



**NOTICE TO EMPLOYERS UNDER JURISDICTION :
SECTION 3.04 OF THE DECREE RESPECTING SECURITY GUARDS**

This document has been prepared in order to clarify the application of Section 3.04 of the Decree relating to overtime hours and consecutive workdays.

Section 3.04.

Overtime hours are paid time and a half the usual wage received by the employee, except for premiums provided for in the Decree and established on an hourly basis.

A regular A-01 employee who works more than 6 consecutive days, whether or not they are included in the same workweek, and who has not worked more than 40 hours, is entitled to be paid in accordance with the first paragraph starting from the seventh consecutive workday.

The days are deemed to be consecutive when, from the sixth workday, less than 24 hours have elapsed between the end of the last shift and the beginning of the next shift.

Here are two examples of shifts worked during 7 consecutive days.

Example #1 : Comparison between 3 employees

<u>Hours employee #1</u>	<u>Hours employee #2</u>	<u>Hours employee #3</u>
S 10:00-16:30	S 10:00-16:00	S 10:00-16:00
M 10:00-16:30	M 16:30-24:00	M 10:00-16:00
T 10:00-16:30	T 10:00-16:30	T 10:00-16:00
W 10:00-16:30	W 10:00-16:30	W 10:00-16:00
T 10:00-16:30	T 10:00-16:30	T 10:00-16:00
F 10:00-16:30 < 6 th >	F 10:00-16:30 <6 th >	F 10:00-16:00
S 10:00-16:30	S 10:00-16:30	S 16:30-24:00

In this example, the notion of consecution described in paragraph 3 of Section 3.04 is applicable for employees #1 and #2. They will be paid time and a half the usual wage as of the 7th workday, on Saturday.

The employee #3 will not be entitled to the increased rate for its 7th consecutive day as stipulated in section 3.04 because more than 24 hours have elapsed between the 6th and the 7th workday.

Finally, even if more than 24 hours have elapsed between the first and second workday of the employee #2, it does not influence the application of paragraphs 2 and 3 of Section 3.04 because these hours has not been worked starting the 6th workday.

Example #2 : 1 employee – 8 consecutive days over 2 weeks

<u>Hours week #1</u>			<u>Hours week #2</u>		
	S	-	4	S	00:00-6:00 6h
	M	-			18:00-0:00 6h
	T	-	5	M	00:00-6:00 6h
	W	-			18:00-0:00 6h
1	T	18:00-0:00 6h	6	T	00:00-6:00 6h
2	F	00:00-6h00 6h	7	W	5:00-11:00 6h
		18h00-0:00 6h	8	T	10:00-13:30 3,5h
3	S	00:00-6:00 6h		V	-
		18:00-0:00 6h			

In this example, the employee has worked 30 hours during week #1.

During week #2, the employee has worked 39.5 hours including 6 hours worked the 7th consecutive day and 3.5 hours worked during the 8th consecutive day. These 9.5 hours must be paid at time and a half the usual wage as stipulated in the first paragraph of Section 3.04 and must be reported as overtime in the overtime section of the Monthly Payroll Report.

We hope that this information will guide you through the application of Section 3.04 of the Decree respecting security guards.

If you need further information, please contact us.

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