

STATEMENT of POLICY and PROCEDURE			
Chapter:	Human Resources	SPP No.	HR 4.03.ON
Section:	Benefits	Issued:	Nov.25. 1, 2019
Subject:	PUBLIC HOLIDAYS	Effective:	Jan. 1, 2020
Issue to:	All Manual Holders	Page:	1 of 3
		Replaces	HR-13
Issued by:	Community Resource Centre	Issued:	Feb 2017

1 POLICY

1.01 The **Community Resource Centre** recognizes **<eleven (11)>** days as public holidays and compensates employees for all statutory holidays as well as other holidays, as noted below. The recognized public holidays are:

New Year's Day	Family Day	Good Friday	Easter Monday
Victoria Day	Canada Day	Civic Holiday (Aug)	
Labour Day	Thanksgiving Day		
Christmas Day	Boxing Day		

Plus 1 additional Christmas stat to be determined annually by the Executive Director.

- 1.02
- (a) Where a public holiday falls on a non-working day for an employee or during an employee's vacation, another working day must be granted as the public holiday and be taken on a day specified by the **Community Resource Centre** that is not later than three (3) months after the public holiday.
 - (b) Public holiday pay will be paid in accordance with the *Employment Standards Act, 2000*.
 - (c) If a public holiday falls on a day during a period in which the employee is on pregnancy leave, parental leave or on a temporary layoff, the employee is entitled to public holiday pay for that day, but has no other entitlement under this policy or under the public holiday provisions of the *Employment Standards Act, 2000* to a substitute holiday. Holiday pay must be calculated in accordance with paragraph 5.01 of this policy. Note: with regard only to an employee who is on temporary layoff — if that employee is terminated because the layoff exceeded the period of a temporary layoff and the holiday falls on, or after the day on which the layoff first exceeded the period of a temporary layoff, the employee has no entitlement to public holiday pay.

1.03 Public Holiday Pay Eligibility

To be eligible for public holiday pay, an employee must:

- (a) be on the active payroll;
- (b) work all of the employee's last regularly scheduled day of work immediately prior to and all of the employee's first regularly scheduled day of work immediately following a public holiday unless absence is approved in advance, in writing, by the employee's immediate manager, or the employee can show reasonable cause for not working such days;
- (c) work on the public holiday if the employee has agreed to do so, unless the employee can show reasonable cause for not working on the public holiday.
- (d) For part-time employees, compensation will be pro-rated based on the formula provided through the *Employment Standards Act*.

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2 PURPOSE

2.01 The purpose of this Statement of Policy and Procedure is to specify those days which are observed as public holidays and to outline the eligibility requirements for public holiday pay.

3 SCOPE

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

4 RESPONSIBILITY

4.01 The Finance Clerk is responsible for determining whether employees will qualify for public holiday pay in accordance with the regulations.

5 DEFINITIONS

5.01 “**Public holiday pay**” means wages equal to the total amount of the regular wages earned and vacation pay payable to the employee in the four workweeks before the workweek in which the public holiday occurred, divided by 20.

5.02 “**Regular wages**” means wages and vacation pay other than overtime pay, holiday pay, premium pay, domestic or sexual violence leave pay, termination pay, severance pay and termination of assignment pay and entitlements under a provision of an employee’s contract of employment that may be greater than the minimum requirements specified in the *Employment Standards Act*.

5.03 “**Regular workday**”, as defined in the *Employment Standards Act* means with respect to an employee who usually works the same number of hours each day, means a day of that many hours.

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

Employment Standards Act, 2000 and Regulations (Ontario)

SPP HR 2.05.ON — Employment Classifications

SPP HR 4.02.ON — Vacation and Vacation Pay

SPP HR 4.04.ON — Personal Leave of Absence

SPP HR 4.05.ON — Pregnancy Leave

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

7 PROCEDURE

- 7.01 An employee hired on the first working day following a public holiday or thereafter is not eligible for public holiday pay for that public holiday.
- 7.02 **Public Holiday Pay on Cessation of Employment**
- (a) An employee who ceases employment before a day that is substituted for a public holiday and who is otherwise eligible for pay for that public holiday must receive public holiday pay in lieu of that substituted public holiday.
 - (b) An employee who ceases employment at the end of the regular workday immediately preceding a public holiday which is observed during the same week as the date of termination and who otherwise would normally be eligible for the public holiday, must receive public holiday pay in lieu of the public holiday in addition to any other wages owing at the time of termination.
- 7.04 Subject to paragraphs 1.02(c) and 1.03, payment or alternative time off will not be made for public holidays occurring during a period of leave of absence without pay.