

CUPE Vacation Planning FAQs

1. Q. What is different about Annual Vacation Article 15 for CUPE this year?

- A. The changes that we will see as an organization:
1. Under the new CUPE Collective Agreement (CA) there are two bargaining units. Community Support (CS) and Facility Support (FS) now fall under the one CA.
 2. Single vacation days - resulting in **no more personal vacation days or blocks (PVDs)**
 3. Vacation is calculated on earned, accrued, and entitled as follows:
 - **Vacation earned** is the number of weeks that vacation is calculated based on years of employment. **Article 1503**
 - **Vacation accrued** is the total hours earned based on the employees vacation rate and hours worked.
 - **Vacation entitlement** is the total hours of vacation time an employee is able to be booked off based on their EFT

Earning Rate of Vacation

The employee is not guaranteed a number of specific days or weeks of paid time off anymore, they are only guaranteed the rate they accrue vacation in hours based on their continuous service. The employee has to earn the time to take it and they need to take the full shift they are scheduled to work.

An example of a full time employee:

Vacation Earned – Years of Service	Rate Earned in Weeks	Rate Earned Hours
1 st Year of Employment	3 weeks	(7.75 x 15) = 116.25
4 th Year of Employment	4 weeks	(7.75 x 20) = 155
11 th Year of Employment	5 weeks	(7.75 x 25) = 193.75
21 st Year of Employment	6 weeks	(7.75 x 30) = 232.5

Vacation Accrual

Part time employees may accrue more vacation hours as a result of picking up additional hours and will be paid out at the beginning of the vacation year as per **Article 3103**.

Vacation Entitlement

Employees are entitled to vacation hours equivalent to their EFT, this is important to remember for part time EFTs. This chart reflects the average shift of 7.75 hours (Note: Based on LOU-ER#22, all staff will be moving to 7.75 hour shifts). It is identified that there is numerous shifts and numerous EFTs within our Service Delivery Organization (Example a 0.61 EFT working a 4 hour shift).

EFT	Weekly Vacation Hours
0.1	3.88
0.2	7.75
0.3	11.63
0.4	15.5
0.5	19.38
0.6	23.25
0.7	27.13
0.8	31
0.9	34.88
1.0	38.75

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Example 1: An employee that has a 0.5 EFT that has picked up additional hours and has accrued a total of 100 vacation hours. An employee with a 0.5 EFT is entitled to 19.38 weekly vacation hours and can take only up to their entitlement, therefore, they will be paid out any excess vacation hours above this at the beginning of the vacation year as per **Article 3103**.

Examples of Entitlement:

- A full time employee that works regular shifts at 7.75 hours earning at 3 weeks' vacation based on years of continuous employment service has accrued 116.25 vacation hours; the employee has a vacation entitlement of 15 full shifts off.
- A 0.5 EFT part time employee that works regular 7.75 hour shifts earning at 3 weeks vacation based on years of continuous employment service has accrued 58.125 vacation hours. The employee has a vacation entitlement of 7.5 shifts off, however is entitled to 8 shifts off as per Article 1505, which states that vacation taken is for the full shift scheduled on the day they selected during the vacation process and must book full shifts off for vacation.
- A full time employee that works a regular 11.63 hour shifts earning at 3 weeks vacation based on years of continuous employment service has accrued 116.25 hours; the employee has a vacation entitlement of 9.99 shifts off, however, is entitled to 10 shifts off as per Article 1505, which states that vacation taken is for the full shift scheduled on the day they selected during the vacation process and must book full shifts off for vacation.
- A full time employee that works a mix of 7.75 hours and 11.63 hours earning at 3 weeks vacation will still have 116.25 entitlement hours. The employee will need to choose what shifts they would like off that is still equal to the total entitlement hours.
- A 0.5 EFT part time employee that works 5 hour shifts earning at 3 weeks vacation based on years of continuous employment service has accrued 58.125 hours; the employee has a vacation entitlement of 11.625 shifts off, however, is entitled to 12 shifts off as per Article 1505, which states that vacation taken is for the full shift scheduled on the day they selected during the vacation process and must book full shifts off for vacation.

2. Q. What if the vacation earned, accrued and entitled do not align?

- A. There are many reasons why the hours and the entitlement may not align due to an employee being off on an unpaid leave (e.g. maternity leave or unpaid sick time), a new hire, or a Part Time employee picks up additional above EFT and an employee changed their EFT throughout the year by moving to another position.

3. Q. What if an employee comes in to work on their scheduled vacation day at the request of the employer?

- A. Whether the employee is full time or part time they would get paid at double time and the vacation day is rescheduled for another day.

4. Q. Can an employee take off every Saturday/Sunday as vacation days and still fulfill their weekend obligations of their rotation schedule?

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A. Yes, employees can request whichever days they would like.

5. Q. Where can I find information on which CUPE section I should use? I have HCAs in a Personal Care Home.

A. The information on vacation for both CUPE Community Support and Facility Support union sectors is the same in the Collective Agreement and reflected in the CUPE Vacation Guidelines.

6. Q. How do Managers determine their vacation rules for their unit/department/facility? How many staff can be off throughout the vacation year?

A. Review the previous year vacation rule and adjust accordingly based on your experience and current staffing levels. Managers must ensure they honor the vacation time for all their staff.

Example:

January-March	1 employee off per 24 hour period
April	2 employees off per 24 hour period
May-August	3 employees off per 24 hour period
Sept-Dec	2 employees off per 24 hour period

7. Q. Can a part-time employee take a paid vacation on days they're not scheduled to work?

A. With Single Day Vacation, days are only to be paid on days an employee is scheduled to work.

8. Q. Facility Support is the former CUPE and Community Support is former MGEU Community Support. Is it understood Clerks, AYS and the new Communicable Disease Technicians are in Facility Support and what vacation year would they follow?

A. The former MGEU CS group is status quo for this vacation year and would fall under April 1st -March 31st dates for this year only. The intention is to provincially align for the next vacation year.

Also note; Under the Health Sector Bargaining Unit Restructuring Act (HSBURA) the CUPE Facility Support is all non-direct care staff going forward and the vacation year for this union group remains status quo as May 1st to April 30th. Refer to CUPE **Letter of Understanding (LOU) #8**

9. Q. If an employee with more seniority requests one day i.e. Friday and another employee with less seniority requests the whole week. Do we deny the whole week as only one employee is allowed off at the same time according to the established Vacation Rules?

A. Although this year's changes will take time to adjust, Managers are encouraged to think of vacation in days and no longer in blocks. The Manager should follow their vacation rules and if the rules allow for both off for that one day then it can be approved during the vacation planning period. If the employee cannot be approved during vacation planning, they can submit a Request for Leave (RFL).

10. Q. When the hours increase to 7.75 hours from 7.5 hours but the vacation accrued was at 7.5 hours how does this get adjusted?

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A. April 1st is our goal as per the CA to transition everyone to 7.75 shifts. Employees are accruing this vacation time for the 2024-2025 vacation year. Employees who previously had a lower vacation entitlement will be moved to the higher vacation entitlement this year for accrual to take in the next vacation year. ***In regards to employee's being short hours for this year's vacation, this plan is pending based on provincial discussions.***

11. Q. How do managers track EE's available vacation now?

A. Managers will determine the days and then delegate who will keep track of the vacation hours and time taken. It is understood, Payroll will provide the vacation entitlement in vacation hours and then Leaders would subtract the hours for each EFT hours they take off.

12. Q. When we get vacation entitlements, are they given to us in weeks? Are we responsible for figuring out how many individual shifts they can take? What if they want to take weeks as well?

A. This year the regular/previous estimated lists were provided to Leaders as the same in the past which shows the weeks. Weeks are still important to know as the documents we use refers to weeks earned based on years of service. Example, your full time has 4 weeks vacation equaling twenty 7.75 hour shifts vacation days (5 days per week). Staff need to request vacation is days now, if a full time employee wants a week off, they will need to request 5 days off, or 7 days if they want a 7 day period of their rotation off.

A 0.5 EFT Part time staff earning at 4 weeks vacation I would be allowed ten 7.75 hour shifts of vacation.

This same 0.5 EFT Part time employee, working additional hours will accrue more vacation hours, however is not able to take additional vacation above the employee's EFT. In this case, the 0.5 EFT employee will only be entitled to their 0.5 EFT hours and the additional vacation hours accrued will be paid out at the beginning of the vacation year.

13. Q. Are half days allowed?

A. No, for both full time and part-time employees, the expectation is that the vacation taken is for the full shift scheduled on the day they selected during the vacation process unless otherwise specified within the collective agreement.

14. Q. We have staff who like to save days for storms, bad roads, etc. If it works for us operationally, can we allow them to not schedule their time by Nov 15th so we can accommodate these requests?

A. Yes, that would be at the discretion of the manager.

15. Q. Will Stat Days be paid the same as vacation days who work modified shifts for example 10hr shifts?

A. No, vacation hours are paid the hours of the shift taken and Stat hours are paid at 7.75 hours.

16. Q. An employee is accumulating 3 weeks and starts to accumulate 4 weeks on Jan 1 with a Mar 31 year end, how many days vacation are they entitled to in the new vacation year?

A. The vacation hours will shift accordingly from how many days to how many hours they have off. That is what you would base your approval on.

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17. Q. If staff are out of sick time, or of banked hours due to inclement weather can we "require" them to take a vacation day for time missed?

A. Sick time should not be used for Inclement Weather. It is the Leaders responsibility to accurately reflect sick time/attendance to manage

Should the employee ask to use vacation for inclement weather, the Manager can approve this experience discretion to approve vacation time to cover that inclement weather day.

18. Q. Can an employee who has been awarded a shift, decide to take a vacation day for that awarded shift?

A. When an employee picks up a shift they "own it", therefore yes, they can request to take that day as a vacation day.

19. Q. Will the union be educating their members on the new vacation guidelines?

A. Yes, CUPE President has advised of the intent to ensure all staff representatives have knowledge of the Vacation contract Articles, changes and application.

20. Q. If an employee has booked vacation and changes their rotation (EFT), are the days booked originally honored in their new rotation?

A. When an employee transfers to another unit/department or site, any remaining vacation that was previously approved is no longer valid. The vacation days will need to be rescheduled within the new unit, site and Manager. (Article 1514)

21. Q. Can an employee who is on sick leave request vacation for the upcoming vacation year?

A. Yes, all employees that are on a leave need to be included in the vacation planning for the year and will need to honor accordingly. If on an unpaid leave they may not have the vacation pay but they can book the days still.

22. Q. If all planning has been completed in order of seniority, then a senior member wants a specific date that has already been approved can they bump that person, or is it subject to operational needs?

A. After the employee's vacation time has been approved, and they decide they would like to change it after the approved initial vacation selection period has ended, the employee cannot bump another employee out of their approved vacation.

23. Q. Former MGEU Community Support, for this year, we would use 7.25 hours not 7.75 to determine number of days vacation, correct?

A. Yes that is correct.

24. Q. HCAs in personal care homes, are now under CUPE Community Support and will need to use the May 1st vacation year?

A. Yes - the previous collective agreement vacation years will be used for this year only. Next year when both contracts are aligned both union sectors will be on the same dates for the vacation year. The

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provincial planning committee will be meeting to decide on one vacation year for both bargaining groups.

Employees who were formerly MGEU Community Support, vacation year remains: April 1-March 31

Employees who were formerly CUPE Local 4270 Facility Support, vacation year remains: May 1-April 30

25. Q. Will payroll do the calculations to pay the additional vacation hours worked over the FTE at the start of the year?

A. Pending confirmation of the process.

26. Q. If an EE has 2 hrs left in the vacation bank, the CA states that vacation needs to be taken off in full days. How does this work?

A. The employee must book vacation in full days, therefore, in this case the employee would be paid for the remaining 2 hours and could use other banks to top up if they have.

27. Q. If an employee works a 9.96 hour shift do I deduct the full shift hours or the 7.75 hours?

A. Vacation hours will be deducted by the hours that would be worked in the shift, so in this case the deducted vacation hours would be 9.96 hrs.

28. Q. For those part time employees who accrue additional hours above EFT? Are the additional accrued vacation hours paid out at the end of the year?

A. Part time employees will use the hours that they have accrued up to their current EFT for vacation selection. In accordance with article 3103, any vacation earned above their EFT would be paid out at the beginning of the vacation year.

Example: A part time employee that holds a 0.6 EFT but picks up to a 0.8 EFT (additional 0.2 EFT hours) will only be entitled to the 0.6 EFT vacation hours, and the 0.2 vacation hours would be paid out at the beginning of the vacation year as stated above.

29. Q. Does a one time event such as getting married trump seniority?

A. Only in extenuating circumstances a Manager would consider this request. This would be on a case by case scenario, please contact Labour Relations in cases such as this to support you.

30. Q. If an employee is on an extended LOA during vacation planning - paid or unpaid - should we be sending the vacation planning email to their personal email, or call them?

A. Leaders should be keeping in contact with any staff member that is off work, therefore communication should occur regarding the vacation planning through the agreed contact that is occurring. All attempts should be made to contact the employee and documented.