



Policy

POL.COR.22.04 Public and Town Designated Paid Holidays Policy

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Policy Statement

The Town of The Blue Mountains (the Town) is committed to providing fair and equitable benefits to all its employees. The *Employment Standards Act, 2000 (ESA)* provides eligible employees entitlement to nine public holidays. The Town further recognizes three statutory holidays as paid holidays. For the purpose of this policy, the Town will refer to all of these days as Paid Holidays.

Purpose

This policy outlines the parameters for the provision of Paid Holidays for non-unionized Town employees.

Application

This policy applies to all non-union employees, both those who would be eligible for public holiday pay as well as those who are entitled to get the public holiday off and get paid public holiday pay.

This policy does not apply to unionized employees who will refer to their collective agreement regarding their entitlements to Paid Holidays.

Definitions

ESA- 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.

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.

Public or Statutory Holidays – federally or provincially legislated holidays where employees receive a day off with pay, and day off in lieu, or compensation in lieu of time off.

Seasonal Employee – an Employee hired for a specific season i.e. Seasonal Roads Operators in winter or Seasonal Parks Labourers in summer. Upon the predetermined end date of the season, the Employee’s employment is terminated. Seasonal Employees are eligible for rehire in subsequent seasons without a competition.

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 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 predetermined end date or project completion.

Procedures

The Town of The Blue Mountains follows the ESA for the Public Holiday schedule as a minimum.

1. Public Holidays/ Town Designated Paid Holidays

The Town observes the following twelve (12) days as Paid Holidays (Public and Town designated) for employees; plus, any other day proclaimed hereafter by the Provincial Government is recognized as an additional paid holiday:

Paid Public Holidays (ESA)	Town Designated Paid Holidays
New Year’s Day	Easter Monday
Family Day	Civic Holiday
Good Friday	Remembrance Day*
Victoria Day	
Canada Day	
Labour Day	
Thanksgiving Day	
Christmas Day	
Boxing Day	

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Remembrance Day*: When Remembrance Day falls on a Saturday or Sunday the Town will provide Full-time Permanent and Full-time Temporary employees a float day to be used by December 31st of that year. Refer to Section 2.c for additional details.

National Day of Truth and Reconciliation, September 30th, is a Federal Statutory Holiday, and not currently recognized as a Statutory/Public Holiday in Ontario or a Town Designated Paid Holiday.

The Town also recognizes the rights of employees to take off days that are not Public Holidays under the Ontario Employment Standards Act, 2000, for the purposes of religious or cultural observances. Employees wishing to take time off for this purpose will be accommodated on a case-by-case basis.

2. Qualifying for Paid Holidays

- a. **Public Holiday Pay/Municipal Designated Paid Holidays:** An employee's holiday pay for a given Paid Holiday is equal to the total amount of regular wages and vacation pay payable to the employee in the four (4) work weeks before the work week in which the public holiday occurred, divided by 20.
- b. **Qualifying for Paid Holiday Entitlement:** Applies to employees that are full-time, part-time, seasonal, contract, or students who work their regularly scheduled days of work before or after the paid holiday (ESA "last and first" rule). These do not have to be the days' right before and right after the holiday.

Employees who qualify for Paid Holidays are entitled to take these days off work and be paid holiday pay. Alternatively, the employee can agree electronically or in writing to work on the holiday and they will be paid:

- Holiday pay plus premium pay [time and one-half (1.5) their regular rate of pay] for all the hours worked on the holiday; or their regular rate for all hours worked on the holiday, plus another regular working day off with holiday pay to be taken:
 - No later than three (3) months after the holiday; or
 - Scheduled up to 12 months after the holiday if the employee has agreed electronically or in writing.
- When a paid holiday falls during an employee's non-working day:
 - A substitute holiday off with Public Holiday pay (this substitute day off must be scheduled for a day that is no later than three (3) months after the holiday; or, scheduled up to 12 months after the holiday, if the employee has agreed electronically or in writing in writing); or,

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- Public Holiday pay for the Public Holiday if the employee agrees electronically or in writing (no substitute day granted).
- A paid holiday that occurs during an employee's vacation, is considered a paid holiday and not a vacation day.
- An employee on leave of absence without pay shall not be eligible for pay for any paid holiday that falls within the period of such time.
- Paid holidays cannot be carried forward.

c. When Remembrance Day Falls on a Saturday or Sunday

- In a year when Remembrance Day falls on a Saturday or a Sunday, the Town will provide a float day to Full-time Permanent and Full-time Temporary employees which can be taken at a time that is compatible with the operational requirements of the division in which the employee works. The float day must be used by December 31st of that year.
- If a Full-time Permanent or Full-time Temporary employee is scheduled to work on Remembrance Day, the employee will receive their regular rate for all hours worked on the day, plus the float day. The float day can be taken at a time that is compatible with the operational requirements of the division in which the employee works and must be used by December 31st of that year.
- Part-time Permanent, Part-time Temporary and Seasonal employees will be paid the Paid Holiday pay in the pay period that Remembrance Day falls, following the "last and first" rule.

3. Determining the Appropriate Day Off

- Where any of the Paid Holidays fall on a Saturday or Sunday (except Remembrance Day), the preceding Friday or succeeding Monday shall be designated by the Chief Administrative Officer as the holiday in-lieu of the holiday falling on these days.

4. Emergency and/or Essential Services

- For employees performing emergency and/or essential services, the Public Holiday as per the ESA is the day recognized as the paid holiday, not the Town designated paid holiday.

Annual Holiday Shutdown

Guidelines

Annually, the Town Hall offices may be closed between Christmas Day and New Year's Day. For time that is not covered by Public Holidays, employees are required to use vacation days or banked overtime. Alternatively, an employee may be eligible for approval by their direct supervisor to come into work or make up the time.

Exclusions

This policy does not apply to unionized employees, volunteers, or members of Council.

References and Related Policies

[Employment Standards Act](#)

POL.COR.17.05 Vacation Policy

POL.COR.17.06 Lieu and Overtime Policy

Review Cycle

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