

STATEMENT of POLICY and PROCEDURE			
Chapter:	Human Resources	SPP No.	HR 4.03.ON
Section:	Benefits	Issued:	Jan 1, 2009
Subject:	HOLIDAYS - Ontario	Effective:	Jan 1, 2009
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Issued by:	Martin Moore	Dated:	

1 POLICY

1.01 **John Watson Ltd.** recognizes **nine (9)** days as statutory holidays and **two (2)** company holidays. The company grants eligible employees time off work on these days for which the employee is paid Holiday Pay, subject to the conditions outlined herein. The recognized holidays are:

Statutory Holidays

New Year's Day
Family Day
Good Friday
Victoria Day
Canada Day
Labour Day
Thanksgiving Day
Christmas Day
Boxing Day

Company Holidays

Civic Holiday
Easter Monday

- 1.02 (a) Where a holiday falls on a non-working day for an employee or during an employee's vacation, another working day shall be granted as the holiday and be taken on a day specified by **John Watson Ltd.**
- (b) In the alternative, an employee may request in writing to receive Holiday Pay in lieu of observing a substituted working day at a later date.
- (c) If a holiday falls on a day during a period in which the employee is on pregnancy leave, parental leave or on a temporary lay-off on that day, the employee is entitled to holiday pay for that day but has no other entitlement under this policy or under the holiday provisions of the *Employment Standards Act, 2000* to a substitute holiday. Holiday pay shall be calculated in accordance with paragraph 5.01 of this policy. Note: with regard only to an employee who is on temporary lay-off — if that employee is terminated because the lay-off exceeded the period of a temporary lay-off and the holiday falls on or after the day on which the lay-off first exceeded the period of a temporary lay-off, the employee has no entitlement to holiday pay under this paragraph.

1.03 Holiday Pay Eligibility

To be eligible for Holiday Pay, an employee must:

- (a) be on the active payroll;
- (b) work all of the employee's last regularly scheduled day of work immediately prior to and all of the employee's first regularly scheduled day of work immediately following a Statutory Holiday, unless absence is approved in advance, in writing, by the employee's immediate manager or the employee can show reasonable cause for not working such days;

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- (c) work on the holiday if the employee has agreed to do so unless the employee can show reasonable cause for not working on the Statutory Holiday.

1.04 Company Holiday Eligibility

The same policy as in paragraph 1.03 above will apply for an employee to be eligible for a company holiday.

2 PURPOSE

- 2.01 The purpose of this Statement of Policy and Procedure is to specify those days which are observed as holidays and to outline the eligibility requirements for Holiday Pay.

3 SCOPE

- 3.01 This Statement of Policy and Procedure applies to Non-union employees. Holiday provisions for Union employees are governed by the terms of the Collective Agreement.

4 RESPONSIBILITY

- 4.01 Managers are responsible for advising Payroll, in writing, of the names of those employees who do not qualify for Holiday Pay and the reason(s) for disqualification.

5 DEFINITIONS

- 5.01 “**Holiday Pay**” means the regular wages earned and vacation pay payable to an employee in the four (4) weeks before the work week in which the Statutory Holiday occurs, divided by 20.
- 5.02 “**Regular rate**” means
- (a) for an employee who is paid by the hour, the amount earned for an hour of work in the employee’s usual work week, not counting overtime hours,
 - (b) otherwise, the amount earned in a given work week divided by the number of non-overtime hours actually worked in that week.
- 5.03 “**Regular wages**” means wages other than overtime pay, holiday pay, premium pay, vacation pay, termination pay and severance pay
- 5.04 “**Company Holiday**” means the two (2) days listed above in section 1.01

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

Ontario *Employment Standards Act, 2000* and Regulations
SPP HR 2.05 — Employment Classifications
SPP HR 2.09 — Termination of Employment

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SPP HR 4.02 — Vacation and Vacation Pay

SPP HR 4.04 — Personal Leave of Absence

SPP HR 4.05 — Pregnancy Leave

SPP HR 4.06 — Parental/Adoption Leave

7 PROCEDURE

7.01 An employee hired on the first working day following a holiday or thereafter is not eligible for Holiday Pay for that holiday.

7.02 Holiday Pay on Cessation of Employment

(a) An employee who ceases employment before a day that is substituted for a holiday and who is otherwise eligible for pay for that holiday, shall receive Holiday Pay in lieu of that substituted holiday.

(b) An employee who ceases employment at the end of the regular work day immediately preceding a holiday which is observed during the same week as the date of termination and who otherwise would normally be eligible for the holiday, shall receive Holiday Pay in lieu of the holiday in addition to any other wages owing at the time of termination.

7.03 Subject to paragraphs 1.02(c) and 1.03, payment or alternative time off will not be made for holidays occurring during a period of leave of absence without pay.

8 APPENDICES

None