The University will be closed from Sunday, December 25th, 2022 through to Monday, January 2nd, 2023, reopening on Tuesday, January 3rd, 2023.

The three discretionary days off in addition to the statutory holidays will be given as 21 hours (21.6 APSA) off work with pay to eligible employees. The days will not be statutory holidays, but will be handled similarly.

If an employee’s normal hours of work on the three closure days would exceed 21 hours, (21.6 APSA) the employee must either make up time for the excess hours or arrange to take the additional time as vacation.

If any employee would not normally be scheduled to work on one or more of the closure days and, therefore, would receive less than 21 hours of paid time off, (21.6 APSA), then they receive the remainder of the 21 hours (21.6 APSA) of paid time off at another time.

If supervisors schedule employees to come to work on any of the designated days off, the employees receive straight time pay for hours worked and the remainder of the 21 hours (21.6 APSA) of paid time off at another time.

Record the paid time off for the closure days as pay for time not worked whether it is taken on the actual closure days or at another time.

The payroll codes to use on the timesheets are:

Salary:  530 for closure, 478 for General Holiday
Hourly:  285 for closure, 235 for General Holiday

All continuing employees in the APSA group, CUPE Local 3338, and Poly Party bargaining units are eligible for this paid time off. Temporary APSA and CUPE Local 3338 employees are eligible for the additional paid days off provided that their appointments begin before December 25,
2022 and end after January 2, 2023 without a break. Temporary Poly Party employees will be eligible for the additional time off provided that they have worked on more than 15 days in the preceding 30 calendar days and their appointment periods include the closure days.

**Note: employees on leaves of absence are not eligible for the closure days.**

Eligible part time employees will receive the time off on a pro rata basis. To calculate the total time off for a part time employee, take the employee’s normal biweekly hours of work, divide by 70 (72 for APSA) then multiply by 21 (21.6 APSA).

**Please note:** December 25th, 26th, and January 1st are statutory holidays that should be treated in accordance with the statutory holiday provisions in the applicable collective agreement or policy.

**Non-Union Employees**

Unless the contract for each employee is more specific, hourly paid employees are entitled to stat holidays as per Employment Standards Act which states:

**Statutory holiday pay**

45  (1) An employee who is given a day off on a statutory holiday, or is given a day off instead of the statutory holiday under section 48, must be paid an amount equal to at least an average day's pay determined by the formula

\[
\text{amount paid} ÷ \text{days worked}
\]

Where:

- **amount paid** is the amount paid or payable to the employee for work that is done during and wages that are earned within the 30 calendar day period preceding the statutory holiday, including vacation pay that is paid or payable for any days of vacation taken within that period, less any amounts paid or payable for overtime, and
- **days worked** is the number of days the employee worked or earned wages within that 30 calendar day period.

(2) The average day's pay provided under subsection (1) applies whether or not the statutory holiday falls on the employee's regularly scheduled day off.

**If employee is required to work on statutory holiday**

46  An employee who works on a statutory holiday must be paid for that day

(a) 1 1/2 times the employee's regular wage for the time worked up to 12 hours,
(b) double the employee's regular wage for any time worked over 12 hours, and
(c) an average day's pay, as determined using the formula in section 45 (1).
Substituting another day for a statutory holiday

(1) An employer may for one or more employees at a workplace substitute another day off for a statutory holiday if the employer and the employee or a majority of those employees, as the case may be, agree to the substitution.

(2) Any employees affected by the substitution of another day for a statutory holiday have the same rights under this Act and their employer has the same duties under this Act as if the other day were a statutory holiday.

(3) An employer must retain for 2 years records of agreements made under subsection (1).

Employees working under these terms need to have worked 30 days before the stat, and should either receive pay for the day or a day off in lieu.

If you have any questions regarding the closure days or statutory holidays, please contact your Human Resources Strategic Business Partner.

cc.  Andrew Boden, APSA
     Fiona Brady Lenfesty, CUPE Local 3338
     Christina Brock, Poly Party
     Derek Sahota, TSSU