

Part-Time Or Full-Time? How To Know When The Line Gets Blurry In Canadian Workplaces



Some questions are simple: coffee or tea? Elevator or stairs? But ask an HR manager, “Is this employee part-time or full-time?” and you might hear, “Well... it depends.”

In Canada, the distinction between part-time and full-time employment seems straightforward. One works fewer hours, the other works more—right? Not always. The truth is, there’s no single legal definition that fits all provinces or industries. Instead, the line between part-time and full-time can get blurry, especially when you factor in scheduling patterns, expectations, and benefits entitlements.

If you’re an HR professional or employer navigating this ambiguity, here’s what you need to know: how different jurisdictions treat the distinction, when part-time work may legally or practically evolve into full-time status, and what common scenarios cause the most confusion.

There’s No One-Size-Fits-All Definition

Let’s start with the big truth: **Canadian employment law does not provide a universal, legal definition of “part-time” versus “full-time.”** Instead, most provinces let employers define those terms in contracts and policies as long as they meet minimum standards like minimum wage, overtime, and statutory benefits.

In general:

- **Full-time** usually means 30 to 40 hours per week.
- **Part-time** usually means fewer than 30 hours per week.
- But working 30 hours one week and 45 the next? That’s where things get complicated.

And just because someone is “classified” as part-time doesn’t mean the law sees them that way, especially if their hours or duties say otherwise.

Why It Matters

Here’s why this classification can’t be taken lightly:

1. **Statutory entitlements** like vacation, holidays, and leaves apply to part-time

employees too.

2. **Eligibility for benefits**, especially employer-sponsored ones, often kicks in at a certain threshold of weekly hours.
3. **Overtime rules** are based on actual hours worked, not job titles.
4. **Constructive dismissal** or employment misclassification claims may arise if someone's actual workload doesn't match their status.

In short: If someone is working full-time hours, regularly and consistently, they may be entitled to full-time treatment even if you call them part-time.

Scenarios That Create Confusion

Let's walk through a few real-world situations that often cause headaches for HR and payroll teams.

Scenario 1: The "Always Available" Part-Timer

Meet Amira. She was hired as a part-time retail associate: 20 hours a week, mostly on weekends. But over time, her hours crept up. She's now covering shifts for others, closing the store on weeknights, and sometimes working 35+ hours during busy seasons. Management praises her flexibility but still considers her "part-time."

The Risk: Even if Amira's contract says "part-time," her regular workload may qualify her for full-time benefits under the company's policies, or could trigger EI insurability thresholds and overtime rights. If she's consistently working close to 40 hours per week, she may also expect greater job security or schedule predictability.

What HR Should Do: Track actual hours and compare them to job classifications. If the job has evolved into full-time work, update her contract and adjust entitlements accordingly.

Scenario 2: The "Permanent Part-Time with Full-Time Expectations"

Josh works in your call centre. His contract says 25 hours/week, but his manager expects him to be "on call" for full-time hours in case of volume surges. He doesn't get benefits because he's technically part-time—but he gets called in almost every weekday.

The Risk: If Josh consistently works 30+ hours per week over time, and the employer relies on his availability like a full-timer, he could claim misclassification. He may also expect eligibility for benefits if others in the same role receive them.

What HR Should Do: Don't use "part-time" as a way to save on benefits or scheduling obligations. If your business needs full-time availability, classify the job that way or offer a clear, documented policy for part-timers covering additional hours.

Scenario 3: The "Creeping Contract Hours" Case

Danika is a part-time events coordinator at a non-profit, scheduled for 18 hours a week. But during event seasons, she logs up to 50 hours some weeks. She doesn't get paid overtime, and her vacation pay is still calculated on 18 hours/week.

The Risk: Overtime laws don't care what your job title is. If Danika is exceeding 40 hours/week (or 8 hours/day in some provinces), she's legally entitled to overtime pay even if her contract says part-time. There's also a risk of retroactive compensation.

What HR Should Do: Watch for seasonal fluctuations. Adjust compensation and

classification during high-workload periods, or clearly communicate overtime eligibility and ensure proper pay is applied.

Scenario 4: The “Benefits Denied Due to Label” Problem

Zara works 32 hours per week in administration, but is labeled part-time because she doesn't hit the company's internal “full-time = 35 hours” policy. When she applies for medical benefits, she's denied.

The Risk: While companies can set their own thresholds for benefits eligibility, you have to be consistent. If other employees at 32 hours receive benefits—or if the policy isn't clearly communicated—you could be on shaky legal ground, especially if the employee raises equity or discrimination concerns.

What HR Should Do: Define your benefits eligibility criteria in writing. Communicate it clearly. Apply it consistently. And review thresholds regularly to ensure they still make sense.

Scenario 5: The Temp Who Never Leaves

Lucas was hired as a part-time temp to help during a busy season. That was 14 months ago. He still works 28–32 hours per week, still has a “temporary” title, and still isn't receiving benefits.

The Risk: Courts may consider the “temporary” classification meaningless if the working relationship is long-term and continuous. If the employer is relying on Lucas as a regular contributor, he may have grounds to claim full-time rights, especially for health benefits or severance protections.

What HR Should Do: Review temporary contracts every 6 months. If the job has become permanent in function, update the title, contract, and benefits accordingly.

Understanding Overtime, EI, and Benefits Triggers

Here's a quick cheat sheet of what to watch for under Canadian law:

- **Overtime:** In most provinces, employees who work over 40–44 hours/week (depending on the jurisdiction) are entitled to 1.5x pay, even if they're called part-time.
- **Vacation Pay:** All employees – full-time, part-time, or casual – are entitled to vacation pay, typically 4% of gross earnings unless higher by tenure or contract.
- **Employment Insurance (EI):** Eligibility is based on hours worked, not title. A “part-time” worker logging over 15 hours/week may still qualify for EI or need ROE filing on termination.
- **Pension/CPP:** Contributions start once an employee earns over the annual exemption (\$3,500 in 2025), regardless of their classification.
- **Benefits Thresholds:** Set by the employer but must be applied consistently. Some insurers set minimum hours (e.g., 24+ or 30+ per week) to qualify.

Tips to Stay Compliant and Avoid Confusion

If you're trying to avoid legal risks, employee frustration, or awkward reclassifications, here's how to get ahead of the issue:

1. **Track actual hours worked**, not just what's on the job description.
2. **Review part-time roles quarterly**—especially in industries with variable shifts or seasonal demands.
3. **Align benefit eligibility rules with how work is actually scheduled.**

4. **Be transparent**—if you can't offer benefits to part-time staff, explain why and offer alternatives (like prorated perks or flexible schedules).
5. **Avoid using "part-time" status to cut corners** – you may save money today, but you'll lose employees (or face complaints) tomorrow.

Final Thoughts: A Label Isn't Enough

Just because someone's contract says "part-time" doesn't mean that's how they're actually working—or how the law sees them.

In Canadian employment law, actions speak louder than job titles. If you're treating someone like a full-timer – expecting them to be available, assigning full workloads, or benefiting from their full-time effort – then you have a responsibility to reflect that in their classification, entitlements, and compensation.

Being proactive protects you legally, supports your employees, and builds a culture of trust. Because at the end of the day, no one wants to feel like they're working full-time for part-time treatment.