

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 2.1.4
Section Hours of Work and Leave	Subject Vacation Leave	

1. APPLICATION

1.1 This policy governs vacation leave for non-bargaining employees of the Municipality of the County of Annapolis.

2. AUTHORITY

2.1 The *Municipal Government Act*, as it is amended.

3. DEFINITIONS

3.1 Permanent Full-Time Employee - A permanent full-time employee is hired for an indefinite period of time and is normally scheduled to work thirty-five (35) hours per week. Appointment is continuous, subject to satisfactory performance and availability of funding.

3.2 Permanent Part-Time Employee - A permanent part-time employee is hired for an indefinite period of time and is scheduled to work (on average) less than thirty-five (35) hours per week. Appointment is continuous, subject to satisfactory performance and availability of funding.

3.3 Term / Temporary / Seasonal Employee - A term, temporary or seasonal employee is hired (full-time or part-time) into a position that is designated to run for a defined period of time (generally six (6) months or less).

3.4 Casual Employee - A casual employee is hired on an as needed basis for casual employment.

4. INTENT OF VACATION LEAVE

4.1 The intent of vacation leave is to provide a reasonable annual period of rest from work for personnel and is intended to be taken during the year in which it is earned.

5. ELIGIBILITY FOR VACATION LEAVE

5.1 Permanent Full-Time Employees earn paid vacation leave in accordance with service (per Section 6). Permanent full-time employees must take vacation leave. In the case of a newly-hired permanent full-time employee in the first year of employment, this entitlement is calculated on a pro-rata basis from the employee's start date to the last day of the fiscal year.

5.2 Permanent Part-time Employees are eligible for paid vacation leave pro-rated according to their hours worked and in accordance with their years of service (per Section 6). In the case of a newly-hired permanent part-time employee in the first year of employment, this entitlement is calculated on a pro-rata basis from the employee's start date to the last day of the fiscal year.

5.3 Term / Temporary / Seasonal Employees are only entitled to vacation leave and vacation pay as provided by the *Labour Standards Code* and its Regulations *unless specifically stated otherwise in his / her employment agreement*.

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5.4 Casual Employees are only entitled to vacation pay in lieu of paid vacation leave, in the amount as provided by the *Labour Standards Code* and its Regulations.

6. VACATION ENTITLEMENTS

6.1 The municipality's vacation year begins April 1st and ends March 31st of the following year.

6.2 Full-time Employees shall earn vacation with pay at the following rates:

Years 0 – 10 years' service	one and one-quarter days per month to a maximum of three (3) weeks
After 10 years' service	one and two-thirds days per month to a maximum of four (4) weeks
After 20 years' service	one additional day per year of service to a maximum of ten (10) additional days (ie., five (5) weeks after 25 years, six (6) weeks after 30 years)
After 30 years' service	one additional day per year of service to a maximum ten additional days (i.e., seven (7) weeks after 35 years, eight (8) weeks after 40 years)

6.3 When an employee has exhausted his / her earned vacation entitlement for a fiscal year, additional vacation may only be scheduled anytime following the last day of the fiscal year in which the required service anniversary falls.

6.4 Permanent part-time employees are eligible for vacation with pay on a pro-rata basis in accordance with the schedule above. To clarify, vacation entitlements for permanent part-time employees are to be calculated using the following formula:

$$\frac{\text{Actual number of hours paid in the year}}{\text{Number of full-time hours in a year (i.e. 1820)}} \times \text{vacation entitlement according to years of service}$$

6.5 Probationary employees may not take vacation until the successful completion of the probationary period.

7. VACATION ACCRUAL DURING LEAVES OF ABSENCE

7.1 Vacation leave shall not accrue during unpaid leaves of absences, including leaves of absence where an employee receives workers' compensation and/or disability benefits.

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8. GRANTING OF LEAVE

- 8.1** Vacation leave of **3 days or more** must be requested and approved by the employee’s supervisor **at least 5 working days in advance** and should be scheduled in such a way that the work routine is disrupted as little as possible. However, an employee’s preference for vacation time is important and should be taken into account as much as operational requirements permit subject to approval by both the supervisor and service group manager.
- 8.2** Employees should directly communicate vacation dates to co-workers to ensure customer needs are met and job duties and responsibilities are adequately covered during vacations.
- 8.3** Vacation of two (2) days or less may be granted on short notice at the discretion of the supervisor **or** service group manager.

9. CARRY OVER / ADVANCE OF VACATION

- 9.1** Vacation leave must be taken during the fiscal year in which it is earned, unless carry over had been approved as provided in this Policy.
- 9.2** At the discretion of the Chief Administrative Officer, approval may be given in extraordinary circumstances for carry-over of up to five vacation days or to advance up to five vacation days from the next fiscal year.

10. OVERDRAWN VACATION LEAVE

- 10.1** Employees who receive paid vacation leave prior to earning their vacation leave entitlement, and who subsequently separate from their employment with the Municipality for any reason, are required to repay any overdrawn leave. The amount owing for overdrawn leave is calculated at the employee’s regular rate of pay received immediately prior to separation and is recovered from the amount owing to the employee on his / her final paycheque.

11. UNUSED VACATION LEAVE

- 11.1** Upon separation of employment for any reason, unused, earned vacation leave owing to an employee is to be paid at the regular rate of pay the employee received immediately prior to separation.

12. ILLNESS OR BEREAVEMENT

- 12.1** Illness during the period an employee is on approved vacation leave may be charged to sick leave. However, the employee must provide the notices and proof of illness as required in the Municipality’s sick leave policy.

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12.2 Bereavement during the period an employee is on approved vacation leave may be charged to bereavement leave. However, the employee must provide the notices and proof of bereavement as specified in the Municipality's bereavement leave policy.

13. STATUTORY AND PAID HOLIDAYS

13.1 Statutory and paid holidays that occur during an employee's vacation leave are not deducted from an employee's vacation leave entitlement.

14 RESPONSIBILITIES

14.1 Employees must complete appropriate on-line, electronic vacation leave requests in advance to ensure an up-to-date record of all vacation leave used.

14.2 Directors shall ensure adherence to all relevant policies and standard operating procedures.

14.3 Service Group Managers shall be aware of all vacation leave requests and ensure adherence to all relevant policies and standard operating procedures.

14.4 Supervisors must approve all on-line, electronic requests and ensure compliance with this Policy. They are responsible for ensuring that adequate vacation leave exists, that the leave requested will not unduly interfere with work schedules, and that internal department notification procedures are followed.

14.5 The Chief Administrative Officer, or someone designated or delegated to act on her / his behalf, has discretionary authority to:

- determine the time that vacation leave will be granted;
- approve carry over of vacation leave entitlements (no more than five days); and
- recognize acceptable equivalent service in determining the accumulation of vacation leave entitlement of directors and managers and such determination shall be explicitly stated in the employment agreement.

Municipal Clerk's Annotation for Official Policy Book
 I certify that this policy was adopted by Municipal Council as indicated below:
Seven (7) Day Notice **June 9, 2020**
Council Approval **June 16, 2020**

Carolyn Young **June 16, 2020**
 Municipal Clerk Date
 At **Annapolis Royal** Nova Scotia

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Approved Dec. 20/11-Effective Apr. 1/12

Amendments:

June 20, 2017

In sub-sections 3.3 and 5.3 added the words *“unless specifically stated otherwise in his / her employment agreement”*

June 19, 2018

Summary of Amendments:

- “Cleaned up” wording for clearer intent
- No changes to vacation entitlements
- New section clarified that vacation leave shall not accrue during unpaid leaves of absences
- New wording clarified classification of employees (e.g., permanent part-time, casual)

June 16, 2020

Summary of Amendments:

- Increased vacation rates to provide an additional day of vacation each year for employees who have attained 30 years or more of service