

# Standard Operating Procedure

## Human Resources and Employee Relations

**Procedures:** Vacation Entitlement of CPM  
Employees

**S.O.P Number:**

**Department/Unit:** Human Resources and  
Employee Relations

**Page(s):** 7

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A standard operating procedure describes the established steps and processes for completing specific tasks. A standard operating procedure is to be compliant with applicable collective agreements, government acts and regulations and university policies and procedures.

**Task Description:**

These procedures relate to vacation entitlement as it applies to Confidential, Professional and Managerial (CPM) Employees.

**1. Eligibility**

- 1.1 CPM employees shall receive vacation with pay based on the terms and length of employment.
- 1.2 Vacation shall not be granted in advance of entitlement except with the written approval of the employee's department head.

**2. Definitions**

2.1 Vacation Year

The vacation year is defined as the twelve-month (12) period starting on the first day of the month coincident with or next following the date on which a CPM employee begins employment with the University.

2.2 Full-time CPM employee

A full-time employee is defined as an employee whose appointment is for twenty-four (24) hours of work or more per week. Vacation entitlement shall be paid on a pro-rated formula based on the percentage of full-time hours worked.

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### 2.3 Contract CPM employee

A contract CPM employee is defined as an employee whose is appointed to a CPM position on a contract basis for a specified term.

### 3. **Entitlement for Full-time Employees**

- 3.1 Vacation entitlement shall accrue for full-time employees according to the following schedule:
- 3.2 One and one-quarter ( $1 \frac{1}{4}$ ) working days for each completed month of employment to a maximum of fifteen (15) working days during the first and second vacation years.
- 3.3 One and two-thirds ( $1 \frac{2}{3}$ ) working days for each completed month of employment to a maximum of twenty (20) working days during the third through the sixteenth vacation years.
- 3.4 Two and one-twelfth ( $2 \frac{1}{12}$ ) working days for each completed month of employment to a maximum of twenty-five (25) working days during the seventeenth to twenty-fifth vacation year.
- 3.5 Two and one half days ( $2 \frac{1}{2}$ ) working days for each completed month of employment to a maximum of thirty (30) working days during the twenty-sixth and subsequent vacation years.

### 4. **Entitlement for Contract Employees**

- 4.1 Vacation entitlement shall accrue for contract employees at the rate of .83 days per completed month of employment to a maximum of ten (10) per year. Any accrued vacation that remains at the expiry of this contract; or any renewal or extension thereof, shall be paid out less applicable deductions and included in your final pay.
- 4.2 In accordance with the *Employment Standards Act, 2000*, a contract employee's total vacation pay will be equal to 4% of his or her total wages.

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#### **5. Additional Entitlement for Long Service, Full-time Employees**

- 5.1 Full-time employees are entitled to five (5) additional workdays of paid vacation leave during the year in which they meet one of the following criteria:
- i) Age 60 and age-plus-service with the University equal 80; or
  - ii) Age 55 and age-plus-service with the University equal 80, and the individual has officially notified the University of her/his intention to retire prior to age 60.

#### **6. Employees who Work Less than Full-time**

- 6.1 Where an employee's term of appointment is less than full-time, vacation entitlement will be calculated according to #3 and #4 above, but pro-rated in accordance with the number of hours worked expressed as a percentage of a thirty-five (35) hour work week in the period for which the employee is eligible for vacation credit.

#### **7. Exceptions**

- 7.1 Any exception to the rates of accrual specified above requires the approval of the Assistant Vice-President (AVP), Human Resources & Employee Relations.
- 7.2 Vacation entitlement does not accrue during:
- i) Absence under the provisions of the Long Term Disability Plan;
  - ii) Leave of absence without pay other than Pregnancy and/or Parental Leave and WSIB leave; and/or
  - iii) Periods covered by a termination settlement, except during the statutory notice period, where only statutory entitlement shall accrue.

#### **8. Transfer or Promotion into a CPM position**

- 8.1 Where an employee is transferred, seconded or promoted into a CPM position from other York University employment, the basis for vacation entitlement shall be based upon total service with the University. Where there has been a break in employment, approval to consider previous service may be sought from the AVP, Human Resources & Employee Relations.

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#### **9. Sick Leave Substitution**

- 9.1 Sick leave may be substituted for vacation time when an employee has demonstrated to the satisfaction of the department head that s/he was incapacitated due to illness or accident for a minimum of five (5) working days during the vacation.

#### **10. Accumulation and Use of Vacation Entitlement**

- 10.1 Normally, vacation entitlement shall be used by an employee during the normal course of the year and shall be taken as agreed with the employer in advance.
- 10.2 The annual entitlement shall not be accumulated from one (1) vacation year to the next without the prior written permission of the employee's department head and, notwithstanding such permission, may be accumulated only to a maximum of two (2) years' entitlement.
- 10.3 An employee who, at the date of this Guideline, has accumulated vacation entitlement in excess of two (2) years shall be required to develop an appropriate schedule to reduce the vacation entitlement, in collaboration with the supervisor.
- 10.4 Vacation entitlement shall not be paid out in a lump sum amount without the approval of the Vice-President of the employee's division.

#### **Related Administrative Guidelines**

##### **a) Record-keeping**

Supervisors shall maintain vacation records for each employee, including vacation entitlement that is accrued during the year and that which is taken during the year, as well as the outstanding balance at year-end.

##### **b) Transfer of Accrued Vacation Credits**

Where an employee is transferred, promoted or seconded into a CPM position, the outgoing department shall confirm her/his vacation credit accrual. The two (2) departments shall consult each other and the Department of Human Resources & Employee Relations to ensure that the responsibility for discharging the employee's

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vacation accrual is clearly understood and agreed to by all the parties, including the employee.

c) **Vacation Payout on Termination of Employment**

When employment is terminated for any reason, payment owing for vacation earned but not taken shall be calculated in accordance with the applicable entitlement and the departmental records.

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**Applicable collective agreements, government acts and regulations and university policies and procedures:**



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**Applicable forms and related procedures:**