


POLICY

	Policy:	Non-Union Annual Vacation		
	Department:	Corporate Services		
	Division:	Human Resources	By-Law No.:	
	Administered By:	Manager of Human Resources	Approval Date:	October 25, 2021
	Replaces:	Annual Vacation – Non Union June 28, 2021		
	Attachment(s):	N/A		

1. POLICY STATEMENT

- 1.1. The Corporation of the Town of Amherstburg is committed to providing paid vacation time to its employees in accordance with its legislative responsibilities as an employer and to provide time away from the workplace for rest and rejuvenation.

2. PURPOSE

- 2.1. This policy defines the vacation entitlement for non-union employees.

3. SCOPE

- 3.1. This policy applies to all non-union permanent full-time employees.
- 3.2. Vacation entitlement for employees employed under union or association agreements shall be administered in accordance with those agreements and or applicable legislation.
- 3.3. This policy shall be reviewed every five (5) years from the date it becomes effective or sooner at the discretion of the CAO or designate.

4. DEFINITIONS

- 4.1. **Employee** in this policy refers to all non-union permanent full-time employees of the Corporation of the Town of Amherstburg.

Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

5. INTERPRETATIONS

- 5.1. Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a by-law or Town policy shall be deemed to be a reference to the most recent passed policy or by-law and any replacements thereto.

6. GENERAL CONDITIONS

- 6.1. The vacation year shall be from January 1st to December 31st. An employee's eligibility for paid vacation shall be determined on January 1st based on their cumulative municipal service.

- 6.2. No employee shall be allowed to accumulate vacation and all vacation days must be taken during the same calendar year, except as follows:
- 6.2.1. If, by the end of the calendar year, an employee has not been able to exhaust all the vacation time to which such employee is entitled, such employee may request vacation carryover to the following year of up to 10 days for approval by their Director and the CAO. Requests for carryover of the CAO's vacation entitlement of up to ten (10) days shall be approved by the Mayor. Any remaining vacation entitlement in excess of ten (10) days shall be forfeited, subject to compliance with the *Employment Standards Act*.
- 6.2.2. All vacation days carried over must be used within the first ten (10) months of the year they are carried over to.
- 6.3. Notwithstanding anything else in this Policy, where the CAO deems that due to exigencies of service an employee is precluded from using their vacation entitlement in a year, resulting in excess of ten (10) days remaining, the CAO may authorize carryover of vacation entitlement in excess of ten (10) days or pay out of unused vacation entitlement in excess of ten (10) days at the applicable daily salary rate in the year in which it was earned by the employee at year end. Requests for carryover or pay out of the CAO's vacation entitlement in excess of ten (10) days shall be approved by Council.
- 6.4. In May and October of each year, the Senior Management Team (SMT) will be provided with a summary of the outstanding vacation entitlement of their employees. The SMT shall ensure that all outstanding vacation time is scheduled and taken within the calendar year subject to authorization to carry over or pay out vacation time under sections 6.2 and 6.3 above.
- 6.5. Once an employee's vacation has been requested and subsequently approved by the Employer, it shall not be cancelled, postponed, or interrupted by the Employer except in the event of a Municipal emergency as defined in the Duties policy or in the event the employee has been summoned to testify as a Crown witness on behalf of the Town as outlined in the Leave of Absence policy. Should an employee's vacation be cancelled or postponed, the employer agrees to provide full reimbursement for any deposits, cancellation fees or other such expenses incurred by the employee for such action provided that insurance is not covering the cancellation fee.
- 6.6. Where in any year an employee ceases to be an employee of the Town prior to December 31, the employee will be paid their vacation entitlement on a prorated basis on the later of seven (7) days from the employee's resignation becoming effective or the next pay day. In the event an employee owes a vacation payback, monies owing will be deducted from the employee's final pay to the extent available.

6.7. **Vacation Entitlement**

6.7.1. The annual vacation for each non-union employee shall be as follows:

On completion of six months service	- 1 week	
On completion of one years service	- an additional week	4%
In the second calendar year	- 2 weeks	4%

In and after the third calendar year	- 3 weeks	6%
In and after the eighth calendar year	- 4 weeks	8%
In and after the fourteenth calendar year	- 5 weeks	10%
In and after the twenty-second calendar year	- 6 weeks	12%
In and after the twenty-ninth (29) calendar year	- 7 weeks	14%

6.7.2. Notwithstanding 6.7.1, the schedule of annual vacation entitlement for non-union/management staff shall not provide a lesser benefit than that provided under the union collective agreement.

7. **RESPONSIBILITIES**

7.1. The **Mayor** has the authority and responsibility to:

7.1.1. Consider requests for carry over of unused vacation time of the CAO in accordance with this policy.

7.2. **Council** has the authority and responsibility to:

7.2.1. Approve the *Non-Union Annual Vacation Policy*.

7.3. The **CAO** has the authority and responsibility to:

7.3.1. Ensure compliance with the *Non-Union Annual Vacation Policy*.

7.3.2. Authorize carryover or payment of unused vacation time where necessary and appropriate to support municipal operations in accordance with this policy.

7.4. **Directors** have the authority and responsibility to:

7.4.1. Monitor and approve vacation scheduling for their department.

7.4.2. Recommend carryover or payout of unused vacation balances in accordance with this policy.

7.5. **Manager of Human Resources** has the authority and responsibility to:

7.5.1. Administer and recommend changes to the *Non-Union Annual Vacation Policy*.

7.6. **Managers** have the authority and responsibility to:

7.6.1. Monitor, approve and schedule vacation time off for their staff.

7.7. **Staff** have the responsibility to:

7.7.1. Take approved time off per their vacation entitlement each year.

7.7.2. Adhere to and abide by the *Non-Union Annual Vacation Policy*.

8. **REFERENCES AND RELATED DOCUMENTS**

8.1. Delegation of Powers and Duties Policy

8.2. H00 - Duties Policy

8.3. H00 – Leave of Absence Policy