



Staff Report

Administration – Chief Administrative Officer

Report To: COW_Finance_Admin_Fire_Community_Services
Meeting Date: August 26, 2024
Report Number: FAF.24.094
Title: Revisions to Corporate Policies
Prepared by: Shawn Everitt, Chief Administrative Officer

A. Recommendations

THAT Council receive Staff Report FAF.24.0.94, entitled “Revisions to Corporate Policies”;

AND THAT Council approve the revisions to the Vacation Policy POL.COR.17.05 and the Lieu and Overtime Policy POL.COR.17.06 as outlined in this report;

AND THAT Council repeal Corporate Policy “Personal Emergency and Sick Leave Policy POL.COR.13.25” and replace it with Corporate Policy “Health, Wellness and Personal Emergency Leave Policy POL.COR.24.XX.

B. Overview

The purpose of this report is for Council to consider proposed revisions to the following Corporate Policies:

- Vacation Policy
- Lieu and Overtime Policy
- Personal Emergency and Sick Leave Policy

C. Background

In 2022, the Town conducted an Employee Engagement Survey with the objective of identifying levels of satisfaction related to areas such as job and organizational satisfaction, leadership, and workplace culture. The results of the survey were reviewed with the Senior Management Team and provided to staff.

On November 30, 2022, the Town held a facilitated, in-person workshop with the Service Area Managers to receive additional feedback regarding the survey results. As a result of the survey and follow up workshop, the Senior Management Team established a staff Engagement Committee and tasked them with recommending options to engage staff in further exploring the areas of improvement identified. The Engagement Committee scheduled facilitated, in-person departmental workshops with staff that took place during the summer of 2023. Based

on the results of the departmental workshops, the Engagement Committee recommended establishing the following staff working groups:

- Vacation Working Group
- Employee Related Bonuses and Perks Working Group
- Employee Personal Benefits Working Group
- Recognition Working Group
- Recruitment, Onboarding, Orientation, and Offboarding Working Group
- Communications and Consultation Working Group

The Vacation Working Group reviewed the three Corporate Policies identified in this report and proposed potential revisions to the Senior Management Team. The Senior Management Team reviewed the recommendations with Human Resources staff and incorporated many of the proposed revisions into the draft policies included in this report.

The Employee Related Bonuses and Perks Working Group and the Employee Personal Benefits Working Group are currently underway and will be providing their recommendations to the Senior Management Team in the fall.

D. Analysis

Vacation Policy Revisions

The revisions proposed to the Town's existing [Vacation Policy POL.COR.17.05](#) are contained within Attachment 1 and outlined below:

1. Formatting

The existing policy was formatted and restructured to make it easier to read and better organize the information. Some of the information included in the policy was also updated and expanded upon for clarity purposes.

2. Definitions

A definitions section was added to the policy and includes definitions taken from the Town's Hiring Policy.

3. Vacation Starting Allocation

Staff are recommending that the starting vacation time allotment for all full-time staff be increased from two (2) weeks to three (3) weeks in order to be more comparable with other municipalities and improve staff recruitment efforts. Staff are also recommending that existing full-time staff, who currently have two (2) weeks of vacation time would have their vacation allotment increased to three (3) weeks effective January 1, 2025.

4. Vacation Rate of Accumulation Schedule

Staff are recommending that the vacation time rate of accumulation schedule for full-time staff be revised so staff begin accumulating additional vacation days during their second year of employment with the Town instead of their fifth. The rate of accumulation schedule would also be modified to reflect the starting vacation time allocation of three (3) weeks. Staff are also recommending that one (1) additional bonus, non-accumulative week of vacation be provided to staff when they reach their 20th, 25th, 30th and 35th year of employment with the Town. For clarity, staff would receive seven (7) weeks + 1 additional week after serving twenty-five (25) full years of service and return to seven (7) weeks + 1 day after twenty-six (26) full years of service. Employees who receive two (2) weeks of lieu time annually in accordance with the Town's Lieu and Overtime Policy, will top out at a maximum of nine (9) weeks of vacation (including lieu time) and will not be eligible for the non-accumulative vacation time received after serving twenty (20) full years of service. If approved by Council, existing staff would begin receiving the revised vacation time allocation as of January 1, 2025.

5. Vacation Allocation Negotiations

Staff are recommending that the policy be revised to stipulate that "any new or current employee, hired by the Town may negotiate for increased vacation entitlements as recommended by the Director of the hiring department in consultation with the Manager of Human Resources and approved by the CAO". The Town's current policy references that new hires for "senior or professional roles" may have their vacation entitlements increased. Staff believe that this reference should be expanded to all roles within the organization.

6. Vacation Time Carry Over and Banking

Staff are recommending that staff be permitted to carry over two (2) weeks' vacation time from year to year instead of one (1) week. Staff are further recommending that, if approved by Management, staff be permitted to carry over more than two (2) weeks' vacation time. This revision is being recommended to provide staff with more flexibility when managing their vacation time. Staff are also recommending that, at the discretion of Management, employees with twenty-five (25) years of service or greater be permitted to bank any unused vacation time up to a maximum of eight (8) weeks to be accessed upon their retirement from the Town.

7. Years of Service Recognition

Staff are recommending that employees who have held seasonal contract positions with the Town have their years of service recognized through their vacation time entitlement if they are hired into a full-time position with the Town. Currently, only part-time and full-time contract positions with continuous years of service (breaks of no more than 30 days) with the Town are eligible to have their previous years of service recognized through vacation time entitlement. This change would allow for long-serving seasonal

contract employees to be better recognized for their commitment to the Town. If approved by Council, affected staff will have their vacation allotments adjusted starting January 1, 2025.

Overtime and Lieu Policy Revisions

The revisions proposed to the Town's existing [Lieu and Overtime Policy POL.COR.17.06](#) are contained within Attachment 2 and outlined below:

1. Definitions

Definitions for "Overtime" and "Lieu Time" have been provided in the revised policy.

2. Overtime Tracking

Staff are recommending the inclusion of the following wording to the policy: "Managers and Directors are required to track the overtime being worked within their respective divisions/departments and provide bi-annual reports and recommendations to the Senior Management Team in (January and July). Based on a review of the overtime reporting, the Senior Management Team will propose any necessary resourcing or service level changes to Council for consideration during the annual budgeting process".

3. On-Call Overtime

Staff are recommending that the reference to specific Divisions related to on-call overtime be removed to provide flexibility for other Divisions to consider on-call services in the future.

Personal Emergency and Sick Leave Policy Revisions

The revisions proposed to the Town's existing [Personal Emergency and Sick Leave Policy POL.COR.13.25](#) are contained within Attachment 3 and outlined below:

1. Renaming the Policy

Staff are recommending that the policy be renamed "Health, Wellness and Personal Emergency Leave Policy" to be more inclusive of mental health and wellness.

2. Definitions and Formatting

Additional definitions and supporting information were added to update the policy for clarity purposes.

3. Criteria List

Staff are recommending that the purposes for using a paid health and wellness (sick) day be revised to include the following:

- Personal health and wellness, non-occupational illness and/or injury, medical appointments or emergencies;
- Wellness, illness, injury, medical appointments or emergencies related to a family member;
- An urgent issue or event that is unplanned or out of the employee's control;
- Quarantine due to a contagious disease.

4. Seasonal/Part-Time/Contract Entitlements

Staff are recommending that Seasonal, Part-Time and/or Contract staff have their paid health and wellness (sick) entitlements prorated to align with their term of employment. This change is being recommended to be more equitable to all types of staff.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders.

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

F. Environmental Impacts

None.

G. Financial Impacts

The potential impacts of providing staff with additional vacation time are expected to be outweighed by the benefits associated with being competitive in recruitment efforts and retention of existing staff.

H. In Consultation With

Senior Management Team

Staff Engagement Committee Members

Staff Vacation Working Group Members

Human Resources Staff

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Shawn Everitt, Chief Administrative Officer cao@thebluemountains.ca.

J. Attached

1. Draft Revised Vacation Policy POL.COR.17.05
2. Draft Revised Lieu and Overtime Policy POL.COR.17.06
3. Draft Health, Wellness, and Personal Emergency Leave Policy POL.COR.24.XX

Respectfully submitted,

Shawn Everitt
Chief Administrative Officer

For more information, please contact:
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Report Approval Details

Document Title:	FAF.24.094 Revisions to Corporate Policies.docx
Attachments:	- Attachment-1-Draft-Revised-Vacation-Policy-POL-COR-17-05.pdf - Attachment-2-Draft-Revised-Lieu-and-Overtime-Policy-POL-COR-17-06.pdf - Attachment-3-Draft-Health-Wellness-and-Personal-Emergency-Leave-Policy-POL-COR-24-XX.pdf
Final Approval Date:	Aug 16, 2024

This report and all of its attachments were approved and signed as outlined below:

Shawn Everitt - Aug 16, 2024 - 10:34 AM



Policy

POL.COR.17.05 Vacation Policy

Policy Type: Corporate (Approved by Council)
Date Approved: MONTH, DAY, 2024
Department: Administration
Staff Report: FAF.17.127, FAF.24.094

Policy Statement

The Town of The Blue Mountains recognizes that vacation time provides Employees with a period of earned rest and relaxation, away from the responsibilities of the workplace for an uninterrupted period of time. This time of rest and rejuvenation are important factors that contribute to employee health and well-being, productivity and employee retention.

Purpose

The policy outlines Employees' eligibility and entitlements to vacation in order to assist Managers and Supervisors in the effective, consistent and fair management of vacation. It is the joint responsibility of Employees and their Supervisors, Managers or Directors to ensure that vacation leave is earned, scheduled, and taken in accordance with this policy.

Application

This policy applies to all non-union Employees. Please note that each Supervisor is responsible for scheduling the vacation time of their staff and ensuring that vacations are booked with fairness and equity, and with minimum disruption to the business of the Town. Unionized Employee's vacation eligibility and entitlements are outlined in their respective Collective Agreement.

Definitions

Permanent Full-Time Employee: an Employee who is hired to work on a full-time basis (35 hours or more per week) with no predetermined end date.

Permanent Part-Time Employee: an Employee who is hired to work on a part-time basis (less than 35 hours per week) with no pre-determined end date.

Seasonal Employee: an Employee who is hired for a specific season

Temporary Full-Time Employee: an Employee who is hired to work on a full-time basis (35 hours or more per week) whose employment is terminated upon a predetermined end date or project completion.

Temporary Part-Time Employee: an Employee who is hired to work on a part-time basis (less than 35 hours per week) whose employment is terminated upon a predetermined end date or project completion.

Vacation Year: means the twelve (12) month period from January 1st to December 31st, which coincides with the fiscal year.

Week: means five (5) working days.

Procedures

Annual Vacation

1. The Town follows an annual vacation schedule based on calendar date rather than anniversary date of hire.
2. **Vacation Banks:** Vacation is advanced on January 1st each year for the current calendar year (versus gradually accruing over the course of the year). Vacation credits are accrued bi-weekly. Specifically, beginning January 1 of each year, staff will accrue 1/26 of their annual vacation entitlement every two (2) weeks. Permanent Full-Time and eligible Permanent Part-Time Employees will be credited with their full annual vacation entitlement on January 1 of each year; however, these credits are not actually earned until they have accrued.
3. An Employee's vacation entitlement for the entire calendar year based on the Employee's anniversary date in correlation to the vacation entitlement schedule. If an Employee is in their first year of employment or hitting a milestone year for advancement on the schedule, their calculations will be pro-rated in accordance with their anniversary/original date of hire.
4. Full-time service, for the purposes of vacation entitlement, will be calculated from the Employee's original date of hire to a full-time position with the exception of Employees who have held seasonal, temporary or part-time (not including student/co-op) positions with the Town. Upon being hired into a full-time position with the Town, an Employee who has held or currently holds a seasonal, temporary, or part-time position with the Town, will have their vacation entitlement calculated based on the number of full years of previous service with the Town.

Vacation Eligibility

5. Non-Union Employees are eligible for paid vacation days off if they are:

- Permanent Full-Time Employee
- Permanent Part-Time Employee

Non-Union Employees in the following categories receive vacation pay (paid on each pay), in accordance with the Employment Standards Act (ESA):

- Temporary Full-Time, Temporary Part-Time, Seasonal, Casual/On-Call/Relief

6. Temporary Full-Time, Temporary Part-Time, and Seasonal Employees will have the option to request paid vacation time off instead of vacation savings pay paid out bi-weekly, at the time of hire. A Temporary Full-Time, Temporary Part-Time, or Seasonal Employee, making such an election, may change their election for any new period of temporary employment, which shall include an extension or renewal of an existing contract of temporary employment. Paid vacation time off for Temporary Full-Time, Temporary Part-Time, and Seasonal Employees, having made such an election, will accrue monthly, on a pro-rated basis, based on the number of regular hours worked as a percentage of their ESA entitlement. Accrued vacation allotments will be paid out upon the expiry of the Employee's term of employment, including renewals or extensions of such temporary employment if not already accessed. Such accrued vacation allotments cannot be carried over to new periods of temporary employment.

Note: If an Employee works twelve (12) months consecutively and receives vacation pay, they are still entitled and compelled to take two (2) weeks of unpaid vacation leave after their first year of employment. After five (5) years, they would be entitled and compelled to take three (3) weeks of unpaid vacation time per calendar year.

Vacation Entitlement

Table 1: Vacation Entitlement for Temporary, Seasonal, Contract, Casual/Relief and Permanent Part-Time Employees with less than 21 hours per week

Continuous Years of Service	Annual Accrual Rate
On date of hire	4% of pay as per ESA
After 5 years of service	6% of pay as per ESA

Table 2: Vacation Entitlement for Full-Time and Permanent Part-Time Employees with Guarantee of 21+ hours per week

Continuous Years of Service	Number of Weeks	Number of Additional Days
First Year of Employment	3 weeks (prorated)	
1 st full year	3 weeks	
2 nd full year	3 weeks	+ 2 days
3 rd full year	3 weeks	+ 3 days
4 th full year	3 weeks	+ 4 days
5th full year	4 weeks	
6 th full year	4 weeks	+ 1 days
7 th full year	4 weeks	+ 2 days
8 th full year	4 weeks	+ 3 days
9 th full year	4 weeks	+ 4 days
10th full year	5 weeks	
11 th full year	5 weeks	+ 1 day
12 th full year	5 weeks	+ 2 days
13 th full year	5 weeks	+ 3 days
14 th full year	5 weeks	+ 4 days
15th full year	6 weeks	+ 2.5 days non-cumulative
16 th full year	6 weeks	+ 1 day non-cumulative
17 th full year	6 weeks	+ 2 days non-cumulative
18 th full year	6 weeks	+ 3 days non-cumulative
19 th full year	6 weeks	+ 4 days non-cumulative
20th full year	7 weeks	+ 1 week non-cumulative
21 st full year	7 weeks	+ 1 day non-cumulative
22 nd full year	7 weeks	+ 2 days non-cumulative
23 rd full year	7 weeks	+ 3 days non-cumulative
24 th full year	7 weeks	+ 4 days non-cumulative
25th full year	7 weeks	+ 1 week non-cumulative
26 th full year	7 weeks	+ 1 day non-cumulative
27 th full year	7 weeks	+ 2 days non-cumulative
28 th full year	7 weeks	+ 3 days non-cumulative
29 th full year	7 weeks	+ 4 days non-cumulative
30th full year	7 weeks	+ 1 week non-cumulative
31 st full year	7 weeks	+ 1 day non-cumulative
32 nd full year	7 weeks	+ 2 days non-cumulative
33 rd full year	7 weeks	+ 3 days non-cumulative
34 th full year	7 weeks	+ 4 days non-cumulative
35th full year	7 weeks	+ 1 week non-cumulative

Notes:

- **Prorated Days:** For the first year of employment based on the portion of the year worked.
 - **Non-cumulative Days/Weeks:** Must be used within the year and do not carry over to the next year.
7. Directors will be started at five (5) weeks vacation and the Chief Administrative Officer (CAO) will be started at six (6) weeks vacation.
 8. Employees who receive two (2) weeks of lieu time annually through the Town's Lieu and Overtime Policy, will top out at a maximum of nine (9) weeks of vacation (including lieu time) and will not be eligible for the non-cumulative vacation time received after serving twenty (20) full years of service.
 9. Any new Employee hired by the Town or current Employee hired into a new position with the Town may negotiate for increased vacation entitlements, as approved by the Director of the hiring department. However, if a newly hired Employee is granted a greater vacation entitlement than is set out in Table 2, their vacation entitlement shall not be increased subsequently until the Employee obtains sufficient years of service with the Town to qualify for the new vacation entitlement threshold according to Table 2. All increases to entitlement at the point of hire shall be in keeping with past practice of the municipality and be fair and equitable compared to others across the organization.
 10. If a Temporary Full-Time, Temporary Part-Time, and/or Seasonal Employee is offered full-time employment with the Town, the Human Resources Manager shall, as part of the full-time job offer, prorate vacation entitlement at the commencement of full-time employment to reflect the amount of full-time equivalent employment with the Town as a Temporary Full-Time, Temporary Part-Time, and/or Seasonal Employee prior to full-time employment. The prorated vacation entitlement will be based on the years of services rounded down to the nearest full year. For instance, if an Employee previously held seasonal contracts with the Town for a total period of four (4) years and five (5) months, the Employee would be credited with four (4) years of service at the time of being hired into a full-time position with the Town.

Scheduling Vacation

11. Supervisors, Managers and Directors are responsible for planning work schedules in a manner that will allow all Employees in their area to take their appropriate vacation entitlement on an annual basis. Managers are responsible for ensuring proper coverage within their departments.
12. Employees must take a minimum of two (2) weeks' vacation time off each year after working one (1) year with the Town. Employees must take a minimum of three (3) weeks' vacation time off each year after working five (5) years with the Town. The Employee's

Supervisor, Manager or Director will schedule this vacation time if the Employee has not booked the minimum time off prior to the end of the year.

13. Employees should not make any vacation commitments until they receive formal approval from their Supervisor, Manager or Director.
14. All vacation time will be approved by the Supervisor, Manager or Director before being taken. Employees are required to plan their vacation with the approval of their Supervisor, Manager or Director and the Supervisor, Manager or Director must ensure that an Employee's earned annual vacation is scheduled and taken by the end of each fiscal year.

Requests for Vacation

15. Employees are encouraged to discuss their vacation leave plans with their Supervisor, Manager or Director with as much advance notice as possible and to promptly submit their written requests for approval.
 - a. As each department faces unique challenges in ensuring operational coverage, the process for submitting requests is uniquely determined by the Supervisor, Manager or Director of that department.
 - b. All requests should be logged in the respective scheduling software to ensure that Employees' vacation banks are accurate.
16. Earned vacation credits of more than three (3) weeks may only be taken consecutively with written approval from the Employee's Director (CAO approval is required for all members of the Senior Management Team).
17. It is the responsibility of each Supervisor, Manager and Director to ensure that Employees take their vacation entitlement.
18. Supervisors, Managers and Directors are responsible for scheduling vacation within the operational needs of their department and ensuring that an Employee's earned annual vacation is scheduled and taken by the end of each fiscal year.
19. Supervisors, Managers and Directors may find it necessary to specify approval criteria and/or limit the length or number of cumulative requests in order to provide:
 - a. The staffing levels required for the department to maintain smooth operation, meet critical deadlines, and fulfill service demands and core objectives;
 - b. Fair and equitable treatment of staff and their requests;
 - c. Consideration to the Employee's personal situation, special occasions, and preferences.

20. If a Supervisor, Manager or Director needs to deny an Employee's request for vacation, the reason for the denial should be shared with the Employee.

Unused Vacation

21. Employees are permitted to carry over vacation time of two (2) weeks from year to year at the discretion of the Manager or Director, provided they have taken the minimum vacation time required per the ESA. Any unused vacation time greater than two (2) weeks at the end of the year will be forfeited.
22. Employees are permitted additional vacation time carry-over greater than two (2) weeks if approved by the Manager or Director provided they have taken the minimum vacation time required per the ESA.
23. Employees are entitled to and compelled to take two (2) weeks of vacation after their first year of employment and each year thereafter. After five (5) years, Employees are entitled to and compelled to take three weeks of vacation, in accordance with the ESA.
24. All vacation time carry-over must be utilized by December 31st of the following year.
25. Vacation banks are not permitted to go into a negative balance.
26. Unused earned vacation time may not be taken beyond the Employee's last day worked.
27. Full-Time Employees who have twenty-five (25) years of service or more with the Town may bank unused vacation time, up to a maximum of eight (8) weeks, to be accessed upon their retirement at the discretion of the Manager, or Director, or Mayor in the case of the CAO.

Extenuating Circumstances Impacting Vacation Plans

28. If an Employee's vacation is interrupted due to illness or accident requiring hospitalization or confined to bed rest for longer than a forty-eight (48) hour period, the period of hospitalization/confined to bed rest will be considered sick leave upon submission of a satisfactory medical certificate and the vacation credits will be restored. If the Employee lacks sick credits the Employee may, at their option, take the time as unpaid leave and the vacation credits will be restored, or continue to apply vacation credits to the leave.
29. If the death of an immediate family member occurs during an Employee's vacation, the Employee will be granted bereavement leave with pay and the vacation will be restored upon satisfactory submission of proof of relationship (generally an obituary notice).
30. If a statutory holiday falls or is observed during an Employee's vacation period the Employee shall be allowed an additional vacation day with pay at a time mutually agreed to.
31. Employees on any type of approved leave of more than thirty (30) calendar days will have the time of leave deducted from their vacation accrual. Vacation pay does not accrue while

an Employee is on an unpaid leave of absence. The Employees' vacation bank will be adjusted when they return from leave and leave time will be deducted. Service will continue to accrue on leave. Employees who have unused vacation from prior to their leave shall ensure they utilize the vacation in the current year they return. In no event will any Employee receive less than the minimum vacation time to which they are entitled under applicable employment standards legislation.

Payment Guidelines

32. Employees will be paid out all vacation pay entitlements earned but not taken, accrued at their bi-weekly rate, for the year to date, that they are entitled to upon termination of their employment, in accordance with this policy or the minimum statutory requirements, whichever is greater.
33. The Employee's start date is retained for calculating vacation pay at the time of termination.
34. Employees who leave the organization and have taken paid time off that has been advanced but not yet accrued will have the value of the excess vacation time deducted from their final pay.
35. Employees who have not completed one (1) year of employment will be paid out the remaining vacation balance to which they are entitled, pro-rated based on the number of months that they worked, upon termination of their employment.
36. In the event of the death of an Employee, their executor or administrator shall be entitled to receive such vacation pay as may stand to the Employee's credit, upon proof of being the executor of the estate.

Consequences of Non-Compliance

Employees who do not take their annual vacation time entitlement under ESA will have two (2) weeks (or, for Employees with at least five (5) years of service, three (3) weeks) scheduled by their Supervisor, Manager or Director. Any vacation unused beyond one (1) working day at the end of the calendar year and not approved for carry-over will be forfeited.

Review Cycle

This policy will be reviewed at minimum once per term of Council and as required for legislative changes.



Policy

POL.COR.17.06 Lieu and Overtime Policy

Policy Type: Corporate (Approved by Council)
Date approved: MONTH DAY, 2024
Department: Administration
Staff Report: FAF.17.147, FAF.24.0.94

Policy Statement

While striving to deliver high-quality programs and services, every attempt should be made to minimize the need for overtime hours. Employees are expected to carry out their normal duties and responsibilities without incurring overtime costs. If it becomes necessary to assign an employee to work overtime hours, the following provisions shall apply.

Purpose

The purpose of this policy is to describe the responsibility, processing and recording of overtime and/or time in lieu for each Town employee.

Application

This policy applies to non-unionized employees at all locations of the Corporation. For unionized positions, refer to the applicable collective agreement.

Definitions

Lieu Time: means earned, authorized paid time off work taken rather than being paid overtime. Also referred to as "time off in lieu".

Overtime: means authorized hours worked over forty-four (44) hours per week or authorized hours worked over the employee's regularly scheduled bi-weekly hours and paid to the employee at 1.5 times the employee's regular rate of pay, often referred to as "time and a half".

Procedures

Members of the Senior Management Team, Fire Chief, Deputy Fire Chief and the Town Clerk who are regularly required to work extra hours, including membership on the Town's

Emergency Control Group, receive an automatic seventy (70) hours time in lieu of overtime pay. Unused lieu time will not be eligible for payment or carry-over to the following year.

Members of the Management Team who are regularly required to work additional hours due to the nature of their responsibilities, including membership in the Town's Emergency Control Group, will receive an automatic time off in lieu of overtime equivalent to one (1) standard work week for their respective position. The lieu time is to be taken at a time that is mutually acceptable.

Newly hired members of the Management Team and Senior Management Team who receive time off in lieu of overtime will have this time pro-rated based on a start date of January 1 – August 31st. Managers or Senior Managers starting after September 1st in the year will not receive lieu time until the following year.

Overtime is paid to employees in non-unionized positions that are non-management based on the following:

- If mutually agreeable when a task requires an employee to work outside the normal working hours, the Manager or Director may flex the hours of the employee to meet the needs of the job to be performed.
- Employees who work overtime hours must be authorized by the Manager or Director.
- An employee will not be compensated for overtime of less than half an hour.
- Overtime will be paid at 1.5 times the employee's normal rate of pay and will be paid for overtime hours worked in excess of the employee's regularly scheduled bi-weekly hours.
- Weekly overtime will be paid for hours worked over forty-four (44) hours in accordance with ESA.
- Overtime pay will normally be paid to the employee in the pay period following the overtime unless the time is banked to take at a future date.
- When relieving in an acting position for which the employee is being paid a higher rate of pay, all authorized overtime hours worked in the higher-rated position will be compensated using the higher rate of pay to calculate the overtime payment.
- When working extended overtime periods, a minimum of eleven (11) hours off duty must be granted before the employee is requested to report back to work.
- The total amount of overtime that an employee is allowed to work may not exceed the limits established under applicable legislation.

Managers and Directors are required to manage and track the overtime being worked within their respective divisions/departments and provide bi-annual reports and recommendations to the Senior Management Team in (January and July). Based on a review of the overtime

reporting, the Senior Management Team will propose any necessary resourcing or service level changes to Council for consideration during the annual budgeting process.

Time Off in Lieu of Overtime

Upon authorization, eligible employees may convert earned, authorized, overtime hours into paid time off in lieu of overtime, according to the following provisions:

- Time off in lieu of overtime pay: Employees shall earn 1.5 hours of paid time off for each hour of overtime worked beyond forty-four (44) hours weekly or their regularly scheduled bi-weekly hours.
- Requests for time off in lieu of overtime pay must be made by the employee through the Town's time tracking software;
- An employee may convert earned overtime hours up to a maximum of five (5) equivalent regular workdays at any time per calendar year on a one (1) time basis only. No further conversions are permitted in a calendar year;
- Time off in lieu of overtime must be taken at a time approved by the immediate supervisor, and may not be carried over, in whole or in part, from one (1) calendar year to another;
- Overtime may not be banked within the month of December;
- Any lieu time taken will be time off with pay, and paid at the employee's current regular rate of pay;
- The minimum amount of time lieu time that can be taken is 0.5 hours;
- Any banked overtime remaining at year end will be paid out in full;
- Employees may use lieu time before they use vacation time;
- Employees will be paid out all overtime in their banks prior to transferring to another position/division within the organization;
- All overtime banks will be paid to the employee upon termination of employment.

Exclusions

- Hours absent from work due to any of the reasons listed below will not be included in the calculation of weekly overtime:
 - Unpaid Sick Leave;
 - Approved Absences other than Vacation and Bereavement;
- Hours not worked, but paid to the employee as a part of a minimum reporting allowance, may not be used in the calculation of overtime payments;

- Employees may not claim overtime hours for time spent at educational/training, seminars, conferences or travel time for which the employee has, in consultation with the Supervisor, Manager, or Director, elected to attend;
- Hours granted to an employee in lieu of overtime may not be used in the calculation of overtime payments;
- Management reserves the right to deny a personal shift exchange if it will result in overtime hours;
- Employees who are regularly scheduled to work on-call are exempt from the calendar maximum of five (5) days in lieu banked per calendar year;
- A maximum of one (1) standard work week may be regularly banked in lieu and replenished during the year. No more than one (1) standard work week may be banked at any given time. All overtime amounts in excess of one (1) standard work week will be paid out on the next regular payroll deposit.

Consequences of Non-Compliance

The Manager or Director is responsible to ensure that all overtime is authorized ahead of time worked and is responsible to manage the workload of the department to ensure that overtime is not a regular occurrence. Employees are responsible for the accurate recording of hours worked in accordance with this policy. Where it is determined that an employee is in contravention of any of the foregoing, disciplinary action shall be taken which may include reprimand, suspension or dismissal.

Review Cycle

This policy will be reviewed once per term of Council or as required due to legislative change.



Policy

POL.COR.24.XX Health, Wellness, and Personal Emergency Leave Policy

Policy Type: Corporate Policy (Approved by Council)
Date Approved: MONTH DAY, 2024
Department: Administration
Staff Report: FAF.10.197, FAF.23.051, FAF.24.094

Policy Statement

The Town of The Blue Mountains (Town) is committed to promoting and maintaining high levels of attendance in the workplace. It is acknowledged that there may be times when an employee will need to be away from work either due to physical or mental health concerns, non-occupational illness, injury, medical emergency, an Urgent Matter, or a family member's illness, injury, medical emergency, or an Urgent Matter concerning a family member.

Purpose

To establish clear processes for employees to follow in the event of an absence due to physical or mental health concerns, illness, injury, medical emergencies, or Urgent Matters, whether personal or family-related.

Application

This policy applies to all non-union employees who have worked more than seven (7) days. Work-related injuries or illnesses are covered by the Workplace Safety and Insurance Board (WSIB).

Definitions

ESA: means the Employment Standards Act, 2000 – provides the minimum standards for most employees within Ontario. It sets out the rights and responsibilities of employees and employers in most Ontario workplaces.

Family Responsibility Leave: means a leave due to an illness, injury, medical emergency, or an Urgent Matter relating to a dependant or family member as defined by the ESA.

Health, Wellness, and Personal Emergency Leave Policy

Health and Wellness Leave: means a leave due to Personal Health and Wellness, non-occupational illness, injury, or medical emergency. This entitlement also includes sick leave under ESA.

Inclement Weather: means abnormal climatic conditions making travel to/from work unsafe or unreasonable (e.g., blizzard, hail, high winds).

Personal Emergency Leave: Referred to as Family Responsibility Leave under ESA, means a leave due to illness, injury, medical emergency, or Urgent Matter relating to the following family members:

- Spouse (includes both married and unmarried couples, of the same or opposite genders);
- Parent, step-parent, foster parent, child, step-child, foster child, grandparent, step-grandparent, grandchild or step-grandchild of the employee or the employee's spouse;
- Spouse of the employee's child;
- Brother or sister of the employee;
- Relative of the employee who is dependent on the employee for care or assistance.

Personal Health and Wellness: includes the following:

- Physical Health: Time off for medical appointments, treatments, surgeries, and recovery from illness or injury;
- Mental Health: Time off for attending therapy sessions, mental health treatment, and taking personal days for mental well-being;
- Preventive Health: Time for preventive care such as annual check-ups, vaccinations, and health screenings;
- Wellness Activities: Time for counseling, or other wellness programs.

Urgent Matter: An event that is unplanned or out of the employee's control, and can cause serious negative consequences, including emotional harm, if not responded to.

Procedures

1. The Town will grant each employee the equivalent of up to nine (9) Health, Wellness, and Personal Emergency Leave paid days based on the number of months worked annually and their regular weekly hours for the purpose of:
 - Personal Health and Wellness, non-occupational illness and/or injury, medical appointments or emergencies;

Health, Wellness, and Personal Emergency Leave Policy

- Illness, injury, medical appointments or emergencies related to a family member;
 - An Urgent Matter or event that is unplanned or out of the employee's control;
 - Quarantine due to contagious disease.
2. Paid Health, Wellness, and Personal Emergency Leave days will be prorated based on the employee's start date.
 3. In addition, employees are entitled to up to three (3) unpaid days for Sick Leave and up to three (3) unpaid days for Family Responsibility Leave entitlements under ESA. These days are not prorated for the year.
 4. An employee who will be absent from work or late for their scheduled start time must contact their direct supervisor. This notice may be provided in writing via e-mail or phone call by the employee or a member of their family/household. In all instances, employees should provide as much notice as possible when they will be absent or late in order to allow management to arrange proper coverage.
 5. If all paid Health, Wellness, and Personal Emergency Leave days and ESA entitlements are used within a year, any additional time required is subject to approval by the direct supervisor. The employee may utilize eligible entitlement banks, such as vacation or banked overtime prior to taking unpaid time.
 6. Unused paid Health, Wellness, and Personal Emergency Leave entitlements shall not be carried forward from year to year.
 7. Earned, unused paid Health, Wellness, and Personal Emergency Leave entitlements are not payable upon termination of employment.
 8. All staff may utilize two (2) days per year of their paid Health, Wellness, and Personal Emergency Leave allotment if they are unable to attend work due to Inclement Weather. These days shall be taken in hourly increments.
 9. The Town may require an employee who is absent for three (3) or more consecutive working days to supply evidence that is reasonable in the circumstances. What will be reasonable in the circumstances will depend on all the facts of the situation, such as the duration of the leave, whether there is a pattern of absences, whether any evidence is available, and the cost of the evidence. This may include a medical note if the employee is taking the leave because of personal illness, injury or medical emergency and should include the duration or expected duration of the absence if applicable. Employees have a responsibility to make every effort to ensure they return to work in a state of health and well-being that will enable them to perform their job to the best of their abilities.

Health, Wellness, and Personal Emergency Leave Policy

10. Permanent Full-Time Employees using seven (7) consecutive Health, Wellness, and Personal Emergency Leave days due to personal non-occupational illness, injury, or medical emergency may be able to apply for Short-Term Disability benefits.
11. Medical documentation will be required by the Town's benefit provider for a Short-Term Benefits application and a Return to Work Form will be required for extended illnesses to ensure an employee is fit to return to work.
12. The Town reserves the right to require mandatory medical documentation or proof of entitlement for employees who require Health, Wellness, and Personal Emergency Leave in excess of ten (10) days per year.
13. Special circumstances may be approved by the CAO and Director in consultation with the Manager of Human Resources.

References and Related Policies

- Government of Ontario Guide to the Employment Standards Act:
 - [Sick Leave](#)
 - [Family Responsibility Leave](#)
- [POL.COR.19.05 Inclement Weather Policy](#)
- HR Resource for Leaders and Employees - Sick Leave Guideline

Consequences of Non-Compliance

Breaches of this policy will be dealt with through the Town's progressive discipline policy.

Review Cycle

This policy will be reviewed once per term of Council or as required due to legislative change.