinary services
- Drugs, medicines, surgical appliances, or infant formula
- Gasoline, motor oil, or related products
- Vehicle parts or services for emergency repairs only

When November 11 falls on a Sunday, what rules do stores need to follow on Remembrance Day?

Under the Remembrance Day Act, retail businesses may operate on Remembrance Day but cannot be open between 9:00 am and 1:00 pm.

However, when Remembrance Day is a Sunday, retail businesses must follow both the Remembrance Day legislation and municipal by-laws.

Municipalities have authority to pass by-laws under The Municipal Act to restrict retail businesses within their jurisdictions from operating on certain days or during specific hours. Therefore, in municipalities where by-laws are in place to restrict Sunday shopping hours, retailers must also follow those rules.

Are performances allowed?

Yes. Performances such as theatre, concerts, sporting events and movies are allowed on Remembrance Day except between 9:00 a.m. and 1:00 p.m. They cannot be produced, prepared, or conducted between 9:00 a.m. and

1:00 p.m. unless they are directly related to a Remembrance Day commemorative or religious service.

Are employees who do not work on Remembrance Day required to be paid?

No. While it is a common practice for employers to pay employees who do not work on Remembrance Day, it is not a requirement.

When employees work on Remembrance Day, what are they paid?

Employees who work on Remembrance Day are paid for at least half of a normal work day at 1 ½ times their regular wages. For example, employees who work two hours on Remembrance Day, but normally work an eight-hour day, are paid four hours at 1 ½ times their regular wage. In addition, employees also receive a regular day's pay for working on Remembrance Day, or 5% of their gross earnings in the 28 days before Remembrance Day if their hours vary.

Employees who work more than half their normal hours on Remembrance Day are paid 1 ½ times their regular wage for all hours worked, plus a regular day's pay.

Can employers substitute another day for Remembrance Day?

No. Remembrance Day is November 11 and the rules must always be followed on that day. Unlike general holidays, Remembrance Day cannot be substituted for another day. Employers are not required to provide an additional day off for employees for Remembrance Day, but may do so.

When Remembrance Day falls on a Sunday, do employees of retail businesses have the right to refuse work?

Yes. Like any other Sunday, retail employees have the right to refuse work as long as they provide 14 days' notice to their employer.

Employment Standards may order the employer to pay compensation or reinstate an employee who is terminated or otherwise discriminated against for exercising the right to refuse work on a Sunday.

Can employees of retail businesses refuse to work on Remembrance Day if it falls on any other day of the week?

Employees have the right to refuse to work Remembrance Day regardless of what day of the week it falls as long as they provide 14 days' notice to their employer.

For more information contact Employment Standards:

Phone: 204-945-3352 or toll free in Canada 1-800-821-4307

Fax: 204-948-3046

Website: www.manitoba.ca/labour/standards

This is a general overview and the information used is subject to change. For detailed information, please refer to current legislation including The Employment Standards Code, The Construction Industry Wages Act , The Worker Recruitment and Protection Act, or contact Employment Standards.

**Available in alternate formats
upon request.**

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