



Corporate Policy Manual

Sub Topic:	Public/Town Paid Holidays	Policy No.	HR.3-03
Topic:	Vacation	Employees Covered:	All Non-Union Regular Full Time and Regular Part Time Employees
Section:	Human Resources	Council Adoption Date:	May 26, 2008
Effective Date:	May 26, 2008	Revision No:	Date:

Policy Statement & Strategic Plan Linkages

The Town of Newmarket supports provincial and federal legislation and beyond with the provision to pay employees for Public and Town paid holidays.

Purpose

This policy sets out to define Town Paid Holidays and Public Holidays, and to define payment and/or days off in lieu of the Public or Town Paid Holidays.

Definitions

- Town Paid Holidays:**
The Easter Monday and Civic Day shall be recognized as paid holidays. Employees who work on a Town Paid Holiday shall be paid premium pay for that day.
- Public Holiday:**
The Public Holiday is established in accordance with the Employment Standards Act and Regulations and include New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day and December 26 (Boxing Day). Additional public holiday (s) prescribed by federal or provincial governments over and above the public holidays identified in this policy, will be given consideration in conjunction with other paid holidays and floater days provided to staff.
- Public Holiday Pay:**
Public Holiday Pay is defined as "the total amount of regular wages and vacation pay payable to the employee in the 4 weeks before the work week in which the Public Holiday occurred divided by 20" or "if some other manner of

calculation is prescribed, the amount determined using that manner of calculation.”

Procedures

1. If a Public Holiday falls on a day that would ordinarily be a working day for an employee and the employee is not on vacation that day, the employer shall give the employee the day off work and pay him or her Public Holiday pay for that day.
2. If an employee is scheduled to and completes his/her hours of work on a Public Holiday, the employee shall be paid premium pay for that day.
3. To be eligible for payment of a Town Paid or Public Holiday, employees must be at work their last scheduled day or shift before and their first scheduled shift after the Town Paid or Public Holiday. An absence due to an injury/accident or other reasonable cause may be eligible for payment in accordance with the Ontario Human Rights Code and the Employment Standards Act and Regulations.
4. When New Year's Day, Christmas Day, Boxing Day or Canada Day falls on a Saturday or Sunday the following Monday shall be in observance of the holiday. When Christmas Day falls on a Saturday or Sunday the following Tuesday shall be observed as the Boxing Day Holiday. This may be adjusted to reflect operational requirements.
5. In the case of any business day immediately preceding Christmas Day, the working day shall end at 12 o'clock noon subject to the approval of the Chief Administrative Officer and provided that, at the discretion of the Director, the day's immediate business needs have been met. This may be adjusted to reflect operational requirements.

Responsibilities

Commissioners/Directors/Managers/Supervisors are responsible to:

- Ensure completion of time sheets for staff required to work on Town Paid or Public Holidays.
- Schedule substitute days off, as appropriate, in accordance with the Employment Standards Act and Regulations.
- Consult with Human Resources to resolve conflicts and ensure compliance with the Employment Standards Act.

Human Resources is responsible to:

- Provide guidance and assist in conflict resolution concerning the application/interpretation of the Employment Standards Act and Regulations relative to Public Holidays.
- Ensure that the policy is applied consistently and that employees are paid in accordance with legislation.

Cross References

Employment Standards Act and Regulations, Ontario Human Rights Code as amended from time to time