

Vacation Entitlement

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| Author(s): | Human Resources [] |
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1. Purpose statement

This procedure outlines the vacation entitlements and vacation scheduling procedure for employees of the Town of Oakville.

2. Scope

This procedure applies to all employees.

2.1 Unionized employees

Employees covered by a collective agreement are subject to the terms and conditions in the respective collective agreements as well as sections 3.4, 3.5, 4, 5, 7 and 10 of this Policy. Where there is a conflict between these provisions and the terms of an employee's collective agreement, the latter shall prevail.

3. Procedure

3.1 A) Vacation entitlement for non-union permanent full time employees (Pay Grades 1-6)

All permanent full time non-union employees accumulate vacation credits, based on their years of service effective each calendar year, on a pro-rated basis as follows:

- a) employees are entitled to 1.25 days per month of service in their first calendar year of employment;
- b) employees are entitled to three (3) weeks of paid vacation after completing one (1) year of service, earned at a rate of 1.25 days per month;
- c) employees with at least seven (7) years of service are entitled to four (4) weeks of paid vacation, earned at a rate of 1.67 days per month;
- d) employees with at least fourteen (14) years of service are entitled to five (5) weeks of paid vacation, earned at a rate of 2.08 days per month;
- e) employees with at least twenty (20) years of service are entitled to six (6) weeks of paid vacation (one week for which payment may be elected in lieu of time off with pay) earned at a rate of 2.5 days per month.
- f) During an employee's last year of service prior to normal retirement (or retirement with an unreduced pension benefit under OMERS 90 factor or OMERS 30 year service provision), an employee shall be granted additional vacation entitlement in time or payment of one day for each complete year of full time active service completed with the corporation.

| Years of Service | Number of weeks of vacation per year | Days accrued per month |
|-------------------------|---|-------------------------------|
| 1 | 3 | 1.25 |
| 7 | 4 | 1.67 |
| 14 | 5 | 2.08 |
| 20 | 6 | 2.5 |

3.2 B) Vacation entitlement for non-union permanent full time non-union permanent full time employees (Pay Grades 7-12)

All permanent full time non-union employees accumulate vacation credits, based on their years of service effective each calendar year, on a pro-rated basis as follows:

- a) employees are entitled to 1.67 days per month of service in their first calendar year of employment;
- b) employees are entitled to four (4) weeks of paid vacation after completing one (1) year of service, earned at a rate of 1.67 days per month;
- c) employees with at least seven years of service are entitled to five (5) weeks of paid vacation, earned at a rate of 2.08 days per month;
- d) employees with at least fourteen (14) years of service are entitled to six (6) weeks of paid vacation, earned at a rate of 2.5 days per month;

- e) During an employee's last year of service prior to normal retirement (or retirement with an unreduced pension benefit under OMERS 90 factor or OMERS 30 year service provision), an employee shall be granted additional vacation entitlement in time or payment of one day for each complete year of full time active service completed with the corporation.

| Years of Service | Number of weeks of vacation per year | Days accrued per month |
|-------------------------|---|-------------------------------|
| 1 | 4 | 1.67 |
| 7 | 5 | 2.08 |
| 14 | 6 | 2.5 |

3.3 Employees transferring to permanent full time status

3.3.1 Temporary contract or part time employees transferring to permanent full time status who receive vacation as a percentage in lieu, bring with them no accumulated vacation hours (accrued vacation has been paid out), and such employees will be treated as new hires for vacation entitlement purposes.

3.3.2 Temporary contract employees will be credited for service at the time they become a permanent full time employee in order to establish vacation entitlement, but will only be entitled to earned vacation time for that year from the date the employee became permanent full time.

3.4 Full time employees transferring to temporary contract or part time status

3.4.1 Permanent Full Time employees transferring to temporary contract or part time status are expected to use their accumulated vacation entitlement prior to the commencement of their change in status.

3.4.2 Employees having not utilized their accumulated vacation entitlement prior to their change in status shall be paid out the value thereof on a pro-rated basis. Thereafter, the employee shall be treated with reference to section 3.6, "**Vacation Entitlement for Other Employees**" below.

3.5 Employees transferring from full time union position to full time non-union position

- 3.5.1 Employees transferring from a full time union position to a full time non-union position will be credited with past service for the purpose of vacation entitlement. Vacation entitlement shall be determined in accordance with section 3.1, “**Vacation Entitlement for Non-Union Permanent Full-Time Employees.**”

3.6 Employees transferring from full time non-union position to full time union position

- 3.6.1 Employees transferring from a full time non-union position to a full time union position shall be governed by the terms of the respective collective agreement.

3.7 Vacation entitlement for other employees

- 3.7.1 A vacation allowance will be provided to non-permanent full time and part time employees and students based on their gross earnings and paid as earned in accordance with the *Employment Standards Act*.

4. Vacation scheduling

- 4.1 All requests for vacation must be submitted in writing to the employee’s supervisor, and approved in writing.
- 4.2 Vacation will be scheduled by management, subject to operational considerations, between January 1st and December 31st of a vacation year.
- 4.3 Changes to the approved vacation schedule are at the discretion of management.
- 4.4 It is expected that all vacation will be taken prior to completion of the vacation year. Retiring employees are expected to have their vacation allowance scheduled and taken prior to their retirement date.
- 4.5 Rescheduling due to illness or injury: Where an employee’s scheduled vacation is interrupted due to a serious illness requiring an employee to be admitted as an in-patient to a hospital or quarantined, the period of hospitalization or quarantine will be paid as sick leave, not vacation, provided the employee has submitted an acceptable medical certificate to the employer.
- 4.6 Forfeiture of vacation: Any vacation entitlement that is earned in excess of the *Employment Standards Act*, minimum, but not taken by December 31 of any vacation year, will be forfeited, subject to section 5, “**Vacation carry over**”.

5. Vacation carry over:

5.1 An employee may carry over a maximum of five (5) days of their vacation entitlement to the next year provided that they have:

- i. taken the *Employment Standards Act, 2000* minimum, and
- ii. obtained the written approval of the Department Head by December 1 of the current year.

5.2 An employee who has been asked in writing by their Commissioner or the Chief Administrative Officer to defer to the next year any portion of their vacation entitlement that exceeds the *Employment Standards Act, 2000* minimum, because of operational considerations may carry over all or a portion of their vacation entitlement.

5.3 In infrequent circumstances (such as extenuating family situations) an employee may carry over to the subsequent year any or all of their vacation entitlement provided that they have:

- i. Taken the *Employment Standards Act*, minimum; and
- ii. Obtained the approval Chief Administrative Officer on the recommendation of the Commissioner by December 1 of the current year.

5.4 Any vacation entitlement carried over from the current vacation year to the next vacation year must be used by December 31 of the next year or forfeited.

5.5 Vacation carry over will be authorized on a Change of Status form for each employee and submitted to the Human Resources Department.

6. Vacation entitlement in offers of employment

6.1 A starting vacation entitlement, or a schedule of increments in vacation entitlements that varies from the vacation entitlement policy may be negotiated with a candidate for a non-union position where:

- a. the candidate's experience is substantial and directly related to the position sought; and
- b. the entitlement negotiated does not exceed the vacation to which the candidate would have earned had all their previous experience been in the employ of the Town; and
- c. the approval of the Chief Administrative Officer and/or the Director of Human Resources or designate has been obtained.

6.2 In such circumstances, a determination regarding the employee's future vacation entitlement shall be determined by the Director of Human Resources.

7. Termination

- 7.1 If an employee resigns, retires or leaves the service of the Town before earning vacation already taken, any pay for excess days will be deducted from their final pay.
- 7.2 Terminated full time permanent employees will be paid for any unused and earned vacation which has not been taken prior to the termination date, on a pro-rated basis.
- 7.3 Employees terminated before the 15th of the month will not be granted a vacation entitlement for that month.

8. Discretion

- 8.1 The Chief Administrative Officer may use discretion in the application of these procedures, in keeping with the Mission, Vision and Values of the organization and with due regard to operational considerations.

9. References and related documents

Time At and Away From Work Policy
OMERS Pension Plan
Employment Standards Act, 2000 |

10. Definitions

Acceptable medical certificate: A document signed by a medical practitioner detailing the dates and duration of the hospitalization, and the general nature of the cause for hospitalization.

Full time: For non-union employees, means employees that work at least 35 hours per week. For union employees, means the definition found in the respective collective agreement.

Non-full time: For non-union employees, means employees that work less than 35 hours per week. For union employees, means the definition found in the respective collective agreement.

Part time: These are employees working 24 hours per week or less.

Students: Individuals currently attending or returning to school, working during non educational periods, while on a co-op work term, or during an internship.

Temporary contract employees: Have a defined term of employment with a specific start and end date.

Vacation year: January 1 to December 31 of the same calendar year.

Years of service: Based on full-time hire date.

11. Responsibilities

The Human Resources Department shall be responsible for the administration of this procedure.

Department Heads are responsible for ensuring that managers, supervisors, and employees comply with this procedure, and ensure that vacation scheduling causes minimal disruption to regular operation of the Department.

12. Reports

1. Management can view vacation reports through OSCAR.]