

the hours of work in a day and hours of work in a week may be calculated for the employees within the class as an average for a period not exceeding 13 consecutive weeks, subject to the following Rules:

- I. The standard hours of work (being the hours for which the regular rate of pay may be paid) of an employee within the class shall not exceed 520 hours if the averaging period is 13 weeks or, if the averaging period selected by the employer is less than 13 weeks, that number of hours that equals the product of the number of weeks so selected multiplied by 40; and the overtime rate prescribed by section 8 of the Act shall be paid for all hours worked in excess of the standard hours prescribed in this Rule, but hours for which a premium rate of at least one and one-half times the regular rate has been paid shall not be counted in computing the hours for which the overtime rate is to be paid at the end of the averaging period.
  - II. If the averaging period is 13 weeks, the total hours that may be worked by an employee within the class shall not exceed 624 hours, or, if the averaging period selected by the employer is less than 13 weeks, the number of hours that is the product of the number of weeks so selected multiplied by 48.
  - III. If during the averaging period an employee within the class is granted a general holiday or other holiday with pay on which he does not work or an annual vacation, the number of hours specified in Rule I and in Rule II shall be reduced by 8 hours for every such general or other holiday or day of annual vacation but not more than 40 hours shall be deducted for any full week of annual vacation.
  - IV. For any week in the averaging period in which an employee within the class is not entitled to wages, the number of hours specified in Rule I and in Rule II shall be reduced by 40.
  - V. If an employee within the class terminates his employment of his own accord during an averaging period in effect under these Regulations, he shall be paid at his regular rate of pay for his hours worked during the completed part of the averaging period, and if his employment is terminated by the employer, he shall be paid overtime pay for any hours worked in excess of an average 40-hour week over the period he has worked.
  - VI. Any hours for which a premium rate of at least one and one-half times the regular rate has been paid shall not be counted in determining the overtime pay that the employee is to be paid on termination of his employment.
5. (1) Where
- (a) the nature of the work in an industrial establishment necessitates irregular distribution of hours of work of any class of employees with the result that
    - (i) those employees have no regularly scheduled daily or weekly hours, or
    - (ii) the employees have regularly scheduled hours but the number of hours scheduled differs from time to time, and