

## ***Vacation***

<b>Reviewed Date</b>		<b>Number</b>	HR0701
<b>Revised Date</b>	August 30, 2023	<b>Approved Date</b>	December 19, 1990

### ***Introduction***

The Board of Health believes in providing fair and equitable benefits to all its employees consistent with the health unit's mandate to promote and protect public health in the community.

### ***Purpose***

This policy outlines the parameters and principles for the vacation entitlements offered as part of the comprehensive compensation package for employees of the health unit. This policy applies to non-union employees of the health unit except where it specifically indicates a section applies to all employees. This facilitates consistency in application of the various rules governing the administration of vacation policy across the entire health unit. Unionized employees are referred to their collective agreement for the amount of their vacation entitlements based on their years of service.

### ***Legislative Authority***

N/A

### ***Policy Definitions and Interpretation***

N/A

### ***Policy***

The employer will grant vacation with pay to eligible full time and part time non-union employees based on a vacation entitlement date. This vacation entitlement date will be determined either as: the date the employee was hired by the Agency as a full time or part time employee, or alternatively, where an employee has worked in a casual or temporary position immediately prior to becoming a full time or part time employee, their total consecutive casual and temporary employment hours will be divided by 1820 in order to establish their vacation entitlement date.

This non full/part time hour's vacation adjustment applies to full and part time non-union employees whose casual or temporary date of hire was April 1, 2005, or later. Any change to the vacation entitlement date based on the above formula will be effective no earlier than January 1, 2014. Future vacation levels as a full or part time employee will continue to be earned in accordance with this established vacation entitlement date.

As the vacation year runs from January 1 to December 31 each calendar year, employee allotment of vacation during their first year of employment is prorated based on their applicable hire date.

The following vacation levels are based on an earn before you use principle and apply to all full and part time, non-union staff effective April 23, 2014:

- Level 1: Full time staff are entitled to a vacation of fifteen (15) working days (105 hours) with pay in each of the first full three years of employment. Part time staff are entitled to a pro-rated entitlement (fte x 15 days).
- Level 2: Full time staff who have been employed for more than three (3) continuous years, but less than twelve (12) continuous years are entitled to a vacation of twenty (20) working days (140 hours) with pay in each of these full years of employment. Part time staff are entitled to a pro-rated entitlement (fte x 20 days).
- Level 3: Full-time staff who have been employed for more than twelve (12) continuous years, but less than twenty-two (22) continuous years are entitled to a vacation of twenty-five (25) working days (175 hours) with pay in each of these full years of employment. Part time staff are entitled to a pro-rated entitlement (fte x 25 days).
- Level 4: Full-time staff who have been employed for more than twenty-two (22) continuous years but less than twenty-five (25) years are entitled to a vacation of thirty (30) working days (210 hours) with pay in each of these full years of employment. Part time staff are entitled to a pro-rated entitlement (fte x 30 days).
- Level 5: Effective January 1, 2015, full-time staff who have been employed for more than twenty-five (25) continuous years are entitled to a vacation of thirty-five (35) working days (245 hours) with pay in each full year of employment past 25 years. Part time staff are entitled to a pro-rated entitlement (fte x 35 days).

Notwithstanding, effective April 23, 2014, newly hired or appointed employees at/or above the position of Manager are entitled to commence vacation at Level 2.

Managerial employees will be deemed, for the purposes of next vacation level advancement only, to have already served the prerequisite employment service required. For example, if upon initial appointment one starts at level 2, they will be eligible to advance to level 3 after 9 years of service as they will have been deemed to already have 3 years of service towards their vacation entitlement.

Nonunion and union staff promoted to a full time or part time Managerial position (non-Acting) shall apply their current employment service (pro-rated if any service is less than 1 FTE) from their most recent hire date of hire as a non-managerial SMDHU staff for initial vacation level placement purposes.

Employees who work in excess of their hired FTE on a casual basis will receive 6% additional pay on the casual hours worked in lieu of vacation credits.

Casual and temporary employees will receive 6% additional pay on the hours they work in lieu of vacation credits.

Full and part time employees are entitled to one float day per calendar year. Should Remembrance Day fall on a weekend an additional float day will be granted.

Vacation credits for all employees will be accrued during periods of maternity leave, parental leave, compassionate leave, sick leave, short term disability and unpaid leave of absence of less than 10 consecutive days. Vacation credits for all employees will not accrue under the following conditions and as such vacation entitlement will be adjusted accordingly:

- During periods of leave of absence without pay beyond 10 consecutive days;
- During periods of long term disability;
- During periods of workers compensation;
- During any periods of lay-off;

Vacation entitlements for all employees will be required to be adjusted in accordance with their new FTE where an employee takes unpaid leave of absences in order to reduce their FTE on a temporary basis.

All employees returning to work on a graduated return to work plan (WSIB, LTD, STD, Sick Leave) will earn vacation and sick credits based only on their actual hours worked while returning to their regular FTE.

Notwithstanding annual vacation entitlements are to be earned before used, vacation time may be taken prior to being earned, provided there is sufficient unpaid salary and benefits to cover the unearned vacation time. This applies to the calendar year only.

Each department or program will establish minimum standards for vacation coverage. Vacation time will be taken at a mutually agreeable time to the employee and the Direct Supervisor in such a way that services of the health unit will not be detrimentally affected. Employees are encouraged to use their full vacation entitlement by December 31 of each year.

Only vacation balances of half entitlement or less at December 31 will be carried over to the following year and must be used by June 30. Carried over vacation time will not be permitted for use past June 30 except in exceptional circumstances and approved in writing by the department Vice President and in the case of a Vice President the Medical Officer of Health/Chief Executive Officer.

Unused vacation entitlement is not normally paid out, however, the department Vice President, and in the case of a Vice President the Medical Officer of Health/Chief Executive Officer, may approve such pay-out in exceptional circumstances.

The float day(s) must be used in the calendar year given and cannot be carried over.

There will be no borrowing of future vacation credits from the next year in order to cover an absence in the current year.

All employees taking an unpaid leave of absence must use their vacation entitlement earned up to the start of the leave and any carry-over from the previous year before commencing their leave.

An employee commencing maternity or parental leave may take the vacation entitlement to be earned while on leave in advance of the pregnancy or parenting leave starting or prior to returning back to work after the expiration of the parental leave. This may also, with mutual consent of the Direct Supervisor, be used to work reduced hours prior to the employee returning to his/her regularly hired FTE. Vacation time earned while on parental leave, if not used as per this section, will be paid out in full within two (2) weeks of the employee's return to work. Carry-over provisions and deadlines for vacation time requests may be waived by the department Vice President for employees on maternity or parental leave depending on the start and finish date of the leave.

All employees may cancel pre-approved vacation time when illness occurs prior to the vacation starting. For the purposes of consistent application of this policy the effective date of vacation commencement is deemed to be the end of shift of the last day worked (e.g., Friday after 4:30 p.m.).

All employees who become ill once vacation time has commenced will not be permitted to change vacation time to sick time unless hospitalization occurs. For the purposes of consistent application of this policy the effective date of vacation commencement is deemed to be the end of shift of the last day worked (e.g., Friday after 4:30 p.m.).

When an employee is hospitalized during a period of vacation time, the period of time spent in hospital will be considered sick time and the vacation time credited back to the employee.

When a death in the family occurs while an employee is on vacation, the number of days credited back to the employee will be as outlined in Policy HR0705 Bereavement Leave.

When a staff member's employment is terminated for any reason, he/she will be entitled to a vacation lump sum payout covering vacation entitlement earned but not taken as of the date of termination.

### ***Procedures***

- 1) Requests for vacation time are submitted to the employee's Direct Supervisor per the Kronos timecard system as per the guidelines set out in each Department/Program area.
- 2) Requests for vacation during the months of June, July, or August and up to and including Labour Day in September must be submitted by April 15 of each year and a reply shall be given by May 1.
- 3) Requests for vacation time occurring in the Christmas/New Year period (weeks in which December 25 and January 1 fall), must be submitted by September 15 of each year and a reply shall be given by September 30. Requests for vacation during the school March break must be submitted by December 1 of each year and a reply shall be given by December 15. Requests received after the dates specified above will be processed according to the date of submission.
- 4) Conflicts in scheduling vacation time shall be resolved between the affected employees and their respective Direct Supervisors. Seniority shall not be the sole determining factor for priority; rather the principles of fairness and equity shall prevail. Employees are expected to share in both prime and less desirable vacation times which may be over a two-year rotational basis.

- 5) Employees who are forced to cancel pre-approved vacation time due to illness which occurs prior to the vacation starting will be required to provide their Direct Supervisor with an SMDHU Health Care Provider Statement verifying the illness and the amount of time required off work before vacation will be cancelled.
- 6) When an employee is hospitalized during a period of vacation time, the period of time spent in hospital will be considered sick time and the vacation time credited back to the employee. The employee will provide their Direct Supervisor with proof of hospitalization upon returning to work. If the employee has scheduled vacation time remaining after hospitalization, there must be a SMDHU Health Care Provider Statement provided specifying the time period that the employee needs off work due to illness in order for vacation time to be changed to sick time. The Direct Supervisor will forward this documentation to Human Resources for placement in the employee's employment file.
- 7) Employees requesting maternity and parental leave will include any requests for vacation time immediately preceding their leave in their leave request letter, keeping in mind the deadlines for vacation requests set out above.
- 8) Employees returning from maternity and parental leave will include their request for use of vacation entitlement earned while on leave in their return-to-work letter.

#### ***Related Policies***

- HR0702 Statutory Holidays
- HR0705 Bereavement Leave
- HR0704 Sick leave
- HR0707 Pregnancy, Parental/Adoption Leave
- HR0709 Leave of Absence (Unpaid)

#### ***Related Forms***

N/A

***Final Approval Signature:*** \_\_\_\_\_

Review/Revision History:

Revised: December 19, 2001

Revised: July 28, 2010

Revised April 23, 2014, New Vacation Allotment and Clarifications

Revised February 13, 2019, employee clarifications

November 27, 2019, Unionized employees' clarification

April 13, 2022, Director to Vice President

August 17, 2022, Clarification of Level 2 service calculation

August 30, 2023, Included up to Labour Day in Procedures