## VACATION

[Organization Name] understands the importance of taking time away from work to relax and recharge. It is committed to providing vacation time and pay in accordance with the *Canada Labour Code (CLC)*, at minimum. In the event an employee’s employment contract provides a greater benefit, the employment contract shall take precedence.

DEFINITIONS

“Wages” means: every form of payment for work performed except for tips and other gratuities.

"Year of employment" is the period beginning on the date an employee is hired, or on any anniversary of that date, and ending 12 consecutive months later.

POLICY

Vacation time and vacation pay at [Organization Name] are provided according to the following chart:

|   | **YEARS OF SERVICE** |
| --- | --- |
|  **Less Than 5 Years** | **5 or More Years** | **10 Years or More** |
| **Vacation Time** | Two weeks (10 days) | Three weeks (15 days) | Four weeks (20 days) |
| **Vacation Pay** | 4% gross wages | 6% gross wages | 8% gross wages |

As per the CLC, vacation pay must be at least four percent of the gross wages (excluding any vacation pay) earned in the 12-month vacation entitlement year or stub period (where that applies) for employees with less than five years of employment, at least six per cent of the gross wages for employees with less than ten years of employment, and at least 8% thereafter.

An employee must complete a year of employment to be entitled to a vacation. In addition, the amount of vacation pay for that vacation is based on the wages earned by the employee during the year of employment in question.

Employees may take vacation either at a mutually agreed upon time suitable for the employer provided a minimum of two weeks’ notice is given or at the discretion of [Organization Name].

However, vacation time must begin no later than 10 months after completion of the year of employment for which the employee became entitled to vacation.

[Organization Name] reserves the right to schedule employee vacations if the time needs to be used prior to the year’s end. While the organization will make every effort to consider an employee’s desired vacation time away, there may be occasions when employees will not receive their desired time. In accordance with the CLC, [Organization Name] will provide at least 2 weeks’ notice to the employee regarding when their annual vacation is to begin.

Vacation pay is normally paid to the employee within 14 days prior to the commencement of a vacation. However, vacation pay may be paid during or immediately following vacation if that is the established practice in the employee's workplace.

Vacation Splitting, Postponing and Waiving

An employee may postpone or waive their entitlement to an annual vacation for a specified year of employment by providing written notice to [Organization Name].

Employees may interrupt his annual vacation to take another leave such as maternity-related reassignment, paternity, parental, compassionate care, critical illness, death or disappearance of a child, bereavement, reservist, sick and work-related illness, or injury.

Employees may postpone their annual vacation to take other leave.

Employees may put in a written request to split the annual vacation entitlement. If the split is granted, [Organization Name] will pay the prorated portion of the vacation pay applicable at each time leave is taken.

Paid Leaves

For the duration of a paid leave the employment status does not change, and all benefits accumulate as if the employee was at work. The employee earns vacation pay and time during the leave period.

Unpaid Leaves

During unpaid leaves, the employee continues to accrue seniority so the date on which the employee becomes eligible for an increase of wages and vacation time remains the same. However, since the employee earns no wages during the leave period, vacation pay is calculated only on the wages earned during the year of employment.

Vacation Requests

Employees are requested to please speak with their manager or supervisor at least (Insert Timeframe, e.g., 2 weeks prior) to request vacation. Vacation requests will be granted according to (Insert method: e.g., first come, first served, or by seniority). [Organization Name] reserves the right to schedule vacation for employees to ensure the smooth operation of the business and that all vacation time is used prior to the end of the year.

Termination of Employment

In the event employment is terminated prior to an employee taking their vacation time, it will be paid out to them on their final pay cheque along with any other owed amounts.