



Policy Name: Non-Union Vacation Policy	Policy No: S600-22
Committee approval date:	-
Council approval date:	February 18, 2014
Revision date(s):	November 30, 2021
Department/Division:	People Services

1. Purpose

- 1.1. The Town of Pelham ("the Town") understands the importance of time away from work to the health and well-being of its employees. The purpose of this policy is to explain the standards, guidelines, and procedures for paid vacation time for all **non-union** employees of the Town.

2. Policy Statement

- 2.1. The Town is committed to the well-being of its employees and recognizes the importance of paid vacation time to achieve a healthy and sustainable work-life balance and to promote physical and mental health.
- 2.2. This policy applies to all non-union employees of the Town. This policy does not apply to unionized employees, whose annual vacation entitlement is governed by the applicable provisions of the collective agreement.
- 2.3. The Town will comply with all legislative requirements relating to vacation entitlements and vacation pay for non-union employees as outlined in the *Employment Standards Act, 2000*, S.O. 2000, c. 41 ("ESA").

3. Annual Vacation Entitlements

- 3.1. Subject to subsections 3.4, 3.5, 3.6 and 3.7, full-time **non-union** employees in paygrades 1 to 9 on the Non-Union Salary Grid will receive an annual vacation time entitlement calculated on the basis of their years of service and will receive vacation pay in accordance with the following:



Years of Service as of December 31	Vacation Time Entitlement	Vacation Pay
Under 1 year	1 day for each full month of service to a maximum of 15 days	1 day's pay for each full month of service to a maximum of 15 days
1 year but less than 3 years	3 weeks	3 weeks' pay
3 years but less than 8 years	4 weeks	4 weeks' pay
8 years but less than 15 years	5 weeks	5 weeks' pay
15 years but less than 25 years	6 weeks	6 weeks' pay
25 years and over	7 weeks	7 weeks' pay

- 3.2. Effective January 1, 2018, full-time salaried employees in paygrades 10+ on the Non-Union Salary Grid are required to take the legislated minimum amount of vacation time under the ESA. The maximum amount of vacation time available to such employees is unrestricted, empowering them to take the time off they need, when they need it. Vacation pay is calculated at 100% of the employee's regular salary.
- 3.3. Part-time hourly employees are provided vacation pay in accordance with the ESA, which is paid out on a bi-weekly basis on the regular pay cycle.
- 3.4. Notwithstanding subsection 3.1, if an employee is absent for any reason for more than twenty-five percent (25%) of the number of standard working hours in a vacation entitlement year as defined in subsection 4.1 and is not paid by the Town during their absence, the following provisions apply:
- the employee will continue to accrue vacation time entitlement based on their years of service, including the period of unpaid absence;
 - the employee will not accrue vacation pay during the period of unpaid absence and will receive vacation pay that is pro-rated to reflect the percentage of standard working hours worked by the employee in that year.
- 3.5. Notwithstanding any other provision of this policy, but subject to the ESA, when hiring a new employee, the Town may negotiate a starting vacation entitlement that differs from the allotments in subsection 3.1. The Town may negotiate a new employee's starting vacation entitlement for various reasons including but not limited to an employee's additional qualifications, to recognize previous experience and/or in lieu of other compensation normally offered by the Town.



Any negotiated vacation entitlement will be specifically set out in the offer of employment.

3.6. Where a starting vacation entitlement of four (4) weeks is negotiated with a new employee at the date of hire, the employee's annual vacation entitlement in subsequent years will be calculated as follows:

Years of Service as of December 31	Vacation Time Entitlement	Vacation Pay
1 year but less than 6 years	4 weeks	4 weeks' pay
6 years but less than 12 years	5 weeks	5 weeks' pay
12 years but less than 22 years	6 weeks	6 weeks' pay
22 years and over	7 weeks	7 weeks' pay

3.7. Where a starting vacation entitlement of five (5) weeks is negotiated with a new employee at the date of hire, the employee's annual vacation entitlement in subsequent years will be calculated as follows:

Years of Service as of December 31	Vacation Time Entitlement	Vacation Pay
1 year but less than 10 years	5 weeks	5 weeks' pay
10 years but less than 20 years	6 weeks	6 weeks' pay
20 years and over	7 weeks	7 weeks' pay

3.8. Where a starting vacation entitlement of six (6) weeks is negotiated with a new employee at the date of hire, the employee's annual vacation entitlement will be calculated as follows:

Years of Service as of December 31	Vacation Time Entitlement	Vacation Pay
1 year but less than 15 years	6 weeks	6 weeks' pay
15 years and over	7 weeks	7 weeks' pay

4. General Provisions

4.1. A vacation entitlement year is the recurring twelve (12) month period between January 1 and December 31. For employees who start their employment mid-year, vacation entitlement and vacation pay for that year will be pro-rated.

4.2. Employees in paygrades 1 through 9 on the Non-Union Salary Grid must use their allotted vacation time in full each year. The Town reserves the right to



schedule time off on the employee's behalf if it appears that the employee is unable to schedule the time off in its entirety before the end of the calendar year.

- 4.3. Despite subsection 4.2, an employee may carry over up to five (5) days of vacation (35 or 40 hours, depending upon the specifics of the employee's regular hours of work) to the next calendar year with the approval of the employee's Director. Under exceptional circumstances a Director, or designate, may approve a carryover of more than five (5) days. All vacation time that is carried over must be used within the calendar year to which it is moved.
- 4.4. Employees in paygrades 1 through 9 on the Non-Union Salary Grid must submit requests to schedule at least two-thirds of their total vacation allotment by March 31 each year. Employees must make best efforts to submit requests to schedule their remaining vacation allotment at least ten (10) days prior to the proposed start date of the requested vacation time.
- 4.5. People Services may approve sick leave to be substituted for vacation, where it is satisfied that the employee has become incapacitated by sickness while on vacation.
- 4.6. While an employee in paygrades 1 to 9 of the Non-Union Salary Grid may, subject to management approval, take vacation at any time during the year, the annual vacation entitlement is premised on the employee remaining employed by the Town for a full calendar year. In the event that an employee voluntarily ceases employment with the Town during the year and has taken more vacation time than is proportionate to the amount of time worked in that year, the excess vacation will be recovered by means of a payroll deduction from the employee's final pay. If the cessation of employment is through the involuntary layoff or termination of an employee, however, no vacation will be deducted.
- 4.7. When the employment of an employee in paygrades 10+ of the Non-Union Salary Grid is terminated for any reason, either by the employee or by the Town, vacation payouts will be calculated based on 6 weeks' entitlement, barring unusual circumstances. The calculation will take into account the amount of vacation previously used by the employee in the calendar year to determine the value of time essentially remaining in their vacation bank, and six (6) weeks of



entitlement will be used as a component for the amount and duration of severance payments, if applicable.

DRAFT