

**Holiday Leave pay for Hiring Solutions Employees**

The Holiday Leave benefit is founded in CUPE 2950, and both CUPE 116 and Executive Administrative Agreements share the same language when it comes to the Holiday Leave. Because of this, Hiring Solutions will apply the [Letter of Understanding](#) (LOU) criteria to those employees who are filling CUPE 2950, CUPE 116 and Executive Administrative roles.

***If you are in a Management & Professional (M&P) role – regardless of your base position at Hiring Solutions – you are ineligible for Holiday Leave pay, and do NOT need to continue reading. M&P staff will be allowed to work during the break, if your department requests it. We will make every attempt to request your assigned department to compensate you for some or all of the Holiday Leave, but it’s not guaranteed.***

Starting in 2013, the University and CUPE 2950 agreed to manage the eligibility for paid leave for Hiring Solutions employees by signing a LOU. Holiday Leave is defined as the three days between Boxing Day and New Year’s Day. The days for calendar year 2020 are:

- Tuesday, December 29
- Wednesday, December 30
- Thursday, December 31

Please use the following table to determine if you are eligible to be paid for the Holiday Leave.

**TABLE A**

Question	Answer
<p><b>1</b> Are you on the Full time or Part time roster?</p>	<p><b>A. Part time</b> – You are not eligible for Holiday Leave pay. The Holiday Leave pay is considered a benefit, and Part time Hiring Solutions employees are not eligible for this benefit.</p> <p><b>B. Full time</b> – Please go to Question 2.</p>
<p><b>2</b> Are you eligible for benefits on or before December 1<sup>st</sup>? (Have you have completed your 66 worked days probationary period before December 1<sup>st</sup>?)</p>	<p><b>A. No, I will not have completed my 66 worked days probationary period by December 1<sup>st</sup>.</b> You are not eligible for Holiday Leave pay. The Holiday Leave pay is considered a benefit. As you are not eligible for benefits by December 1, you will not be eligible to be paid for these days.</p> <p><b>B. Yes, I will have completed my 66 worked days before December 1<sup>st</sup> and will be eligible for benefits.</b> You may be entitled to be paid for the Holiday Leave pay. Please continue to question 3.</p>

3	Have you worked 15 full seven-hour days of the 30 days before Christmas Day?	<p><b>A. No, I did not work 15 full days (7 hours per day) of the 30 days prior to Christmas.</b> You will not be eligible for the Holiday Leave pay benefit</p> <p><b>B. Yes, I have worked 15 full days (7 hours per day) of the 30 days period to Christmas Day.</b> You may be entitled to be paid for the Holiday Leave pay. Please continue to question 4.</p>
4	Are you in an assignment that continues to December 24 <sup>th</sup> and resumes again on January 4 <sup>th</sup> ?	<p><b>A. No, my assignment does not continue in to January.</b> You may be entitled to be paid for the Holiday Leave pay. Please continue to question 5.</p> <p><b>B. Yes, my assignment continues in to January.</b> You are eligible to be paid for the Holiday Leave pay.</p>
5	Are you available to work (i.e. not on vacation) from January 4 <sup>th</sup> ?	<p><b>A. No, I am on vacation.</b> Please refer to the vacation section below (Table B).</p> <p><b>B. Yes, I am available to work from January 4<sup>th</sup>.</b> If Hiring Solutions is able to place you in another assignment commencing on January 4<sup>th</sup> or 5<sup>th</sup>, you will be eligible to be paid for the Holiday Leave</p> <p>If Hiring Solutions are unable to place you in another assignment commencing on January 4<sup>th</sup> or 5<sup>th</sup>, you will not be eligible to be paid for the Holiday Leave as you will not be actively working.</p>

## Vacation

Please note that the below is applicable if you have first met the criteria in Questions 1 – 3 of TABLE A above.

You do not need to request vacation for the three days of Holiday Leave (December 29, 30 & 31). You will, however, be expected to return to work on the first workable day in the New Year in order to be paid for the Leave. **For 2021, the first workable day is Monday, January 4th.**

- An employee is considered on “active vacation” if their approved vacation request falls within an active Work Order: the dates of vacation must be bridged by one active assignment. In such circumstances, the employee will be eligible for the Holiday Leave provided they meet the LOU criteria.
- An employee is considered on “inactive vacation” if they are not actively assigned to a host department. In such circumstances, the employee will not be eligible for the Holiday Leave regardless of the LOU criteria.

If you are taking vacation before and/or after the Holiday Leave period, please refer to the below to assess if you are eligible to be paid for the Holiday Leave period. Please note that you must first meet the criteria for payment above.

**TABLE B**

	Question	Answer
1	<p>I am working in the same assignment in December which continues in January and will be taking vacation up to December 24<sup>th</sup> and/or from January 4<sup>th</sup>. Am I eligible to be paid for Holiday Leave?</p>	<p><b>Yes</b>, you will be considered on “active vacation” and will therefore be eligible to be paid for the Holiday Leave.</p>
2	<p>I am working in an assignment which ends in December and will be taking vacation until December 24. I am available to work from Monday, January 4<sup>th</sup>. Am I eligible to be paid for Holiday Leave?</p>	<p>If Hiring Solutions is able to place you in another assignment commencing on January 4<sup>th</sup> or 5<sup>th</sup>, you will be eligible to be paid for the Holiday Leave.</p> <p>If Hiring Solutions is unable to place you in another assignment commencing on January 4<sup>th</sup> or 5<sup>th</sup>, you will not be eligible to be paid for the Holiday Leave, as you will not be actively working.</p>
3	<p>I am working in an assignment which ends on December 24<sup>th</sup> and will be taking vacation from January 4<sup>th</sup>. Am I eligible to be paid for Holiday Leave?</p>	<p>If you are not available to be placed in another assignment (inactive vacation) commencing on January 4<sup>th</sup> or 5<sup>th</sup>, you will not be eligible to be paid for the Holiday Leave.</p>

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I am working in an assignment which ends in December and I will be taking vacation from prior to December 24<sup>th</sup> until after January 4<sup>th</sup>. Am I eligible to be paid for Holiday Leave?

If you are not available to be placed in another assignment (inactive vacation) commencing on January 4<sup>th</sup> or 5<sup>th</sup>, you will not be eligible to be paid for the Holiday Leave.

### **Determining your rate of pay**

Although this benefit is founded in CUPE 2950, both CUPE 116 and Executive Administrative Agreements share the same language when it comes to the Holiday Leave. Because of this, Hiring Solutions will apply the LOU criteria to those employees who are filling CUPE 2950, CUPE 116 and Executive Administrative roles. You will find this information on your current work order under "Affiliation". It is important to understand that your current position (no matter the affiliation) is considered a 'temporary promotion' from your base appointment. If you are eligible based on the LOU criteria to receive the pay you will be paid at your base rate.

You will not be required to work during the break. If your department asks you to work, you are expected to contact Hiring Solutions immediately.

### **Available to work?**

Rarely, but on occasion, Hiring Solutions are asked to fill work orders during the Holiday Leave break. If you are not scheduled to work but would like to work, please contact [Hiring Solutions](#). We will consider you for placements and will communicate if we have work to assign to you.