



## The Corporation of the Town of Essex

Section:	<b>Corporate – Council</b>
Subject:	<b>Vacation Carry Forward, Banking &amp; Payout Policy</b>
Policy Number:	<b>018 (formerly 008)</b>
Approval Date:	<b>December 7, 2009</b>
Approved By:	<b>R09-12-357</b>
Prepared By:	<b>W. Miller/D. Hunter</b>

### Objective

The Town of Essex recognizes the importance of time off from the workplace and encourages all staff to take their annual vacation entitlement each year to rest, relax and pursue personal activities. The Town does recognize that employees may not always be in a position to take their full vacation entitlement every year and has adopted a policy to provide guidelines with respect to the carry forward, banking and payout of a portion of an employee’s vacation entitlement.

### Applicability

This policy applies to all full-time, non-union employees of the Town of Essex.

### Carry Forward of Vacation

Employees, who have a minimum of fifteen (15) vacation days, including time off in lieu of overtime, earned in any one year, and do not use their total vacation in that year, may carry forward the unused portion for use in the following year.

The maximum amount of vacation and time off in lieu of overtime that may be carried forward is five (5) days. For purposes of this policy five days equates to thirty-five (35) hours for those employees who work a thirty-five (35) hour work week and forty (40) hours for those employees that work a forty (40) hour work week. Vacation carried forward will be deemed to be used before a current year’s vacation entitlement is used.

## Vacation Banking or Payout

Employees who have greater than twenty (20) vacation days, including time off in lieu of overtime earned in any one year and who have taken a minimum of twenty (20) vacation days, including time off in lieu of overtime earned in that year may, by the appropriate deadline date, exercise one of the following options or a combination thereof up to a maximum of ten (10) days in total—

- a. Receive payment for unused vacation and time off in lieu of overtime; and/or,
- b. Bank unused vacation, including time off in lieu of overtime.

For purposes of this policy five days equates to thirty-five (35) hours for those employees who work a thirty-five (35) hour work week and forty (40) hours for those employees that work a forty (40) hour work week.

In the event that an employee is also carrying forward five (5) days' vacation from the previous year he/she will be required to take a minimum of twenty-five (25) vacation days before being eligible to bank or receive a payout in a given year.

While in the employ of the Corporation, payment for banked vacation cannot be exercised at a later date except when an employee leaves the employment of the Corporation. When an employee leaves the employment of the Town of Essex prior to retirement to take full time employment elsewhere, they can either receive payment for banked vacation or use the vacation prior to leaving the employment of the Town. Banked vacation is not eligible for payout upon retirement.

Employees who have banked vacation may not use more than 10 days in their bank in any given year except in the year of retirement.

Employees shall not presume that the ability to bank or receive a payout of vacation will occur annually without reason or question. The annual payout or banking of vacation will only be approved if abnormal or additional workload related to an employee's position prevents such employee from taking earned vacation and time in lieu of overtime in any given year.

## Request to Carry Forward, Bank or Payout Vacation

A request for the payout or banking of vacation must be exercised by no later than December 15th in the year the vacation was to be used and must be submitted using the Vacation Carry Forward, Banking and Payout Form included in this policy as Appendix "A".

A request to carry forward vacation must be submitted by the first working day in January of each year using the Vacation Carry Forward, Banking and Payout Form included in this policy as Appendix "A".

Completed Vacation Carry Forward, Banking and Payout Forms must be forwarded to the Payroll Clerk by the appropriate deadline date. In the absence of a completed form, any unused vacation time, including time off in lieu of overtime, will be banked up to a maximum of ten (10) days.

### **Misuse of Sick Time and Other Time Off**

The use of sick time or other time off which results in the accumulation of vacation for purposes of carrying forward, banking or payout of vacation is strictly prohibited. Where it is deemed by the Chief Administrative Officer that this has been done, a request to carry forward, bank or payout vacation will be denied.

### **Acknowledgement**

I, \_\_\_\_\_, acknowledge that I have read and understand the Vacation Carry Forward, Banking & Payout Policy.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## Appendix "A"

### Vacation Carry Forward, Banking & Payout Form

Employee Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

1. Request to Carry Forward Vacation

No. of Days/Hours Carried Forward	<i>Please Check One</i>			
	Days		Hours	

Applicable to employees who have a minimum of fifteen (15) vacation days, including time off in lieu of overtime as per the policy. Maximum amount to be carried forward is 5 days or the equivalent of 35 hours for employees who work a 35-hour work week and 40 hours for employees working a 40 hour work week

2. Request for Bank Vacation

No. of Days/Hours Carried Forward	<i>Please Check One</i>			
	Days		Hours	

Applicable to employees who have greater than twenty (20) vacation days, including time off in lieu of overtime and excluding vacation carried forward from the prior year as per the policy. Maximum amount to be carried forward is 10 days or the equivalent of 70 hours for employees who work a 35-hour work week and 80 hours for employees working a 40-hour work week.

3. Request for Vacation Payout

No. of Days/Hours Carried Forward	<i>Please Check One</i>			
	Days		Hours	

Applicable to employees who have greater than twenty (20) vacation days, including time off in lieu of overtime and excluding vacation carried forward from the prior year as per the policy. Maximum amount to be carried forward is 10 days or the equivalent of 70 hours for employees who work a 35-hour work week and 80 hours for employees working a 40-hour work week.

NOTE: Election under 2 and 3 cannot exceed 10 days in total.