

*Annual Vacations*

12. An employer shall give each employee entitled to an annual vacation at least two weeks' notice of the commencement of his annual vacation unless otherwise agreed between the employer and the employee.

13. Where it is the custom in an industrial establishment in which a person is employed to pay vacation pay on the regular pay day during or immediately following the vacation of an employee, the employer may postpone the payment of vacation pay from the day provided under paragraph (b) of section 17 of the Act to the customary pay day.

14. (1) The Director, if he is satisfied of the existence of exceptional circumstances, may, upon a joint application made to him by the employer and the employee setting forth that because of the existence of exceptional circumstances the employee agrees to waive, with respect to a designated year of employment, the vacation to which he is entitled under section 16 of the Act, authorize the application as a waiver by the employee of his right to the grant of a vacation under section 17 of the Act in respect of that designated year of employment.

(2) Notwithstanding subsection (1), the employer, not later than ten months immediately following the completion of the year of employment referred to in subsection (1) or within such other period as is provided by these regulations, shall pay to the employee vacation pay in respect to that year.

15. The right of an employee to take a vacation with vacation pay to which he is entitled under the Act may be postponed in respect of a designated year of employment in the manner following:

- (a) by filing with the Director a written agreement between the employer and the employee stating that both parties desire to postpone, in respect of the designated year of employment, the taking by the employee of the vacation with vacation pay, and the filing of the agreement shall authorize the postponement; or
- (b) by sending to the Director a written application by the employer requesting because of the existence of specified exceptional circumstances that authority be granted to postpone, in respect of the designated year of employment, the taking of vacation with vacation pay by an employee, and the granting of the application by the Director shall authorize the postponement.

16. (1) An application for approval of a calendar year or other year as a year of employment shall be made in writing to the Director.

(2) The application shall contain the following information:

- (a) the name and address of the employer;
- (b) the calendar year or other year for which approval is sought;
- (c) the reasons for requesting such approval;
- (d) a statement of the present vacation arrangements in effect for employees of the employer; and
- (e) such other information as may be required by the Minister.