

Number:	RHR-212
Title:	Annual, Statutory and Other Leave
Person responsible for enforcement:	Vice-Rector, Administration
Entered into force:	December 4, 2019
Approved:	December 4, 2019 by the Board of Governors <i>This document replaces all previous regulations on this subject.</i>
Exception:	No exception to this regulation without prior written authorization from the Board of Governors

In this document, the masculine form is used without prejudice and for conciseness purposes only.

1. Objective

Provide a competitive total compensation package.

2. Applicability

This regulation applies to employees who are members of the regular administrative and management staff.

3. Definitions

For the purposes of this regulation:

Continuous service: The period during which an employee receives a base or partial salary without a break in employment.

Date of seniority: The date recognized as being the first day of full-time regular employment. If an employee returns to the University less than 13 weeks after having left it, his original date of seniority will be recognized.

Leave without pay: An authorized leave of at least 10 working days during which an employee does not receive a salary.

Spouse: Person to whom the employee is married or with whom he has lived for at least one year, and who has been declared to Human Resources Services as spouse.

Reasonable grounds: An event beyond the employee's control that prevents him from coming to work (examples: illness, injury, medical emergency, a death, etc.). The employee is responsible for demonstrating that he had reasonable grounds for being absent from work.

Compensatory leave: Leave that replaces a statutory holiday. Employees who take compensatory leave are entitled to be paid for statutory holidays.

4. Forms and statements

It is up to administrative staff and deans of Faculties to authorize absences for their employees and to ensure that the present regulation is respected.

5. Grandfathering

In the case of a demotion, the employee will keep the accumulation rate of annual leave that he had before the demotion, but all subsequent increases in the accumulation rate will be made on the basis of the classification of his new position.

6. Regulation

6.1 Annual leave

- a) A regular administrative staff member is entitled to annual paid leave according to Table A. A regular management staff member is entitled to annual paid leave according to Table B.
- b) Annual leave is credited monthly. An employee who does not receive pay for 10 days or more during the month does not receive vacation credit for that month.
- c) Annual leave must be taken during the year in which it is granted. Each employee must take at least one two-week period or two one-week periods of annual leave per year.
- d) The supervisor has the right to determine the period during which the employee can take his annual leave. Where possible, this determination must consider the wishes of the employee.
- e) An employee can automatically defer up to two work weeks in annual leave. In exceptional cases, an additional request to defer can be granted. Such a request must be submitted to Human Resources Services by the supervisor. All unused accumulated days of annual leave that exceed the authorized number will be automatically lost.
- f) Each administrative unit must establish a process for organizing annual leave. If there is a conflict among the staff and the employees are not able to come to an agreement, seniority will be the deciding factor.
- g) During the hiring process, certain conditions may be negotiated. In this context, the employment contract must specify precisely the number of days of annual leave that will be authorized for the current year and the following year. No exception can be negotiated without the prior agreement of Human Resources Services or the Vice-Rector, Administration.

6.2 Statutory holidays

Statutory holidays are:

- New Year's Day;
- Family Day;
- Good Friday;
- Easter Monday (non-legislated);
- Victoria Day;
- Canada Day;
- Civic Holiday in August (non-legislated);
- Labour Day;
- Thanksgiving;
- Christmas;
- Boxing Day.

Employees who occupy a regular position are entitled to these holidays except in the following cases:

- a) The employee does not carry out the full day of work that is part of his schedule the day before the holiday and the day after the holiday without giving a reasonable explanation;
- b) The employee who agreed to work or who was required to work did not put in his full workday on the actual holiday.

Remuneration:

- a) Under the Ontario *Employment Standards Act*, an employee who is entitled to legislated statutory holidays and who is asked to work and consents in writing has two options:

- i. The employee receives his normal salary for the hours worked on the holiday, plus an extra day of paid leave. This compensatory leave must be taken within the 3 months following the holiday or, if the employee agrees in writing, within the 12 months following the statutory holiday.
 - ii. The employee receives one and a half times his base salary for the hours worked on the statutory holiday. In this case, the employee is not entitled to compensatory leave.
- b) The method of payment must be established before the holiday, by authorized persons within the administrative unit, along with the employee.
- c) Persons who occupy a temporary position are not eligible for non-legislated holidays.

6.3 Paid Christmas leave

Employees are entitled to paid leave during the period beginning on December 23 at 4:00 p.m. (or the usual time of the work schedule) and ending on January 3 at 8:00 a.m. (or the regular time for starting work). If January 3 falls on a Saturday or Sunday, the return to work takes place at 8 a.m. on the first working day following.

6.4 Special paid leave

All special paid leave requires written authorization from the supervisor.

Employees are entitled to paid leave:

- of five working days following the death of a close relative, whether mother, father, sister, brother, spouse, child, mother-in-law or father-in-law;
- of three working days in the case of the death of a person having the following family relationship with the employee or his spouse: son-in-law, daughter-in-law, grandparent, grandchild;
- of one working day following the death of an uncle or aunt, sister-in-law or brother-in-law;
 - If the funeral takes place more than 320 kilometres from Ottawa, an extra day will be granted to allow him to attend.
- of five working days on the occasion of his marriage;
- of two working days for the birth of his child;
- of one working day for moving;
- of an annual maximum of four working days for any other event considered exceptional, except those for which length of leave is specified in the preceding articles.

Events considered exceptional include certain family emergencies or obligations such as providing temporary care to a sick family member, taking a dependent family member to a doctor's or dentist's appointment if that person is unable to get there on their own, or appointments with school officials. The employee must make every reasonable effort to keep absences of this kind to a minimum.

In addition to special paid leave described above, employees may also take unpaid leave, according to the *Employment Standards Act*, for any of the following reasons: personal illness, injury or medical emergency; death, illness, injury or medical emergency of a close relative or dependant; or an urgent matter involving a close relative or dependant.

A maximum of 10 working days per year may be taken in this way, each half-day being considered a full workday. Reasonable proof of circumstances related to these leaves must be provided to the supervisor.

6.5 Family leave for medical reasons

Unpaid family leave for medical reasons of up to 8 weeks is granted to provide care or support to a close relative, if a qualified medical practitioner provides a certificate stating that the person is seriously ill and that there is a major risk of death within 26 weeks or less.

6.6 Unpaid leave

All requests for unpaid leave for a maximum period of one year, which may be renewed at the discretion of the University, must be made in writing to the supervisor two months before the expected date of departure and must be approved by the Vice-Rector, Administration. One copy of the request should also be sent to Human Resources Services.

During the leave, the position will remain open or can be occupied temporarily by a replacement. Upon his return, the employee will be reinstated into his position or will be transferred to another position that is as equivalent as possible.

An employee with less than one year of continuous service is not entitled to unpaid leave.

A request for unpaid leave may be granted in particular for the following reasons:

- professional or cultural development;
- academic, artistic or technical studies;
- extended parental leave;
- personal family member's health;
- federal, provincial or municipal political duties.

Authorization for unpaid leave will take into account the following criteria:

- the recommendation of the supervisor;
- the reason for the leave;
- the length of the leave;
- the employee's continuous length of service;
- the length of service expected after the return to work;
- the possibility of finding, on a temporary basis, a competent replacement;
- performance

An employee who takes an unpaid leave can continue to participate in the various benefit plans, except the pension plan, by advising Human Resources Services in writing 60 days before the leave begins and by committing to pay the full cost before his departure (employer and employee contributions).

During an unpaid leave, the employee is not eligible for:

- the various types of leave outlined in the present regulation;
- sick leave;
- the tuition exemption program (for the employee or his spouse or dependants).

An employee who takes unpaid leave of more than 10 consecutive or non-consecutive days in one year will not accumulate annual vacation days during the period of unpaid leave.

An employee who is on unpaid leave for medical reasons must present to Human Resources Services a medical certificate stating that he is medically fit to return to work.

Advancement will be recognized in proportion to the period of unpaid leave. Advancement will be granted to an employee who occupies a full-time regular position when activities during this leave are recognized as being experience or studies relevant to the position occupied at the University. A written document presenting the details justifying the recognition must be submitted to the Vice-Rector, Administration for review. The decision will be made by the Administration Committee.

6.7 Court leave

Paid leave is granted to any employee who is required to serve on a jury or to appear as a witness before a court of law or before any judicial or statutory body in Canada that has the power to require the presence of witnesses.

Payment received during court leave will be reduced by the full amount paid by the court, if applicable, for attendance.

6.8 Leave to attend mandatory religious services

An employee may use annual leave, lieu or banked time, or leave without pay or, with the approval of his immediate supervisor, establish a flexible work schedule in order to attend mandatory religious services, in accordance with the principles of adaptation of the *Human Rights Code*. In all cases, the employee must give the immediate supervisor five days' notice.

Tables A and B: Vacation time based on employment category

	Period	Number of days
Table A Administrative Staff	After 12 months of continuous service	15 days
	After 3 years of continuous service	16 days
	After 5 years of continuous service	17 days
	After 6 years of continuous service	18 days
	After 7 years of continuous service	19 days
	After 8 years of continuous service	20 days
	After 10 years of continuous service	21 days
	After 13 years of continuous service	22 days
	After 15 years of continuous service	23 days
	After 17 years of continuous service	24 days
	After 18 years of continuous service	25 days
	After 20 years of continuous service	26 days
	After 22 years of continuous service	27 days
	After 23 years of continuous service	28 days
	After 24 years of continuous service	29 days
After 25 years of continuous service	30 days	
Table B Management Staff	After 12 months of continuous service	20 days
	After 5 years of continuous service	23 days
	After 10 years of continuous service	26 days
	After 15 years of continuous service	28 days
	After 20 years of continuous service	30 days
	After 25 years of continuous service	35 days