

| Sample STATEMENT of POLICY and PROCEDURE | | | |
|--|----------------------------------|------------|---------------|
| Chapter: | Human Resources | SPP No. | HR 4.02.ON |
| Section: | Benefits | Issued: | Nov. 25, 2019 |
| Subject: | VACATION and VACATION PAY | Effective: | Jan. 1, 2020 |
| Issue to: | All Manual Holders | Page: | 1 of 4 |
| | | Replaces: | HR-10 |
| Issued by: | Community Resource Centre | Issued: | Feb 2017 |

1 POLICY

1.01 Vacations are granted annually, consistent with the **Community Resource Centre's** Fiscal Year of April 1 - March 31, based on vacation entitlement year of employment with the **Community Resource Centre**. Both active employment and non-active employment are included for this purpose

1.02 Vacation Entitlement

- (a) Vacation time is earned and used in the same fiscal year.
- (b) Employees on the payroll will earn vacation time described below based on numbers of years of continuous employment with the **Community Resource**.
 - two (2) weeks of vacation during 1st year of employment
 - three (3) weeks of vacation during years 2-5 years of employment
 - four (4) weeks of vacation during 6-9 years of employment
 - five (5) weeks of vacation starting year 10 of employment.
- (c) Vacation entitlement will be calculated based on employee's anticipated regular hours per week. Vacation entitlement will reconciled to reflect actual hours worked.
- (d) Earned vacation entitlement cannot be carried over from one vacation entitlement year to another, except with the written approval of the **Executive Director**. Permission to carry over vacation entitlement will not be unreasonably denied
- (e) Temporary employees do not earn vacation leave but receive vacation pay in accordance with the *Employment Standards Act*, paid on each pay cheque. Temporary Employees will be paid 4% in lieu of Vacation and 2% in lieu of group health and/or other benefits offered to permanent employees. This has historically been stated as 6 % in lieu of other benefits.
- (f) Probationary employees are not entitled to use vacation credits during their probationary period.
- (g) The CRC will adjust employee's final pay to pay out or recover vacation time, as appropriate.

1.03 Vacation Scheduling

- (a) At least two (2) weeks of earned vacation entitlement shall be taken each year. Vacation scheduling must be approved in advance by the employee's immediate supervisor. Employees should not make any vacation commitments until vacation scheduling has been approved in writing.
- (b) Except where operational and/or customer service interfere, employees' requests for vacation scheduling will receive preference.

1.04 The **Community Resource Centre** reserves the right, to schedule vacations or to institute an organization-wide vacation shutdown period. Individual programs may have additional policies.

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2 PURPOSE

2.01 The purpose of this Statement of Policy and Procedure is to specify vacation entitlements that are earned by employees and to ensure consistency in the calculation and payment of vacation pay.

3 SCOPE

3.01 This Statement of Policy and Procedure applies to all employees.

4 RESPONSIBILITY

4.01 Supervisors are responsible for receiving vacation requests, vacation schedules reviewing, scheduling, approving and monitoring vacation time requested and taken, and for advising Payroll of any changes to approved vacation plans.

4.02 Payroll is responsible for monitoring vacation entitlements and shall ensure vacation pay is paid in a timely manner, consistent with the provisions of this Statement of Policy and Procedure.

5 DEFINITIONS

5.01 “**Non-active employment**” includes periods during which an employee is on an approved leave of absence for illness or injury, a personal leave or other statutory leaves of absence during which the **Community Resource Centre** deems the employee’s employment relationship is not terminated.

5.02 “**Vacation entitlement year**” means the 12-month period commencing on **April 1 to ending on the following March 31**.

5.03 “**Continuous employment**” means a period of 12 consecutive months of employment including approved vacation time and/or approved leaves of absence(s).

5.04 “**Wages,**” for the purposes of this policy, means monetary remuneration paid or payable to the employee during the 12-month period for which the vacation is earned but **excludes** any tips and other gratuities, contributions made by the employer to a benefit plan and any payments to which an employee is entitled from a benefit plan, any sums paid as discretionary gifts or bonuses that are not related to hours, production or efficiency, travelling allowances or expenses, or vacation pay previously paid during the 12-month period.

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6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

Ontario Employment Standards Act, 2000 and Regulations

SPP HR 4.04.ON — Personal Leave of Absence

SPP HR 4.05.ON — Pregnancy Leave

SPP HR 4.06.ON — Parental and/or Adoption Leave

SPP HR 4.07.ON — Bereavement Leave and Child Death Leave

7 PROCEDURE

7.01 Vacation Scheduling

- (a) In the event no vacation shutdown period is declared by the **Community Resource Centre**, employees are required to submit requests for vacation to their immediate supervisor for approval.
- (b) In the event the operation of a program may be impaired by scheduled vacations, the supervisor may limit the number of employees who can take vacation at the same time. In such cases, the supervisor, in their sole discretion, will approve vacations based on the operational needs of the **Community Resource Centre**.

7.02 Illness during Vacation

If an employee becomes ill or is injured after commencing vacation, the period of illness or injury is considered as part of the scheduled vacation and no adjustment or extension of vacation time will be made.

7.03 Vacation Pay on Termination

An employee who ceases employment, for any reason, will receive vacation pay for vacation time accrued but not yet taken, up to the end of the termination notice, and in accordance with the provisions of the *Ontario Employment Standards Act, 2000*. Vacation pay is also paid on termination pay in lieu of notice.

7.04 Payment in Lieu of Vacation

No payment will be made in lieu of vacation except where:

- (a) an employee ceases employment;
- (b) an employee who is entitled to vacation is on extended leave of absence and/or is physically unable to take earned vacation in the current year and the Director, Employment Standards approves such payment.

7.05 Vacation Time and Vacation Pay Records

- (a) The **Community Resource Centre** is required by law to record the following information related to an employee's entitlement to vacation time and vacation pay:
 - (i) The amount of vacation time, if any, that the employee had earned since the start of employment but had not taken before the start of the vacation entitlement year.

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- (ii) The amount of vacation time the employee earned during the vacation entitlement year.
- (iii) The amount of vacation time, if any, taken by the employee during the vacation entitlement year.
- (iv) The amount of vacation time, if any, earned by the employee since the start of employment but not taken at the end of the vacation entitlement year.
- (v) The amount of vacation pay that the employee earned during the vacation entitlement year and how that amount was calculated.
- (vi) The amount of vacation pay paid to the employee during the vacation entitlement year.
- (vii) The amount of wages on which the vacation pay referred to in paragraph (vi) was calculated and the period of time to which those wages relate.
- (b) The information specified in paragraph 7.06(a) shall be prepared by the Payroll Department by the later of:
 - (i) seven (7) days after the start of the next vacation entitlement year, or
 - (ii) the first pay day of the next vacation entitlement year.
- (c) An employee may make a written request to receive a copy of the record specified under paragraph 7.06(a) and shall be provided with that information in a timely manner.
- (d) Vacation time and vacation pay records shall be kept for a minimum of five years after they are made.