



What's New in HR Law

Are Employers Required to Provide Employees with Time off Work in Relation to Queen Elizabeth II's Passing?

September 9, 2022

On September 8, 2022, Buckingham Palace announced the passing of Her Majesty Queen Elizabeth II. The Queen ascended to the throne on February 6, 1952, and reigned over the United Kingdom, Canada, and several Commonwealth realms for more than 70 years.

Queen Elizabeth II also served as Canada's Head of State. The relationship between the monarchy and Canada's government officials (including the Prime Minister, Governor General, Lieutenant-Governor, and Members of Parliament) is guided by the *Manual of Official Procedure of the Government of Canada*.

Will There Be a Holiday in Relation to Queen Elizabeth II's Passing?

Notwithstanding speculation in the media, it is unclear at this time whether any holidays will be proclaimed in relation to the Queen's passing. The Federal Government and the Government of Ontario are not required to proclaim a holiday during the mourning period following the death of the sovereign. Instead, the *Manual of Official Procedure of the Government of Canada* states that it is customary that the federal government declare a national holiday on the date of the deceased sovereign's funeral.

This article is for the purposes of only general information and does not constitute legal advice or opinion.

Holidays were proclaimed in such a fashion after the passing of King George V in 1936 and King George VI in 1952.

If a holiday is declared by the Federal Government, the holiday will likely apply to only federally regulated employers unless a provincially regulated employer has specific policy or collective agreement language suggesting otherwise. Provincial governments may nevertheless follow suit and proclaim corresponding holidays. Any holiday proclaimed in this way would apply to provincially regulated employers in that province.

However, because the Queen's funeral will likely fall on Sunday, September 18, 2022, the Federal Government and the provincial and territorial governments may elect to not proclaim a holiday at all.

Check the Box

We will continue to monitor relevant government pronouncements and provide updates regarding any proposed or proclaimed holidays in relation to the passing of Queen Elizabeth II. Our Firm also extends its sincere condolences to all members of the Royal Family.

Need More Information?

For more information, contact 416.408.3221 or your regular lawyer at the firm.

*Filion Wakely Thorup Angeletti LLP thanks **Brendan Egan** for his assistance in preparing this article.*



Toronto
Bay Adelaide Centre
333 Bay Street
Suite 2500, PO Box 44
Toronto, Ontario M5H 2R2
tel: 416.408.3221
fax: 416.408.4814
toronto@filion.on.ca

London
252 Pall Mall Street, Suite 100
London, Ontario N6A 5P6
tel: 519.433.7270
fax: 519.433.4453
london@filion.on.ca

Hamilton
1 King Street West
Suite 1201, Box 57030
Hamilton, Ontario L8P 4W9
tel: 905.526.8904
fax: 905.577.0805
hamilton@filion.on.ca

Kitchener-Waterloo
137 Glasgow Street
Suite 210, Office 175
Kitchener, Ontario N2G 4X8
tel: 519.433.7270
fax: 519.433.4453
kitchener-waterloo@filion.on.ca