



# Corporate Policy

## Vacation

Policy Number: HR.3-01

Sub-Topic: Total Rewards

Topic: Employee Attraction and Retention

Applies to: All Regular Full-Time Non-Union Salary & Hourly Employees

## Policy Statement and Strategic Plan Linkages

The Town of Newmarket, as the Employer, recognizes the importance of personal time off to support employee wellness. The organization therefore provides annual paid vacation time for employees and encourages employees to take their vacation time in full each year, providing them the opportunity to rest, relax, and refresh or to celebrate personal or religious observation days in fulfilling their mission to make Newmarket even better and action the vision of a community well beyond the ordinary.

## Purpose

This Policy outlines annual paid vacation entitlement for eligible employees.

## Definitions

**Banked Vacation Day:** a vacation day earned but not used within the calendar year. A banked vacation day has no cash value.

**Calendar Year:** January 1<sup>st</sup> to December 31<sup>st</sup>

**Long Term Contract:** Full time contract (35 or 40 hours per week) with a minimum of 12 months in length.

**Service Recognition Calculation:** The calculation to recognize previous continuous service prior to becoming a regular full-time employee. Service recognition calculation is calculated to the nearest year and month of active, continuous and uninterrupted service.

**Service Recognition Date:** The date used for service milestones as determined through the Service Recognition Calculation or the date in which the employee becomes regular full time or regular part time.

**Vacation Year:** a year that coincides with the calendar year.

**Vacation Day:** an earned vacation day that an employee receives remuneration for at the employee's current hourly rate of pay.

## Provisions

The Employer grants new eligible employees up to 15 vacation days in their first year of employment. Vacation days are pro-rated over active full months of service.

Employees with one (1) year or more years of service as of December 31<sup>st</sup> are entitled to vacation in accordance with the following schedule based on a 35 or 40 hour work week, as applicable.

### Vacation With Pay Entitlement

Service Completed as of December 31 <sup>st</sup> (Years)	Vacation Earned (Days)	Hours based on 35-hour workweek	Hours based on 40-hour workweek
Up to 3	15	105	120
4	16	112	128
5	17	119	136
6	18	126	144
8	19	133	152
9	20	140	160
11	21	147	168
13	22	154	176
15	23	161	184
16	24	168	192
17	25	175	200
18	26	182	208
19	27	189	216
20	28	196	224
21	29	203	232
23	30	210	240
25	31	217	248

Employees must take their vacation entitlement during the calendar year earned. Any unused vacation days during the calendar year may be carried over to the following year, with immediate supervisor approval, and must be used by March 31<sup>st</sup> of the following year or the unused vacation days will be forfeited.

Employees must submit vacation requests in writing at least two (2) weeks in advance and four (4) weeks in advance during peak vacation seasons in consideration of other employee vacation requests and business operations and only taken after receiving approval from their immediate supervisor.

Employees may take vacation time in hourly increments up to a maximum of 10 full consecutive days. Requests for vacation time exceeding 10 full consecutive days must be approved by the employee's Director or designate.

If a Town Paid Holiday or Statutory Public Holiday occurs during an employee's vacation period, the holiday is not included in the calculation of vacation days taken.

### **Advanced Vacation**

Employees are advanced their full vacation entitlement on January 1 in accordance with the foregoing vacation schedule based on years of service as of December 31 of the same year. Advancement of vacation from a future vacation year must receive Director approval and will be allowed on an exceptional basis only.

### **Banked Vacation**

Employees may bank a maximum of 5 (five) vacation days for an indefinite period with the approval of the Director/Manager or designate. The banked vacation days carry no cash value and may not exceed 5 days. If an employee takes a portion or all of the 5 days, the employee may continue to bank any unused vacation days to a maximum 5 days. The newly banked days will be available to the employee for an indefinite period while they are regular full-time employees accruing vacation. Any unused banked vacation days will be paid out on termination.

### **Service Recognition Calculation**

Casual, Seasonal, Sessional or Contract employees who become regular full-time (without a break in service) will have their previous continuous service with the Town acknowledged through the Service Recognition Calculation.

Where 1,820 hours equals 1 year of service, an employee will receive credit for their service using the actual worked hours, dividing by 1,820, and rounding to the nearest year and month. This service calculation will be used to create the Service Recognition Date, starting with the date the employee became regular full-time and back-dating.

Long-term contract employees who become regular full-time will receive credit for their service using actual worked hours, plus statutory public holidays, and unpaid leaves of absence of up 15 days.

The Service Recognition Date will be used to determine vacation entitlement as per the foregoing schedule.

### **Non-Regular Full-Time Employees**

All casual, seasonal, sessional, contract and student employees receive vacation pay and vacation time in accordance with the Employment Standards Act.

### **Leaves of Absence**

When an employee is absent due to an illness requiring quarantine and/or hospitalization falls during an employee's vacation leave, vacation time will be credited

back to the employee, at the employee's request and so certified by a medical practitioner via a written note.

Employees away on an unpaid leave of absence, (except in the case of a pregnancy or parental leave), will have vacation entitlement prorated based on their leave period and are entitled to take vacation days either prior to or after their unpaid leave.

Employees on a leave of absence shall continue to accrue service for purposes of vacation entitlement.

### **Termination**

Upon termination of employment, including retirement, employees will be paid all unused, earned vacation on a pro-rated basis in accordance with the Employment Standards Act. Conversely, any unearned vacation that was advanced and taken will be deducted from the employee's final pay.

## **Cross-References**

### **Corporate Policy**

- Parental Leave Policy #HR.11-03
- Pregnancy Leave Policy #HR.11-02
- Self-Funded Sabbatical Leave Policy #HR. 3-05
- Sick Leave Policy #HR.11-04
- Termination Policy #HR.4-03

### **Other Government Legislation**

- Employment Standards Act
- Ontario Human Rights Code

### **Other References**

- [Government of Ontario Website](#) - Your guide to the Employment Standards Act Request for Time Off Form

## **Contact**

Human Resources Department or at [hr@newmarket.ca](mailto:hr@newmarket.ca)

## **Details**

Approved by: Ian McDougall, Chief Administrative Officer  
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