

Head, Clara & Maria Policies and Procedures			
DEPARTMENT:			POLICY #: HR-06
POLICY NAME: Holiday, Sick, Personal & Vacation Policy			
DATE:	REV. DATE: April 2021	APPROVED BY: Council	PAGE #: 1 of 4

## PURPOSE

1. To establish a vacation and leave structure that helps meet the needs of the Municipality while contributing to the well-being of our staff members.
2. There may be times when employees need to be absent from work in order to attend to essential personal commitments. It is the Municipality's intention to create the flexibility to meet these needs.
3. To outline the conditions under which paid leaves will be granted to employees.

## POLICY

Employees of the Townships of Head, Clara & Maria, who work an average work week of 28 or more hours per week, are entitled to a designated number of paid holidays, paid vacation days, paid sick leave and paid personal days each calendar year on a pro-rated basis to a full work week. Eligibility is specified below.

Permanent part-time employees of the Townships of Head, Clara & Maria, who work an average work week of less than 28 hours per week, are entitled to vacation pay and special pay for time worked on holidays as per the *Employment Standards Act*. Details are specified below.

## GUIDELINES

### A. *Paid Holidays*

1. The Municipality observes all Ontario Statutory holidays as paid holidays for all employees including: New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day and Boxing Day. This list may be changed from time to time by the Provincial government.
2. The Municipality also observes as a paid holiday Easter Monday and Civic Holiday Monday in August.
3. All employees are compensated according to the *Employment Standard's Act* for all paid holidays.
4. Paid holidays will not accrue or become eligible for payment if an employee is on an unpaid leave of absence (including Workplace Safety and Insurance Benefits or Employment Insurance Sick Benefits) or after a period of thirty (30) consecutive days leave for illness.

### B. *Personal Days*

1. Full time employees may take up to three personal days per year when necessary for personal matters, such as medical appointments, religious holidays, caring for ill family members, etc.

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2. Plans to use a personal day should be communicated to the Clerk-Treasurer with as much advance notice as possible unless there are extenuating circumstances.
3. No less than half of a personal day shall be taken at one time. Employees may not take a personal day at the beginning or end of your vacation or in conjunction with a statutory holiday.
4. Personal days are not to be utilized as additional vacation days and should be used appropriately.
5. Unused personal days can not be carried forward to be used in another year.
6. Abuse of personal days may result in this privilege being revoked and cause an employee to be subject to discipline, up to and including termination.

#### C. Vacation Entitlement

1. Vacation entitlement is prorated based on an employee's Full Time Equivalent (FTE). For ease of administration, the vacation weeks referred to in the following guidelines will equal the regular number of days in an employee's regular work week. (E.g. An employee who works a 0.8 FTE would be eligible for 80% of the vacation entitlement of a full time employee).
2. The Clerk-Treasurer is responsible for scheduling vacation dates for employees in a manner that is as fair as possible to all employees and that ensures minimum disruption of service to the Municipality. Length of service on active payroll is given consideration in choice of vacation periods.
3. The following schedule is used to calculate vacations for full-time employees:
  - (a) during the first year in which an employee is hired, they will received vacation accrual at 4% vacation pay for hours worked;
  - (b) beginning January 1<sup>st</sup> of the year during which the employee will complete one (1) full year of employment, they are credited with two (2) weeks of vacation leave at 4% vacation pay;
  - (c) beginning January 1<sup>st</sup> of the year during which the employee will complete five (5) years of employment, they are credited with three (3) weeks of vacation leave at 6% vacation pay;
  - (d) beginning January 1<sup>st</sup> of the year during which the employee will complete ten (10) years of employment, they are credited with three and a half (4) weeks of vacation leave at 8 % vacation pay;

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- (e) beginning January 1<sup>st</sup> of the year during which the employee will complete twenty (20) years of employment, they are credited with five (5) weeks of vacation leave at 10% vacation pay.
4. Upon termination of employment or if an employee transfers to part-time employment, they are paid the pro-rated monthly portion of unused vacation that was credited on January 1<sup>st</sup> of that year.
  5. Conversely, an employee is responsible for payment of vacation taken but not earned based on a pro-rated monthly calculation from January 1st.
  6. Employees are encouraged to use vacation time in the year in which it is earned. However, in the case of extenuating circumstances, an employee may carry the equivalent of one week vacation to the subsequent year. Any carry over in excess of one week must be approved by the Clerk-Treasurer with a plan outlining the employees proposed scheduled to use vacation time that has been carried over. In the case of the Clerk-Treasurer, approval must come from Council. The carried over vacation must be used in the subsequent year or is lost.
  7. All employees are entitled to two (2) weeks of earned vacation consecutively.
  8. Consecutive earned vacation periods of more than two (2) weeks may be obtained with the express permission of the Clerk-Treasurer, or in the case of the Clerk-Treasurer by Council.
  9. Vacation may not be taken in anything less than one-half (½) day increments.
  10. Sick leave may be substituted for vacation leave where the employee can establish, by Doctor's certificate, that an illness or accident occurred while on vacation.
  11. If a statutory holiday occurs during your vacation, it is not counted as a vacation day.
  12. While on active payroll, full time employees are not permitted to take cash in lieu of vacation. This option may be utilized upon termination of employment.
  13. Vacation credits will not accrue during an unpaid leave of absence (including Workplace Safety and Insurance Benefits or Employment Insurance Sick Leave) or after a period of thirty (30) consecutive days leave for illness.
  14. Vacation pay for part-time employees is paid in accordance with the *Employment Standards Act*. This is currently (2021) @ 4% of the earnings of each part-time employee with less than 5 years of employment, and 6% for those with more than 5 years of employment. Vacation pay may be paid out biweekly with each regular pay period, or accrued and paid on request corresponding with their vacation period. Vacation time may be utilized as needed, and not necessarily in a consecutive time period.

#### D. Sick Leave

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1. Upon hire, sick leave will accumulate at the pro-rated amount of 0.83 days per month, based on an employee's FTE, for each full calendar month worked, up to December 31st (equivalent to 10 days for a full year).
2. Beginning January 1<sup>st</sup> of the work year during which the employee will complete one (1) full year of employment, the employee is credited with ten (10) working days of sick leave.
3. During employment, one-half (1/2) of unused annual sick leave will accumulate and be carried forward to a maximum of 15 days, including the current year's entitlement.
4. Upon termination of employment, an employee will be paid out at 50% of the remaining balance of their sick leave bank, as per the *Municipal Act, 2001* s.281.(1).
5. Any absence of five (5) consecutive days will require a Doctor's certificate.
6. If you abuse your sick leave, the privilege may be revoked and you may be subject to discipline, up to and including termination.
7. Sick leave may be used to care for a sick immediate family member (spouse or child) as long as the time used does not exceed the employee's total sick bank.

#### E. Other

1. From time to time, other leaves may be required by the *Employment Standards Act, 2000* (i.e. Infectious Disease Leave, resulting from COVID-19). The municipality will comply with all statutory obligations as outlined in the *Employment Standards Act*, or any other Act.