
TITLE: VACATION/HOLIDAY POLICY – NON-UNION EMPLOYEES
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04000-10

APPROVAL DATE: June 24, 2024

CAO Signature: 

POLICY STATEMENT

The Town of Amherst recognizes the importance of rest and recreation for employee wellness. It is the intent of the Town to provide a fair amount of annual vacation time for employees via a flexible and supportive vacation policy.

PURPOSE

This policy defines the entitlement of employees for paid vacations earned in the employ of the Town of Amherst.

SCOPE

This policy applies to all non-unionized employees.

Unionized employees shall adhere to the vacation entitlements provided for in their respective collective agreements.

DEFINITIONS

Permanent Employee: An employee who is employed on a regular and full-time basis.

Temporary/Term Employee: An employee performing duties on a temporary basis for a defined period of time.

Casual Employee: An employee who is required to perform work of a temporary or intermittent nature for varying periods though the year.

Part-time Employee: An employee performing duties on a part-time basis.

Seasonal Employee: An employee performing duties of a seasonal nature.

Student Employee: An employee who is deemed to be a full-time student and has been hired in support of various municipal functions for a specific term.

Director: An employee appointed as head of the department and a member of the senior management team responsible for overseeing the strategic direction, operations, and personnel of a specific department.

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ELIGIBILITY

- a. All employees are entitled to vacation, on a prorated basis;
- b. A new full-time permanent employee may receive vacation credit for past service, or for duties carried out in previous employment which are commensurate with the duties of their new position. The CAO has the authority to negotiate vacation credit, not to exceed the vacation limit of six (6) weeks' specified in this policy.
- c. Casual, term/temporary, part-time, seasonal and student employees shall receive vacation pay at the prescribed rate in accordance with Nova Scotia employment standard legislation. This shall be paid out on each pay to the employees in these categories. Accordingly, if the employees in these categories take vacation time off, they will not receive pay for the period of their vacation.

GENERAL

- a. The vacation year is from January 1 to December 31 inclusive;
- b. An employee commencing employment at a time after January 1st shall receive a pro-rated portion of the first year's vacation entitlement;
- c. An employee whose employment is terminated at any time in the year prior to using vacation earned, shall be entitled to payment equal to the amount of unused vacation. Such payment shall be included on the employee's last pay.
- d. An employee whose employment is terminated for any cause shall compensate the Town for vacation leave taken, but to which the employee at that time has not earned. Any vacation amounts owing to the Town shall be deducted from any final payment to which the employee is entitled at the time of termination.

VACATION ENTITLEMENT

A permanent full-time employee shall be entitled to receive annual vacation with pay according to the following:

- a. Up to and including three (3) years of completed service: three (3) weeks' vacation;
- b. From the commencement of the fourth (4) year up to and including ten (10) years of completed service: four (4) weeks' vacation;
- c. From the commencement of the eleventh (11) year up to and including nineteen (19) years of completed service: five (5) weeks' vacation;
- d. From the commencement of the twentieth (20) year of service: six (6) weeks' vacation.
- e. An employee reaching three (3), ten (10) or nineteen (19) completed years respectively within the vacation year is entitled to the applicable number of weeks awarded in January of that year, plus the pro-rated portion of five (5) vacation days from the employee's anniversary date to December 31.

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VACATION CARRYOVER

Vacation earned shall not be paid out except in unusual circumstances and only at the approval of the CAO.

It is the intent of the Town that vacation entitlement shall be used in the same year it is granted. In the cases where there may be extenuating circumstances, employees must request written approval by December 1 of the year to carry-over unused vacation, to a maximum of one (1) week. The maximum vacation carry-over for fire department staff is two shifts (48 hours).

Approval for vacation carry-over is at the discretion of the CAO.

HOLIDAYS

The following days will be observed as paid holidays for permanent employees of the Town of Amherst. All others, including temporary/term employees, part-time employees, seasonal employees, and student employees will be eligible for paid holidays as prescribed under the Labor Standards Act and Regulations of the Province of Nova Scotia.

In addition, any other day proclaimed by either the Federal or Provincial governments, or the Town of Amherst shall be observed as paid holidays. If at any time the above listed holidays fall on a Saturday or Sunday, the next regular working day shall be deemed a holiday.

- New Year's Day
- Nova Scotia Heritage Day
- Good Friday
- Easter Monday
- Victoria Day
- Canada Day
- Civic Holiday (First Monday in August)
- Labour Day
- Truth & Reconciliation Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day
- Boxing Day

VACATION ENTITLEMENT - NON-UNION FIRE DEPARTMENT EMPLOYEES

Permanent full-time fire department employees work a schedule of one 24-hour shift followed by 72 hours off. Therefore, fire department employees shall be entitled to receive annual vacation with pay according to the following:

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- a. Up to and including three (3) years of completed service: six (6) full shifts;
- b. From the commencement of the fourth (4) year up to and including ten (10) years of completed service: eight (8) full shifts;
- c. From the commencement of the eleventh (11) year up to and including nineteen (19) years of completed service: ten (10) full shifts.
- d. From the commencement of the twentieth (20) year of service: twelve (12) full shifts.
- e. An employee reaching three (3), ten (10) or nineteen (19) completed years respectively within the vacation year is entitled to the applicable number of shifts awarded in January of that year, plus the pro-rated number of shifts from the employee’s anniversary date to December 31.

CHANGE IN EMPLOYMENT STATUS

- a. Employees off work on short-term disability (STD) shall continue to earn vacation for the duration of short-term disability.
- b. Employees off work on long-term disability (LTD) shall be entitled to earn vacation during the first year of their absence.
- c. Employees off work on Worker’s Compensation (WCB) shall be entitled to earn vacation during the first year of their absence.
- d. Employees off work on a personal unpaid leave of absence will not earn vacation time during such leave.

ROLES AND RESPONSIBILITIES

| Title/Role | Responsibilities |
|-------------------------------------|---|
| Chief Administrative Officer | The Chief Administrative Officer will: <ol style="list-style-type: none"> a. Review, on a timely basis, all employee requests to carry-forward vacation balances at year-end per the limits set out in this policy. |
| Director, Human Resources | The Director, Human Resources will: <ol style="list-style-type: none"> a. Act in an advisory role to department directors and employees, advising of the application of the policy; b. Monitor the awarding of annual vacation entitlements, monitor employee vacation balances and utilization of vacation time to ensure compliance with this policy; c. Facilitate employee requests for vacation carry-forwards; d. Regularly review the policy and recommend improvements where appropriate. |
| Directors and Managers | Directors and Managers will: <ol style="list-style-type: none"> a. Schedule and approve employee vacation requests based on departmental needs; b. Regularly review employee vacation balances to ensure employees receive sufficient vacation time every year. |

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| Employees | <p>Employees will:</p> <ol style="list-style-type: none"> a. Understand their vacation entitlements under the policy as applicable to their position and/or tenure; b. Communicate vacation plans with their director and/or manager and submit vacation requests in a timely manner; c. Ensure vacation records are accurate and report any discrepancies to the Human Resources department. |
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For Administrative Use Only:

VERSION LOG

| Amendment Description | Policy Owner | Approved By | Approval Date |
|--|---------------------------|-------------|---------------|
| Policy Review: (a) vacation entitlement starting at beginning of employment, (b) shortening service length requirement to advance to 4 & 5 weeks' vacation (c) implementing carryover limits, (d) addition of new holidays, (e) clarification of vacation entitlement when employee is on leave | Director, Human Resources | Council | June 24, 2024 |

MINUTES REFERENCE DATE June 26, 2006 January 26, 2015 June 24, 2024