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|  <p>Cree School Board<br/>Commission scolaire crie</p> | <h2>Policy on Vacations and Cultural Leaves</h2>   |   |
|   | <p><b>Department responsible:</b> Human Resources<br/> <b>Effective date:</b> April 1, 2014 and March 3, 2016<br/> <b>Approved by:</b> Resolution #EC 2016-068</p> |   |
|   | <p><b>References:</b></p>  | <ul style="list-style-type: none"> <li>▪ Council Manual Policy: EL, EL-2, EL-6</li> <li>▪ Collective Agreements:<br/>Support Staff (S8)<br/>Professionals (P3)</li> <li>▪ By-law # 5 on the Conditions of Employment of Management Staff</li> </ul> |
| <p><u>Other Policies</u></p>  |  | <ul style="list-style-type: none"> <li>• School Calendars (EDU-05)</li> </ul>   |

### 1) General Provisions

Purpose

**1.1.** This Policy establishes the rules applicable to employees' annual vacations and cultural leaves as provided in the CSB collective agreements or in the By-laws applicable to management staff<sup>1</sup>.

Eligibility

**1.2.** According to the duration of their active service for the preceding year, all regular full-time and regular part-time support, professional and management staff are entitled to annual paid vacation except:

- a) interim administrators on a contract of 1 year or less and who were not already employed by the Board at the time of the temporary assignment;
- b) temporary employees who have been working for less than 6 months.

In these cases, the applicable working conditions however provide for monetary compensation in lieu of vacation.

### 2) Request

Usual period

**2.1.** The usual vacation period shall be in July and August<sup>2</sup> and during the period when the schools are closed for the Goose break.

Vacation plan

**2.2.** For summer vacation, the employee must submit his vacation plan in writing before May 15<sup>3</sup>.

<sup>1</sup> This Policy does not apply to the Director General

<sup>2</sup> Between July 1 and August 15 for the professionals

<sup>3</sup> For any other annual vacation, the professional must submit his vacation plan in writing at least 30 days before leaving on vacation 7-7.06 (P3)

[Approval](#)

**2.3.** The vacation dates as submitted by the employee shall be approved by the immediate supervisor, unless otherwise justified by the requirement of the services. Any vacation plan approved by the Board shall be considered as final, unless otherwise agreed to by the employee and the immediate supervisor.

[Priority](#)

**2.4.** If several employees' vacation plans fall within the same period and that might affect the delivery of the services, seniority shall be the determining factor in the employee's priority.

[Minimum duration](#)

**2.5.** Employees must take their vacations in periods of at least 5 consecutive days, unless there is an agreement to the contrary.

However, at least 5 days or any remaining period of less than 5 days may be taken separately, with the Board's approval which takes into account the requirements of the services to be provided.

**5-6.06 (S8)**

[Absence report](#)

**2.6.** For any annual vacations, the employee must send his authorized absence report to Payroll with a copy to HR, on the day of his return to work.

**3) Determination of the number of days**

[Reference year](#)

**3.1.** The reference year for vacation purposes shall run from July 1 to June 30. Vacation earned by an employee during a reference year shall be vested in the employee as of the end of that reference year and may not be taken by the employee prior to the first day of the following reference year. The number of days to which an employee is allowed is described below.

[Professionals & Support staff / days](#)

**3.2.** Professionals and support staff employees are entitled to the following annual vacations:

| Continuous service as of June 30 | Accumulation of vacation credits from July 1 to June 30 (working days) |
|----------------------------------|--|
| 1 year and less than 17 years    | 20 days  |
| 17 and 18 years                  | 21 days  |
| 19 and 20 years                  | 22 days  |
| 21 and 22 years                  | 23 days  |
| 23 and 24 years                  | 24 days  |
| 25 years or more                 | 25 days  |

A professional whose duration of active service during the year of acquisition of vacation was less than 1 year shall be entitled to 1 2/3 days per month of continuous service. For a support staff employee, the number of vacation days is determined in clause 5-6.11 of the collective agreement.

**5-6.10 (S8)/ 7-7-.01 (P3)**

[Management staff / days](#)

**3.3.** The annual vacations of management staff members are 25 workdays if hired prior to July 1, 2001. The persons hired after that date, benefit from an annual vacation of 20 workdays during their first 5 years of service for the Board.  
**S. 59 (By-law #5)**

[Disability](#)

**3.4.** The length of the vacation period shall not be reduced in the case of one or more periods of disability not exceeding a total of 242<sup>4</sup> workdays per year, nor in the case of a work accident or occupational disease. In the case this period exceeds 242 workdays, the excess shall not be counted as active service.  
**5-6.03 (S8)**

[Legal holidays](#)

**3.5.** If one or more paid legal holidays coincide with the employee's vacation, it shall be extended for an equivalent duration.

[Minimum annual vacations](#)

**3.6.** Where appropriate, vacation credit cannot be reduced to an amount lower than prescribed in the *Act respecting labour standards* (R.S.Q., c. N-1.1) on annual vacation.

## 4) Periods

[Deferred vacations / disability](#)

**4.1.** The support staff employee who is absent from work because of a disability or a work accident at the time scheduled for his vacation may defer his vacation to another period in the same fiscal year or, if he has not returned to work at the end of the fiscal year, to another period in a subsequent fiscal year, to be determined by agreement between the employee and the Board.

For professionals, a disability, as defined in the collective agreement, which develops before the beginning of the vacation period shall allow the professional concerned to postpone his vacation period. In such a case, he shall submit a new vacation plan.

The Board may require that before returning to work the employee takes vacation days deferred from previous years due to an absence from work. Where applicable, the current replacement shall continue during these vacation days.  
**5-6.12 (S8) and 7-7.09 (P3)**

[When disability occurs during the vacation period](#)

**4.1.2** An employee hospitalized during his vacation period as a result of illness or an accident may defer the remaining period of his vacation leave to a date agreed upon with his immediate supervisor. The employee must submit upon his return to work a medical certificate confirming the hospitalization.

Therefore, when the disability occurs after the vacation period has begun, the employee is still considered on vacation and cannot postpone his vacation unless he is hospitalized. In such case, the employee is not considered on vacation during the time he is actually hospitalized.

[Obligation to take annual vacations](#)

**4.2.** Vacation must be taken during the year following that in which it was acquired. Subject to section 5.1, vacation can neither be deferred nor accumulated and will be automatically forfeited without compensation or

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<sup>4</sup> For professionals and management staff this period is 6 months / s. 7-7.03 (P3) and s. 60 (By-law #5)

remuneration unless a request to carry over to the next vacation year has been approved or if otherwise provided by the applicable working conditions such as maternity, paternity and adoption leaves.

However, management staff may in exceptional circumstances and with the express authorization of the Board, have their accumulated vacations forwarded to the following school year, but not any further.

*S. 64 By-Law #5*

## **5) Parental Rights**

[Max deferred /  
maternity leave](#)

**5.1.** The employee may defer a maximum of 4 weeks' annual vacation if it falls within her maternity leave and if she notifies the board in writing of the date of the deferral no later than 2 weeks before the termination of the said maternity leave.

*5-4.16 (S8) / 5-13.16 (P3)*

[Taken prior the  
leave](#)

**5.2.** The employee may take his deferred annual vacation immediately prior to his leave without salary or partial leave without salary provided that there be no discontinuity with his paternity leave, her maternity leave or his leave for adoption, as the case may be.

*5-4.47 (S8) / 5-13.35(P3)*

## **6) Indemnity**

[Non-redeemable  
benefit](#)

**6.1.** Annual vacations are not redeemable except at the termination of employment. In the case of permanent termination of employment, an employee shall be entitled to the payment of vacation that were acquired and not used. When an employee changes his class of employment before having taken his accumulated vacations, Payroll will convert these days to the appropriate number of days calculated according to the new salary scale.

[Vacation pay](#)

**6.2.** The amounts payable to an employee during his vacation shall be remitted before his departure on vacation, provided the employee has submitted a request to this effect to the Board at least 2 weeks before the beginning of his vacation. The employee shall be deemed to have made such a request if he informs the Board of his choice before May 15 of the year concerned.

## **7) Cultural Leaves**

- [Days](#)            **7.1.** Employees who qualify as per their collective agreements or working conditions are granted a cultural leave of 5 nonworking days with pay during the goose hunting period.
- [Calendar](#)        **7.2.** The cultural leave must be taken in compliance with the school calendar of the community where the employee is assigned.
- In the event that an employee from Post Secondary Student Services posted in Montréal or Gatineau is unable to take his leave at the prescribed moment, the Board may allow the employee to take the leave later but before the end of the school year.
- [Spring](#)            **7.3.** The cultural leave can only be taken during the Spring hunting season and under no circumstances can this leave be taken during the Fall or postponed to the following school year.

## **8) Application of this Policy**

- [Other provisions](#)    **8.1.** The present Policy replaces any other Policies of the Board pertaining to this subject, while respecting the Council of Commissioners Policies/Ends where applicable. If there is any conflict between this Policy and a collective agreement or any legislation, the later shall prevail.
- [Official version](#)    **8.2.** The official version of this Policy is kept by the Secretary-General of the Board.
- [Responsibility](#)      **8.3.** Any person referred to in this Policy must abide by all its provisions and all managers of the School Board are responsible to ensure that all its provisions are applied and respected.
- The Director of Human Resources is the person responsible for providing support in the interpretation of this Policy and to ensure its revision when necessary.