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Date: May 22, 2020
To: Mayor and Council
Author: Jennifer Galea, HR Manager
RE: Vacation Carry Over 2020
Report No.: CS-2020-16

AIM

To request that Council approve a one-time exception for an additional week of vacation to be carried forward from 2020 to 2021 due to COVID- 19.

BACKGROUND

On October 22, 2012, Council approved the Non-Union Policies of Employment which included vacation entitlement. This policy speaks to the amount of vacation time a non-union staff member is eligible to carry over. Under section 7.f of the policy it states:

Employees with a minimum of four (4) weeks' vacation may carry over up to two (2) weeks of vacation time, if not used in the current year, into the following year. Any deviation from this policy requires Council approval.

Additionally, the collective agreement for full-time unionized staff contains language relating to vacation time under Article 17.07, which states that:

All vacation is intended to be taken during the calendar year, however an employee may choose to carry over one (1) week of vacation from the previous year for the purpose of an extended vacation.

Under the *Employment Standards Act (ESA)*, employers are required to give employees their legislated minimum time off every year, which is at least two weeks or three weeks, depending on their years of service.

DISCUSSION

Management has noticed an increased number in vacation requests being cancelled due to the travel bans and increased work levels. Although the Town is currently closed to the public, additional measures have been added to staff to ensure the safety of the workforce and the public are at the forefront through safety protocols. Given the current state of emergency and the request from the Minister of Health to ban non-essential travel the date of travel opening up is unknown and as such employees have become reluctant in making any travel plans.

It is important for staff to have work life balance and given the uncertain times it is even more important for staff to take time away from work. Accordingly, management is encouraging staff to take and use their vacation time, while at the same time being cognisant that some employees may find it difficult to take the time off due to their workload requirements.

The non-union policies of employment allow staff with a minimum of 4 weeks vacation entitlement to carry over up to 2 weeks of vacation time into the following year. After consideration, Administration is proposing a one-time exception to the policy to allow non-union staff to carry over additional week of vacation regardless of whether the threshold in the policy is met, allowing the staff to carry over between one and three weeks' vacation.

With respect to the unionized staff, Administration proposes that the Town relax the requirement outlined in the Collective Agreement with respect to vacation carryover. Administration has had a discussion with the union, and they have no concerns allowing unionized staff to carry over up to one week of vacation time regardless of the reason.

The relaxing of these carryover requirements would only apply for the 2020 calendar year. There will be no change to employees who currently receive 4% or 6% vacation pay will continue to be paid and their vacation time unpaid.

LINK TO STRATEGIC PLAN

Effectively manage corporate resources and maximize performance in day-to-day operations.

FINANCIAL CONSIDERATIONS

There will be no direct financial impacts as the amount of vacation pay was budgeted for 2020 and can be rolled over to 2021 if the employee chooses.

CONSULTATIONS

Senior Management Team
IBEW

RECOMMENDATION

That Council approves a one-time exception to the vacation carry-over entitlement and allow non-union employees to carry over an additional week of vacation above any entitlement outlined in paragraph 8(f) of the Non-Union Policies of Employment; And That, full-time union employees be permitted to carry-over up to one week of vacation time for the 2020 calendar year.

Jennifer Galea

Jennifer Galea, CHRL
Human Resources Manager

Jennifer Astrologo

Jennifer Astrologo B.H.K. (Hons), LL.B.
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