

## Statutory Holidays

<b>Reviewed Date</b>		<b>Number</b>	<i>HR0702</i>
<b>Revised Date</b>	<i>August 25, 2021</i>	<b>Approved Date</b>	<i>December 19, 1990</i>

### 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 for the provision of paid holidays for agency employees. This entitlement applies to all non-union employees of the health unit. This policy does not apply to unionized employees who will refer to their collective agreement regarding their entitlements to statutory holidays.

### Legislative Authority

Employment Standards Act, 2000

### Policy Definitions and Interpretation

N/A

### Policy

The Health Unit recognizes certain days of religious and historic importance as holidays and pays employees for time off on these days in accordance with its special eligibility rules.

The Ontario Employment Standards Act, 2000 provides eligible employees entitlement to nine paid public holidays. The Health Unit further recognizes three holidays designated by the Federal Government and one municipal holiday. For the purpose of this policy, the Health Unit will refer to all of these days as Statutory Holidays. All Health Unit employees are eligible for Statutory Holiday pay from their date of employment.

The following days will be observed as Statutory Holidays:

New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day, Boxing Day (Employment Standards designated Statutory Holidays)

Easter Monday, \*Remembrance Day, National Day for Truth and Reconciliation (Federal Government Holidays)

Civic Holiday (Municipal Holiday)

\*Remembrance Day will be observed as a Statutory Holiday for Health Unit employees with the exception of the years in which Remembrance Day falls on a Saturday or Sunday. (See procedure #4.)

Any day proclaimed as a holiday by either the Federal or Provincial Government, shall be recognized as an additional paid Statutory Holiday by the Health Unit.

The Health Unit also recognizes the rights of employees to take off days that are not Statutory Holidays under the Ontario Employment Standards Act, 2000, for the purposes of religious observance as outlined in the Ontario Human Rights Code. Employees wishing to take time off for this purpose will be accommodated on a case by case basis. To cover the absence employees may use, vacation, compensating time, unpaid leave of absence, flex time or make up time as approved by their direct supervisor.

## ***Procedures***

### **A. General**

1. All full time and part time employees will receive seven hours pay for Statutory Holidays that fall on their hired days of work. If a holiday listed above falls on a Saturday or Sunday, the Statutory Holiday will be granted on the next work day (Monday) with the exception of Remembrance Day.
2. If a Statutory Holiday falls on a non-working day (Monday-Friday), part time employees are entitled to an alternate day off in lieu of the Statutory Holiday. The alternate day off will be taken no later than 3 months following the actual date the Statutory Holiday was observed and will be granted at mutually agreeable time between the employee and the manager. An employee will not be granted permission to take an alternate day off in lieu of the Statutory Holiday in advance of the actual date of the Statutory Holiday occurring.
3. If a part time employee prefers, they may choose to receive seven hours pay for all Statutory Holidays and not take an alternate day off. Upon hire or change of status to part time, Human Resources will advise the employee of their options and the employee will make their election. Ability to change the stat payment option will occur annually and will be the responsibility of the employee to ensure the agency stat election form is submitted to their direct supervisor no later than December 1 of the current calendar year in order to have a change implemented for January 1<sup>st</sup> of the following calendar year.
4. In the event that Remembrance Day in any particular year falls on a Saturday or Sunday, the Health Unit will not recognize this as a Statutory Holiday and will not close offices on the next business day. All full time and part time staff will be granted an additional float day to be taken at a mutually agreeable time between the direct supervisor and employee. If this float day is taken in advance of November 11 and the employee is on leave of absence or terminates employment prior to November 11, the employee will not be entitled to this float day and will owe back the time to the Health Unit.
5. Casual employees will be entitled to Statutory Holiday pay provided they work their regularly scheduled day of work before or after the statutory holiday. Calculation of the amount of pay will be in accordance with the Ontario Employment Standards Act, 2000, as follows: The total of all hours the employee was paid for in the four work weeks preceding the work week in which the paid holiday occurs, including vacation

pay, divided by 20, to a maximum of seven hours. The Statutory Holiday pay will be calculated by Payroll and added to the employees pay for the appropriate pay period.

6. When a statutory holiday falls within 4 weeks after commencement of a pregnancy leave, parental leave, compassionate leave, long term disability, unpaid leave of absence or layoff of an employee, their Statutory Holiday pay will be calculated as outlined in #5.

***B. Work on a Statutory Holiday:***

1. An employee who is required to work on a Statutory Holiday as listed above will receive Statutory Holiday pay based on their Classification (i.e., full time, part time, casual) plus an additional premium of 1.5 times their regular straight time hourly rate for a minimum of four (4) hours or 1.5 times the actual hours worked, whichever is greater.
2. Where an alternate paid day off has been granted, only the additional premium will be paid as outlined in #1.
3. In years where Remembrance Day falls on a Saturday or Sunday and is not recognized as a Statutory Holiday by the Health Unit, pay for hours worked on the Saturday or Sunday will be calculated as outlined in the Hours of Work policy.

***Related Policies***

N/A

***Related Forms***

N/A

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

Review/Revision History:

Revised: June 26, 2002

Revised: March 24, 2010

September 2010 Policy re-numbered, previous number B5.020

November 27, 2019 Unionized employees clarification

February 27, 2020 Non Union Stat Election Change

August 25, 2021, Accommodation clarified and new Federal Holiday