

Policy Statement

1. The City of Owen Sound recognizes that adequate periods of relaxation and rejuvenation are important factors in employee health and well-being.

Purpose

1. The purpose of this policy is to outline the typical amount of vacation time and vacation pay regular full-time employees are entitled to and to establish guidelines for scheduling and taking vacation.

Scope

2. This policy applies to all City employees who accrue vacation entitlement. This includes both full-time and part-time, contract, unionized and non-unionized. Where the terms of this policy vary from the terms of a Collective Agreement or an employment agreement, whichever is greater shall prevail.

Definitions

3. For the purposes of this policy,

“City” means the City of Owen Sound, and a reference to the City is a reference to the geographical area or The Corporation of the City of Owen Sound as the context requires;

“Day” means seven (7) hours for employees working a 35-hour work week and eight (8) hours for employees working a 40-hour work week;

“Director” means the City Manager, the Director of Community Services, the Director of Corporate Services, the Director of Public Works & Engineering, the Fire Chief, the Chief Curator, or any one of the above, and any designates thereof;

“Employee” means City of Owen Sound full-time employees, part-time employees, students, contract employees and seasonal employees

“Leave Form” means the Request for Leave form, Penny Leave Request, or other medium or acceptable record as determined by the Director;

“Regular Full-Time Employees” includes employees hired on a permanent full-time basis to work thirty-five (35) or more hours per week and excludes employees hired on a part-time, temporary, casual or contract basis;

“Vacation pay” is an amount of salary that is paid to an employee for the purpose of taking their vacation time; and

“Vacation time” refers to time off work provided to employees for the purpose of taking vacation.

Policy

General

4. All employees are expected to schedule and take their full annual paid vacation entitlement in the vacation year in which it is earned.
5. All employees must take their minimum entitlement of vacation time in accordance with the *Employment Standards Act*. For employees with less than five (5) years' service – two (2) weeks of vacation time in the calendar year. For those with five (5) or more years' service – three (3) weeks of vacation time in the calendar year.
6. Each full-time employee accrues vacation time, the amount of which is based on the employee's job classification, length of continuous service, and the Collective Agreement, where applicable.
7. Each full-time employee will earn vacation pay based on their base salary. For the purpose of this policy, “base salary” means the salary paid in the vacation entitlement year excluding any other payments (for example, overtime pay, shift premiums, etc.). Vacation pay accrues only during active employment (for example, when employees are in receipt of a salary).

Conditions

8. Vacation time with pay will accrue in accordance with the employee's entitlement, as set out below. Employees will have access to their full vacation entitlement at the commencement of each calendar year. Should an employee leave their employment before earning the vacation time taken, the employee will be responsible for payment of unearned vacation credits taken and the Employer will withhold or make deduction from the employee's final pay.
9. When requesting vacation time, employees are to do so in accordance with their departmental practice, policies, or Collective Agreement as to the method and deadline dates for submitting vacation requests.

10. Approval of vacation time requests is at the discretion of the Director and will be granted when possible, considering the department's operational needs.
11. The Director of each department is responsible for preparing the department's vacation schedule and may specify periods when vacations may not be scheduled due to operational requirements.

Scheduling

12. The City reserves the right to schedule vacation time off for employees as a method of ensuring that the annual vacation entitlement is utilized prior to the end of the vacation year.
13. Each Director must ensure that:
 - a. employees take the statutory minimum weeks of vacation each year and, if necessary, schedule such vacation time prior to year end; and
 - b. key vacation periods alternate yearly amongst the employees in the department.
14. A completed and approved Vacation Request, or other acceptable record specifying the employee's vacation requests must be provided and kept on file with the City's payroll department.

Vacation Carry-Over

15. Vacation carry-overs of up to ten (10) days per year are permitted, if approved, and only after the employee has taken the statutory minimum weeks of vacation within that same year.
16. Vacation carry-overs from the previous year must be used within the year into which it is carried over.
17. Any days in excess of the ten (10) days carryover as of December 31st in any year, will be forfeited by the employee and will not be carried over or paid out.

Current Excess Vacation Banks

18. Vacation banks that are in excess of an employee's annual vacation entitlement and the maximum ten (10) days' carry-over as of December 31, 2022, will be allowed to be carried forward on a continuing basis, however no further additions to such carryovers or deviation from this policy will be allowed unless specifically approved in writing by the City Manager.

Vacation During Leaves of Absence

19. Employees on pregnancy, parental, WSIB, Short Term Disability, or other statutory leave will accrue vacation time required to be taken at end of their leave unless approved otherwise. Vacation pay for this period will be pro-rated based on an employee's eligible earnings in the year.
20. For clarity, vacation pay will not accrue while an employee is absent from work on an unpaid leave of absence. For example, employees who receive a paid vacation entitlement and are on pregnancy and parental leave will continue to accrue unpaid vacation time during the leave, but not vacation pay.
21. Unpaid vacation time will continue to accrue during the leave of absence based on the employee's length of continuous service.

Administration

22. The employee must submit a completed Leave Form or other acceptable record before the vacation time is taken after the departmental practice. Employees are to submit Leave Forms or other acceptable record for no less than the minimum and for no more than the maximum amount of vacation to be used in any one year.
23. The Director is responsible for:
 - a. processing completed Leave Forms or other acceptable record and returning a notification to the employee stating that the vacation is either approved or denied;
 - b. maintaining a departmental vacation schedule for all employees in the department; and
 - c. scheduling an employee's unused and unscheduled excess vacation to be used before the current year's end.

Schedule of Vacation Entitlement

24. Unionized employees shall accrue vacation days or pay in accordance with the relevant Collective Agreement.
25. A regular full-time non-union employee will accrue vacation days in each calendar year based on service throughout the year, at the rate shown in the schedule below:

Schedule of Vacation Entitlement

Annual Vacation Entitlement (Working Days)	Length of Continuous Service
1 ¼ day for each month of service	First Year of Employment
15 Days	After 1 Year
16 Days	After 2 Years
17 Days	After 3 Years
18 Days	After 4 Years
19 Days	After 5 Years
20 Days	After 6 Years
20 Days	After 7 Years
21 Days	After 8 Years
22 Days	After 9 Years
23 Days	After 10 Years
24 Days	After 11 Years
24 Days	After 12 Years
25 Days	After 13 Years
25 Days	After 14 Years
25 Days	After 15 Years
26 Days	After 16 Years
27 Days	After 17 Years

Annual Vacation Entitlement (Working Days)	Length of Continuous Service
28 Days	After 18 Years
29 Days	After 19 Years
29 Days	After 20 Years
30 Days	After 21 Years
30 Days	After 22 Years
30 Days	After 23 Years
31 Days	After 24 Years
32 Days	After 25 Years
33 Days	After 26 Days
34 Days	After 27 Years
34 Days	After 28 Years
35 Days	After 29 Years

Variation of Vacation Entitlement

26. The City Manager has the authority to approve a variation of this Vacation Management Policy, including the above Schedule of Vacation Entitlement for regular full-time non-union positions. Such variation will be approved only under exceptional circumstances for the purpose of:
- a. recruiting or retaining qualified candidates;
 - b. ensuring continued delivery of municipal operations; or
 - c. ensuring that the City remains competitive in the municipal labour market.

27. In the case of the City Manager, the Mayor has the authority to approve a variation of the Vacation Management Policy including the above Schedule of Vacation Entitlement.
28. Where an employee is granted enhanced vacation entitlement on their hire date (i.e. over and above 15 standard vacation days), the corresponding year on the vacation schedule will serve as the vacation service date. For example, an employee starting with 20 vacation days will be considered on par with six years of continuous service and will move to 21 days after two years.

Implementation

29. Supervisors are responsible for complying with this policy and ensuring that their employee(s) comply with this policy.
30. Employees are responsible for monitoring their vacation banks to ensure that vacation earned is scheduled and taken by the end of the year, in accordance with this policy.
31. Human Resources payroll staff are responsible to:
 - a. maintain records of all approved vacation requests, and vacation pay-out requests; and
 - b. provide guidance to employees and Directors regarding this policy and expectations.

Policy review

32. The Manager of Human Resources will review this policy:
 - a. every five (5) years to ensure effectiveness and compliance with current business processes; or
 - a. sooner, if required, based on legislative changes.
33. The Manager of Human Resources is authorized to make such administrative changes to this policy as appropriate to keep the policy current. Any revision to the policy's intent must be presented to the City Manager for consideration.

Related Information and Resources

Internal

34. Collective Agreements for CUPE 1189-00, CUPE 1189-01 and OSPFFA 531
35. Personal Emergency Leave and Sick Day Policy

External

36. *Ontario Employment Standards Act*

Appendices

37. N/A

Revision History

Authority	Date	Approval	Description of Amendment
City Manager	Click or tap to enter a date.	CM	Updated Vacation entitlement and unused vacation days
City Manager	November 30, 2021		