Managing September 30 When Employees Have Different Holiday Entitlements

Consider a Canadian employer with staff in Vancouver, Calgary and Toronto. Its September newsletter encourages everyone to observe National Day for Truth and Reconciliation. Then the schedules arrive. Vancouver employees have a paid holiday, Calgary employees have been promised time off by their manager, and Toronto employees are expected to work as usual. An employee asks why the company's commitment changes at the provincial border.

It's a hypothetical situation, but the employee's question is entirely reasonable. People who share a manager, targets and customers tend to compare how their employer treats them. Provincial rules may explain why Vancouver staff have a statutory entitlement. They don't explain why the company chose not to extend paid time to Toronto, or why the employees still working must absorb everyone else's workload. HR needs an answer to both the legal question and the fairness concern.

September 30, 2026 falls on a Wednesday. Employers should settle their approach before that morning, with one clear explanation of who's working, what they'll receive and how individual requests will be handled.

September 30 is a statutory or general holiday under federal labour standards and in six provinces and territories. Elsewhere, provincially regulated employers generally aren't required to provide it as a statutory holiday, subject to contracts, collective agreements and other applicable obligations. Employers can generally choose to extend paid recognition across the organization. The task is to decide what that commitment means, preserve each employee's legal entitlements and make the arrangement credible to the people who must work.

Which jurisdictions recognize the holiday

The following table covers employment standards, including employees in covered private-sector workplaces. It distinguishes a general holiday entitlement from a government's decision to close its own offices. Eligibility conditions, occupational exemptions and rules for employees who work still apply; a "Yes" isn't a guarantee of identical treatment for every worker.

Jurisdiction	Status	Employer implication
Federal labour standards	Yes	Includes covered federally regulated private-sector employees.
British Columbia	Yes	Statutory holiday under provincial law.
Alberta	No	Optional holiday; holiday-pay rules apply if recognized by the employer.
Saskatchewan	No	Not a public holiday under provincial employment standards.
Manitoba	Yes	Called Orange Shirt Day in the holiday provisions.
Ontario	No	Not one of the nine ESA public holidays.
Quebec	No	CNESST expressly identifies September 30 as non-statutory provincially.
New Brunswick	No	Not one of the eight paid public holidays under employment standards.
Nova Scotia	No	Not one of the six paid holidays under the Labour Standards Code.
Prince Edward Island	Yes	Paid holiday for employees who qualify.
Newfoundland and Labrador	No	Not one of the six Labour Standards Act paid public holidays.
Northwest Territories	Yes	Statutory holiday under territorial employment standards.
Nunavut	Yes	General holiday under territorial labour standards.
Yukon	Yes	General holiday under territorial employment standards.

The source of considerable confusion is public-sector recognition. A provincial government can close offices or schools without adding September 30 to its general employment standards holiday list. Nova Scotia does this, and New Brunswick has separate public-service holiday arrangements. A government closure announcement therefore isn’t enough to establish what a private employer owes. Read the employment standards rule and, for public-sector workers, the governing policy or agreement.

The reverse mistake is just as consequential. A covered federally regulated employee in Ontario has the federal holiday entitlement even though Ontario’s Employment Standards Act doesn’t include September 30.

Establish whose rules apply and what you have already promised

Start with the employer’s labour jurisdiction, then establish the rules governing each employee’s work. Federal incorporation and having employees in several provinces don’t, by themselves, make a business federally regulated for employment standards. Federal coverage depends on the nature of the undertaking, including sectors such as banking, telecommunications and interprovincial transportation. A national employer can therefore have employees governed by several provincial regimes.

A Toronto head office shouldn’t automatically assign its holiday calendar to an employee permanently working in British Columbia. Alberta’s guidance expressly says the head office location is irrelevant to its coverage test; the location of the work matters. HR should record the employing entity, ordinary work location, governing employment standards and collective agreement for each employee group. Resolve travelling and cross-border arrangements specifically, rather than treating a payroll address as a legal conclusion.

Then read the promises. An offer letter that provides “all federal statutory holidays” raises a different question from one that provides holidays required by the employee’s provincial legislation.

The same review should include collective agreements, handbooks and previous September 30 communications. An employer may already have agreed to provide more than the statutory minimum. Repeated past practice can also matter when interpreting an entitlement, particularly where the written policy is unclear. Don’t let a supervisor withdraw an established benefit simply because someone has discovered that the province doesn’t require it. Determine what the employer committed to, obtain advice on ambiguous terms and address any proposed change through the proper process. The absence of a provincial holiday is a starting fact, not permission to disregard an agreement.

Decide whether to recognize September 30 across the organization

An employer can generally provide paid time off beyond the statutory minimum. Ontario expressly recognizes greater contractual rights, including a greater number of public holidays. The absence of September 30 from a province’s mandatory holiday list doesn’t prevent an employer from recognizing it. Nor does giving Ontario staff paid time off turn them into federally regulated employees or make the day an Ontario statutory holiday. The benefit and its legal consequences must be assessed under the rules that apply to those employees.

Where staffing and finances permit, recognizing September 30 across Canada is the clearest way to give employees a common opportunity to observe it. This is a policy recommendation, not a universal legal requirement. A national commitment can operate through different local pay calculations, eligibility provisions and arrangements for holiday work. The company must also decide whether it will extend its voluntary benefit to workers who don’t qualify for statutory holiday pay, instead of leaving that question to payroll after the announcement.

Before committing, define what staff who maintain coverage will receive. A paid day at another time may be part of the answer, but it cannot automatically replace statutory holiday pay, premium pay or a required substitution process. State how paid time will work for part-time and variable-hour employees, employees already on vacation and those whose normal day off is Wednesday. Clarify whether the additional benefit is an annual commitment or applies to 2026, while honouring existing agreements. A promise that sounds uniform can otherwise produce a new set of disparities.

Employers that retain local holiday calendars should explain that choice honestly. Where no statutory or contractual entitlement applies, paid hours for learning or reflection, a floating day, or access to existing leave may offer some support. These options aren’t equivalent to a full paid day off, and employees shouldn’t be told that they are. A request involving a protected need must still receive an individual assessment.

Leadership should approve the approach centrally, with HR and payroll reviewing its local effects. In the opening example, Calgary’s manager has already made a promise while Toronto’s manager has offered nothing. Resolve those inconsistencies before announcing the national policy, and give managers one reliable source for answers.

Alberta can turn voluntary recognition into a payroll obligation

Alberta expressly lists National Day for Truth and Reconciliation as an optional general holiday. Its guidance also states that when an employer recognizes an additional holiday, employment standards rules concerning holiday pay apply to that day.

That makes the Calgary manager’s promise more than a communications problem. Before confirming September 30 as a recognized holiday, HR and payroll need to establish how eligible employees will be paid, including anyone required to work. The fact that recognition began as a voluntary decision doesn’t mean the employer can freely choose the resulting holiday-pay treatment. Review the announcement and the arrangement it creates before issuing instructions. Calling a benefit “discretionary” won’t necessarily determine its legal effect, and simply changing its label isn’t a substitute for understanding the obligation.

This is also why a national holiday announcement should be reviewed centrally. A sentence intended to offer a generous benefit can carry consequences that differ across the workforce, and employees shouldn’t bear the cost of management discovering those consequences after the event.

Address the fairness concern before it becomes a team dispute

When an employee asks why a colleague has a paid holiday while they’re expected to work, “that’s the law in their province” is an incomplete answer. It explains the minimum entitlement. It leaves the employee’s central concern unanswered: what principle is the company applying to people doing comparable work? Treat the question as a legitimate concern about benefits and workload. Avoid implying that the employee is selfish or disrespectful for raising it.

Start by establishing what the employee sees as unfair. They may be concerned about fewer paid days over the year, missing the opportunity to observe September 30, or covering a colleague’s workload without recognition. Each problem calls for a different response. A floating holiday might address the annual total but won’t necessarily let someone attend a community event on September 30. Paying a premium may compensate holiday work without resolving an unreasonable workload.

Before saying the calendars “balance out,” compare them. Review statutory holidays, company holidays and floating days across locations, including who can realistically use them. Don’t assume that an equal number of named holidays delivers equal paid time for employees on different schedules. The comparison is a policy review, not authority to trade away a statutory entitlement or withdraw an agreed benefit.

If the comparison reveals a persistent gap, leadership can consider additional floating days or broader holiday recognition. Budget for the change and review its legal effect before promising it. Even if annual totals are already comparable, acknowledge the particular significance of September 30. An employee may reasonably value the opportunity to observe this date more than an unrelated day off.

Where the employer keeps different calendars, managers should identify the company’s decision as well as the legal requirement. A useful explanation would acknowledge that colleagues have different entitlements, confirm that the organization has chosen to follow local calendars this year, and explain the approved paid time or leave options. It should also tell the employee how their coverage workload will be adjusted. Only promise a review or a future benefit if leadership has authorized it, and give a review date when a review is genuinely planned.

“We’re legally prohibited from giving you the day” is generally the wrong explanation. So is “everyone ends up with the same time off” unless HR has verified it. Employees may remain disappointed after an honest explanation, but an inaccurate one creates a second problem when they discover the employer had a choice. Acknowledge the concern, explain the approved arrangement and provide a named contact for individual circumstances.

Make coverage fair as well as compliant

Return to the Toronto team. If it must answer Vancouver’s calls while meeting its usual targets, the holiday creates a practical burden alongside the benefit difference. Before redirecting work, identify the minimum service that must continue, defer non-urgent tasks and adjust deadlines or targets. Publish who handles urgent matters and who has authority to reduce the queue. Avoid scheduling national meetings or mandatory training that require employees on paid leave to log in.

Where several employees can provide coverage, use transparent criteria such as role requirements, qualified volunteers and a fair rotation where feasible. Record the arrangement and any additional pay or time off. Necessary coverage can be justified without suggesting that the employees performing it matter less; the explanation is strongest when the employer has made the burden manageable and delivered the promised recognition.

A company-wide day off is therefore only one part of an equitable policy. Employees in essential or continuous operations need usable arrangements of their own. If an additional paid day is offered, plan when it can be taken and resource the coverage required. A day that remains indefinitely unavailable because the team is short-staffed does little to resolve resentment. Apply any statutory deadlines and approval requirements separately.

Get the pay right before moving the work

Holiday recognition, holiday pay and business closure are separate questions. The Canada Labour Code permits work on a general holiday and provides compensation rules; it doesn’t impose a universal shutdown. Any relevant retail, sector or local closure requirements must be considered separately.

The payroll risk is easy to underestimate. In a hypothetical workplace where eligible employees are owed both a $240 holiday payment and time and a half for eight hours worked at $30 an hour, the total is $600 per person. Paying only the ordinary $240 shift wage leaves a $360 shortfall. Across 40 employees, that’s $14,400 in unpaid wages before any related adjustments or administrative costs. This example assumes those entitlements apply; it isn’t a formula to copy across Canada. Its purpose is to expose the difference between budgeting for an ordinary working Wednesday and budgeting for holiday work.

Finance should cost the policy options before ruling them out. Eight paid hours for 60 employees at $30 an hour represents $14,400 in wages for time away, before employer costs or replacement coverage. For salaried staff, the principal effect may be reduced capacity rather than an additional wage payment. Separate those effects from overtime, premium pay and replacement staffing. This illustrative calculation gives leadership a concrete decision; it doesn’t establish that closing will save money or prevent turnover.

Payroll should test the approved arrangement against representative employees: someone working the holiday, someone off, someone with variable hours and someone already on vacation. Include part-time staff and remote employees outside the head-office province. Document which amounts arise from legislation and which arise from the company’s additional benefit, without assuming that the label on a pay code determines its legal treatment. An equal promise needs accurate administration to remain credible.

Moving the day requires equal care. Under federal rules, substitution involves approval requirements; certain substitutions affecting multiple non-union employees require at least 70% approval and a notice posted at least 30 days in advance. That isn’t a process an employer can casually complete during the final week of September.

Manitoba has a particularly important distinction. Its usual provision allowing another date to replace a general holiday expressly excludes Orange Shirt Day. Separate rules address normal non-working days and alternative compensation in specified operations. HR must distinguish those arrangements from simply declaring Friday the holiday instead. A substitution process used successfully for another holiday cannot automatically be carried over to September 30.

Assess a request to attend a ceremony on its own facts

Return to the Toronto employee who wants to attend a community ceremony. The manager’s first response should establish what adjustment is needed and direct any potentially protected request to HR. Requiring the employee to compete for a remaining vacation slot before considering accommodation can send the request through the wrong process from the outset.

Indigenous spiritual beliefs and practices can engage human rights protections.

Ontario Human Rights Commission guidance recognizes that these protections extend to Indigenous Spirituality even where a person doesn’t describe their beliefs as a religion.

That doesn’t mean every September 30 event is religious, or that every Indigenous employee has an automatic right to paid leave on that date. It means the employer must understand the individual request rather than classify it from the holiday’s name. Where a protected need is engaged, apply the governing accommodation duty and undue-hardship standard. Explore options such as adjusted hours, a shift exchange or time away, and determine the pay treatment under the applicable law and agreement. A manager’s preference for the original schedule is not a complete assessment. Record the options considered and the reasons for the decision, with sensitive information accessible only to those who need it.

Ask for information proportionate to the decision. An employee shouldn’t have to disclose a family history of residential-school experiences to start a conversation about time away, and a supervisor shouldn’t attempt to adjudicate the authenticity of someone’s identity.

Specific statutory leave provisions may also be relevant. Federal standards, for example, provide unpaid leave for traditional Aboriginal practices for eligible Indigenous employees, subject to qualifying conditions. That entitlement has its own scope and should not be used as a generic label for every September 30 absence. School or childcare closures raise a separate practical issue: employees may need flexibility even where their own workplace remains open. Assess those requests under the relevant leave and accommodation rules and the employer’s policies, without assuming either that every closure creates paid leave or that none can require a response.

Make recognition credible to employees who are working

National Day for Truth and Reconciliation honours residential-school Survivors, the children who never returned home, and their families and communities. It coincides with Orange Shirt Day, the Indigenous-led movement associated with Survivor Phyllis Webstad. That purpose should shape workplace recognition, including the language used in invitations and public communications. A promotional campaign or cheerful holiday greeting can be badly out of place.

For workplaces remaining open, schedule paid opportunities to learn or reflect across shifts and locations. Two paid hours is an example of a benefit an employer could choose, not a national statutory standard or a substitute for a full holiday entitlement. Reduce competing work so employees can participate during the time provided. An office presentation at noon does little for the night crew, and learning added on top of a full workload can deepen the very fairness concern the employer is trying to address.

The content and delivery deserve the same attention. Use resources developed by Indigenous organizations or qualified educators. If inviting an Elder, Knowledge Keeper or speaker, agree on payment, expectations and protocols before the session, including permission for recording or future reuse. An Indigenous employee may wish to contribute, but shouldn’t be made responsible for educating colleagues, organizing the company’s event or speaking for all First Nations, Inuit and Métis people. Asking someone on short notice to share a personal story can place an unfair burden on them, especially when declining feels professionally awkward. Offer a real choice and respect the answer.

Prepare managers for difficult material and difficult behaviour. Advance notice about distressing content, a private route to seek support and an appropriate alternative learning arrangement can help employees participate safely. Racist comments require a workplace response; they shouldn't be left unaddressed in the name of encouraging discussion.

Employers can establish appropriate expectations for workplace education without compelling personal disclosure or ceremonial participation. Likewise, wearing orange or appearing in a company photograph shouldn't become an informal test of an employee's commitment. Some people will prefer private reflection. Obtain permission before using personal accounts or images, and confirm that any community event recommended to staff welcomes their participation. These decisions are part of respectful planning, not details to be improvised while a camera is already pointed at employees.

Use September 30th to examine a workplace practice

The Truth and Reconciliation Commission's Call to Action 92 speaks directly to business. It calls for equitable access to jobs, training and education, and for education of management and staff about Indigenous history and rights, residential schools and related subjects. It offers employers a substantive basis for action, although the call itself doesn't create a uniform statutory holiday or paid-training requirement.

HR can connect that direction to the issues employees have raised. Review how managers handle requests connected to Indigenous spiritual practices, whether shift workers can access learning, and whether staff maintaining coverage can use promised paid time. Check the evidence rather than assuming that a published policy works in practice. Recruitment, development opportunities and responses to workplace racism may also warrant attention, depending on consultation and the barriers identified.

Choose a defined improvement, give someone authority and resources to carry it out, and set a review date. Avoid interpreting a lack of complaints as proof that the current process works. Where workforce data is used, protect privacy and rely on appropriate voluntary self-identification rather than assumptions about employees.

What employees should know before Wednesday

Before September 30, employees should know whether they're working, what they'll be paid, what opportunity they have to observe the day and who can help with an individual request. In a national organization, they also deserve an explanation of the principle behind different arrangements. HR should be able to answer from an approved policy, a verified payroll plan and a realistic coverage schedule.

The employer in the opening example can have different legal obligations in Vancouver, Calgary and Toronto. It can also choose a broader commitment. Whatever leadership decides, it needs to own that choice, honour existing promises and address the consequences for employees who remain at work. A clear policy earns its credibility when the pay arrives correctly, time off can be used and colleagues aren’t left carrying an unreasonable share of the work.