

Provincial CUPE Vacation Scheduling Guidelines

The goal of the CUPE Vacation Scheduling Guidelines is to ensure that all employees employed by an Employers Organization, and covered by the CUPE Collective Agreement receive their annual vacation scheduled in a fair and consistent manner and in compliance with the Collective Agreement.

A. Vacation Entitlement Lists

1. CUPE Vacation Entitlement Lists for each unit/site/occupational group will be posted in an accessible location by February 1st (Villa/Tabor) and March 1st (SH-SS/Menno Home/Rock Lake) of each year. The Vacation Entitlement Lists are prepared by Human Resources or designate.
2. The Vacation Entitlement List shall reflect each employee's projected vacation entitlement as at March 31st (Villa/Tabor) or April 30th (SH-SS/Menno Home/Rock Lake) of each year. Employees shall indicate their preferences as to dates within 30 calendar days of posting of the projected entitlement list.
3. The Vacation Entitlement Lists will be prepared in seniority order and will indicate the following:
 - i) a) Number of employees in each occupational classification that may be scheduled for vacation at any one time, i.e. HCAs, Unit Clerks and Dietary Aides; OR
b) Total number of employees, regardless of classification that may be scheduled for vacation at any one time, when occupational classification is not a consideration.
 - ii) Employees name
 - iii) Seniority Hours
 - iv) Projected paid vacation entitlement hours (accrual rate changes on the anniversary date, therefore vacation entitlement in the transition year will be less than the new accrual rate based on date of change)
 - v) Projected vacation (unpaid) hours based on vacation entitlement rate (accrued while on leave of absence).
 - vi) Projected vacation entitlement in weeks (the total combined hour if iv. plus v.)
 - vii) Projected bonus week if applicable

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*This is a standard provincial policy that can only be changed with the approval of the Provincial Human Resources Leadership Council*

**B. Vacation Rules – How Many Employees Can Be Off?**

1. Manager/designate must post the number of employees that can be off per 24-hour period or per shift. The vacation rule could be 1 employee off on days and 1 employee off on nights or 2 employees off per calendar day. Master rotations and shift schedules are subject to change. There shall be no “black out” periods for vacation selection.
2. The rules for the entire year must be posted with the Vacation Entitlement List. However, the vacation rule as defined in #1. above can fluctuate throughout the year by month or week based on operational requirements.
3. Manager/designate must consider the number of employees on the unit and the total number of weeks’ vacation on the unit when determining number of employees that can be on vacation at one time, as all employees on the unit are entitled to take their allotted vacation.
4. Remember this does not include the Employer obligations under the Collective Agreement to manage leaves that include sick, bereavement, stats, etc.

**C. Vacation – Indicating Choice of Vacation Dates**

1. No later than 2 months prior to the start of the vacation year, a projected vacation entitlement list will be posted for each employee in order of seniority by their immediate supervisor/designate.
2. Each employee indicates their choice of vacation dates.
3. It is imperative that employees on LOA, Income Protection, Vacation, etc. are notified of the posted vacation schedule.
4. Employees in term positions that do not end before the end of the vacation year shall also indicate their vacation requests on the unit/site that they are working on.
5. There shall be no carry-over of vacation from one vacation year to another. An employee must use current annual vacation, (which was earned during the previous vacation year), during the current vacation year. If the current annual vacation is not used or scheduled by October 15<sup>th</sup>, the Employer has the right to schedule the vacation prior to the end of the current vacation year. The Employer shall post a notice, no later than October 1<sup>st</sup> of each year, in a prominent area(s) in each facility/worksites indicating the need for employees to request the scheduling of their remaining vacation, otherwise it will be scheduled for them by the Employer.
6. Paid time off that a full-time employee receives for vacation shall be for the full scheduled shift unless otherwise mutually agreed. *Applicable to ten (10) and twelve (12) hour shift patterns only: The paid time off that an employee receives under the ten (10) or twelve (12) hour shift pattern is to correspond exactly in hours to the paid time off of a seven and three-quarter (7.75) hour shift pattern.*
7. Vacation may be paid out only in extenuating circumstances. Employees who go on a leave of absence (other than Maternity or Parental Leave) which extends beyond the current vacation year shall have their vacation paid out at the end of the vacation year. Every effort must be made to schedule vacation in the current vacation year.

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8. As per Article 1515, in the event an employee is hospitalized during their vacation, it shall be incumbent upon the employee to inform the Employer as soon as possible. In such circumstances the employee may utilize income protection credits to cover the hospitalization period only and the vacation displaced by the hospitalization shall be rescheduled based on operational requirements. Proof of such hospitalization shall be provided if requested.
9. Where an employee is subpoenaed for jury duty or is in receipt of WCB benefits during their period of vacation, there shall be no deduction from vacation credits and the period of vacation so displaced shall be rescheduled at a time mutually agreed between the employee and the Employer within the available time periods remaining during that vacation year. If an employee knows in advance of an upcoming absence related to surgery or Disability and Rehabilitation prior to the commencement of their vacation, they may, upon their request, have their vacation displaced and such vacation shall be rescheduled at a time mutually agreed between the employee and the Employer within the available time periods remaining during that vacation year. Such requests must be reasonably considered.
10. In the event of a bereavement request during a period of scheduled vacation, the approved vacation shall not be rescheduled.
11. An employee may request to have a vacation payout during the 119 day waiting period, in the event the employee has insufficient income protection credits to cover the 119 day waiting period.
12. A part-time employee may accrue paid vacation beyond their EFT due to working additional shifts. The additional vacation above their EFT must be paid out at the beginning of the new vacation year, and vacation selection and approval is based on the employees EFT at the time of selection. The additional vacation accrued does not increase the number of days of vacation an employee is entitled to take.

D. Approved Vacation Schedule

1. The employer will post an approved vacation schedule a minimum of one (1) week prior to the commencement of the vacation year as set out in 1501.
2. The approved vacation schedule within each unit/site shall not be changed unless mutually agreed between the employee and the employer.
3. A full-time employee requested to report to work on a scheduled day of vacation shall receive double time for all hours worked and the vacation day will be rescheduled.

A part-time employee who requests to work and who works additional hours on a scheduled vacation day will be paid at the straight time rate. A part-time employee requested by the Employer to work, and who works additional hours on a scheduled vacation day, shall receive double time for all hours worked.