

	<i>Responsible Office or Department:</i>	Human Resources
	<i>Effective Date:</i>	10/1/2023
<i>Ontario (NUO) Time Off Policy</i>		

PURPOSE:

The University's Time Off Policy (TOP) program sets out the eligibility and rights to vacation, paid sick, personal, and other statutory leaves.

SCOPE:

Applied to all non-faculty employees working for Niagara University Ontario.

TERMS and DEFINITIONS:

1. "Statutory Vacation" constitutes Statutory Vacation under the *Employment Standards Act, 2000* ("ESA").
2. "ESA Leaves" are entitled leaves under the ESA.
3. "Top off" refers to topping off or making whole an employee's wages.
4. For purposes of this policy, a week provided as Statutory Vacation is considered 5 scheduled work days and is based on normally scheduled work hours, and days provided as paid Sick Days or Personal Days may only be used for scheduled work days and is paid based on the employee's normally scheduled work hours.

MAIN PROVISIONS:

Eligible employees will be entitled to Statutory Vacation as follows:

- Two (2) weeks for employees with one (1) to up to five (5) years of service; and
- Three (3) weeks for employees with five (5) or more years of service.

Statutory Vacation must be taken each Applicable Year (June 1 to May 31). Statutory Vacation may be taken in half of whole day increments, and will generally be taken at such times as is most convenient, considering the demands of the University, although the University may require employees to take unused Statutory Vacation as permitted under the ESA. For certainty, employees may not carryover of Statutory Vacation from one year to the next and must use all of their Statutory Vacation in each applicable vacation year.

Where a statutory holiday falls on an employee's Statutory Vacation day, that day will be treated as a holiday and the employee will not be deducted a Statutory Vacation day. Similarly, where a Statutory Vacation day is interrupted by a statutory leave of absence, the employee will not be deducted a Statutory Vacation day.

Statutory Vacation pay will be calculated as per the ESA. For certainty, if the employee is on an unpaid leave of absence, the employee will not accumulate Statutory Vacation pay.

If an employee has unpaid accrued Statutory Vacation pay at the time of termination or by the end of an Applicable Year, this Statutory Vacation pay will be paid out to the employee.

Full-time Seasonal (FTS) employees' statutory vacation is assigned and applied for the period of winter recess, the period which occurs from the end of the Christmas Break university holiday period until the first date of the spring semester upon their return to work. If there are any remaining statutory vacation days, the full-time seasonal employee is able to use any remaining statutory vacation days in half or whole day increments.

Eligible employees may take the below amount of additional paid sick days or personal days:

Years of Service an employee will meet during the current fiscal year or as of date of hire (if within 1st year of employment)	Sick Days* (run concurrent with ESA Sick Leave)	Personal Days** (may run concurrent with an unpaid leave under ESA, when applicable)
Within 1 st year	3 days	Full-time (FT) regular employees receive 1 day for each month remaining in fiscal year excluding the months of March, April, and May. In this instance, a month will be counted if an employee starts employment in days 1-15 of the month (ex: a FT regular employee starts 23 August, they would receive 6 personal days as of date of hire). Full-time seasonal (FTS) or part-time regular (PT) employees who start June - November will receive 4 days or 2 days if their start date is December – May.
At least 1 year, but less than 2 years	3 days	Full-time (FT) and part-time regular (PT) employees receive 0 days (Statutory Vacation provided in lieu of Personal Days). Full-time Seasonal (FTS) employees receive 3 Personal Days.
At least 2 years, but less than 5 years	3 days	Full-time (FT) regular employees receive 3 days. Part-time regular (PT) employees receive 0 days (Statutory Vacation provided in lieu of Personal Days). Full-time Seasonal (FTS) employees within years 2-4 will receive 3 Personal Days and with 5 years receive 0 personal days (additional Statutory Vacation provided in lieu of Personal Days beginning at year 5).
At least 5 years, but less than 6 years	3 days	Full-time (FT) regular, Part-time regular (PT), and Full-time seasonal (FTS) employees receive 0 personal days (Statutory Vacation provided in lieu of Personal Days).
At least 6 years, but less than 10 years	3 days	Full-time (FT) regular employees receive 3 days. Part-time regular (PT) and Full-time seasonal (FTS) employees receive 0 days (Statutory Vacation provided in lieu of Personal Days).
10 years or more	3 days	Full-time (FT) regular employees receive 8 days. Full-time seasonal (FTS) and part-time regular (PT) employees receive 0 personal days (Statutory Vacation provided in lieu of Personal Days).

* Paid Sick Days are only provided only to employees classified as full-time seasonal, part-time regular (does not include part-time faculty/adjuncts), and full-time regular.

** Paid Personal Days are only provided to employees classified as full-time regular, full-time seasonal, and part-time regular (does not include part-time faculty/adjuncts) as outlined on the schedule above.

Employees may use Paid Sick Time in whole day increments and Personal Time in half or whole day increments for their normally scheduled work days.

Any Sick or Personal Days which are not used within the applicable year, are forfeited and of no compensable value. Sick and Personal pay will be calculated based on base salary. Sick and Personal Days will not be paid at termination and do not carry over.

For certainty, Sick and Personal Days may be used in conjunction with any unpaid leaves under the ESA (as described below).

In accordance with the ESA, eligible employees are entitled to take a leave of absence if they are unable to work for one of several defined reasons. These current leaves are set out in the chart below.

Leave Type	Paid	Maximum Duration	Minimum Advance Notice
Pregnancy	No	17 weeks	2 weeks
Parental	No	61 weeks if pregnancy leave taken or 63 weeks otherwise	2 weeks
Family Medical	No	28 weeks	Not specified
Organ Donor	No	13 weeks	2 weeks
Family Caregiver	No	8 weeks per family member per calendar year	Not specified
Critical Illness (for care of child family member under 18)	No	37 weeks	Must provide notice through a written leave plan OR ASAP if leave is immediate
Critical Illness (for care of adult family member)	No	17 weeks	Must provide notice through a written leave plan OR ASAP if leave is immediate
Child Death	No	104 weeks	Must provide notice through a written leave plan OR ASAP if leave is immediate
Crime-Related Child Disappearance	No	104 weeks	Must provide notice through a written leave plan OR ASAP if leave is immediate
Domestic or Sexual Violence	First 5 days paid, remainder unpaid	10 days/15 weeks	ASAP
Sick Leave	No	3 days per year	ASAP
Family Responsibility	No	3 days per year	ASAP
Bereavement	No	2 days per year	ASAP
Declared Emergencies and Infectious Disease Emergencies	No	As long as employee is not working due to emergency.	ASAP
Reservist	No	As required	Reasonable notice

If an employee classified as full-time seasonal, part-time regular, or full-time regular who is away from work due to pregnancy and has applied for EI pregnancy/maternity, the University will provide the employee with top-up benefits as follows:

- Top up the employee's EI maternity/pregnancy for a maximum period of 8 weeks combined and consecutively, to include the wait week under EI, to reach 100% of base salary.
- Payment of top-up benefits will begin when the University receives confirmation from the employee that they are receiving EI benefits.

PROCEDURES:

All requests are submitted using the online time off system in myNU with the appropriate time off reason indicated. Failure to not record time off in the myNU online system, could result in disciplinary action. Employees at an hourly pay rate, non-salaried, must also reflect their PTO on their bi-weekly timesheets for payment through payroll.

Time off requests should be submitted with as much notice as possible to ensure that appropriate departmental coverage may be arranged. If an employee is requesting more than 3 consecutive days of Statutory Vacation, those days should be requested at least 2 weeks in advance of the time off. When time off is used for an unexpected absence, such as illness, the employee is required to submit the time off through myNU, and on their timesheet, if applicable, upon their first day back to work.

POLICY HISTORY:

- Originated: 10/1/2023
- Current Effective Date: 10/1/2023
- Next Review Date: **10/1/2026**
- Revision/Renewal Log:
 - None