

# Summit Payroll Policy

~ Mostly For Salaried Employees ~

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## Sec. I – Overview & Terminology

All details and policies in this document (Summit's Payroll Policy) are in compliance with *The Ontario Ministry of Labour and Employment Standards Act*.

In our post-industrial market economy, free-enterprise business ventures exist whereby individuals or collectives organize themselves to supply goods and/or services for sale (exchange for money) to a consuming population that desires (has demand for) those good and/or services. Certain 'economies of scale' exist whereby it is more efficient (profitable) for any organization to expand to a point where fixed costs are offset better with higher volume of production/sales. Typically, an individual can provide a service/good as a solo entrepreneur, however, by multiplying his/her efforts by employing others to work for his/her system, fixed operating costs are diluted and financial viability is more secure. The majority of individuals in western society typically opt to exchange their time (in service of the efforts of a business/company) for money paid to them by that company. This is referred to as employment. Summit employs many individuals in such a manner. Beyond the basic time-for-money exchange, Summit also requires and expects certain other, simple contributions from employees (team members), including adhering to company values (e.g. character, competence and commitment). In exchange for these 'extras', Summit fosters a positive and collaborative work culture for its team members that includes teamwork, *equitable* pay structure, performance & results bonuses, and overall reciprocal loyalty. If any individual is unwilling or unable to reciprocate in these areas, he/she is free to find employment with a company that is more aligned with his/her aspirations and expectations from an employer.

### Terminology and Conditions:

- a. Hours per week – "Full time" employment refers to employees who provide service for full weeks (e.g. 5 days @ approximately 40 hours per week). The amount of time/days worked determines all calculations for paid absences. An employer can expect up to 44 hours per week from an employee; employees who are *requested* to work in excess of 44 hours per week are eligible for extra remuneration and/or extra paid absence. Many employees work 40 to 50 hours in a week in order to meet job function ideals and/or deadlines (this is the choice of the individual and is typically regarded as a sign of dedication to quality work and meeting outcomes)

Note: Managers are not entitled to overtime pay or in lieu time for working over their normal weekly hours (additional remuneration can come in the form of Performance and Results, or PAR Awards)

<http://www.labour.gov.on.ca/english/es/pubs/guide/overtime.php>

- b. Banking/Recuperating hours – "banking" hours/time is not practiced by Summit employees.
- c. Working from Home - working from home is considered volunteer work unless specifically arranged otherwise.
- d. Absence from Work (paid and unpaid) – policy details are listed for these categories:
- Vacation;
  - "Personal" or illness;
  - Bereavement;
  - Personal Emergency / Medical
  - Family Emergency / Medical
- e. Request for Absence – All requests for vacation and personal/sick days must be in writing to team member's supervisor prior to payroll submission dates using the proper document. Requests for absence must be pre-approved before being taken and can be denied when the company's service integrity is at stake.
- f. Increment of Time for Calculations – quarter day.

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- g. Travel Cost Compensation – as arranged with each individual based on job functions and responsibilities. Typically provided ONLY for trips made as a result of being requested to attend a location that is not the usual place(s) of regular employment.
- h. ESA = Employment Standards Act from The Ontario Ministry of Labour.

**TEACHERS** (Hourly Employees) – must submit a timesheet of their hours worked on the designated day as per the published schedule. Late submission of hours can result in a delay of pay until the following pay period

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## Sec. II – Paid Absence from Work

According to the Employment Standard Act (ESA), no employee is entitled to paid time off beyond (that which is) prescribed in the 'paid absence schedule' – this includes absence for reasons listed below including bereavement, personal illness/accident, or family illness/accident. Paid leave from work is sometimes provided in the private sector at the discretion of the company.

- a. **Quarter Day Increments** - The increment of time for which vacations and absences are calculated is per quarter day.
- b. **Partial increments** are counted as full increments [e.g. if an employee wishes to take two (2) hours absence, it is simply counted as a quarter day and an Absence Request/Notice form must be completed.
- c. **'Freebie' - up to one hour each month** 'incidental absences' from work (e.g. appointments with doctors, lawyers, children's appointments, etc.) can be taken ONCE per month without the need for absence request or reduction of paid absence allowance. If incidental absences occur in excess of once per month, or in excess of one hour, the employee must count the quarter day (or multiple of) as fully absent and complete the required documentation.

### 1. Paid Vacation

#### **Vacation pay**

An employer shall pay vacation pay to an employee who is entitled to vacation equal to at least four per cent (4%) of the wages\*, excluding vacation pay, that the employee earned during the period for which the vacation is given. (\*wages includes bonuses and other payments that comprise income from the employer)

<http://www.labour.gov.on.ca/english/es/pubs/guide/vacation.php>

- a. **Employment Standards Act** stipulates that employees are not entitled to time away from work during the first year of employment. Granting time away from work during the first year can be discussed and arranged on an individual basis at the discretion of the employer. <http://www.labour.gov.on.ca/english/es/pubs/guide/vacation.php>

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- b. **Vacation entitlement year** is based on the calendar year and will be prorated in the first year that the employee works (e.g. if employee starts in June, a prorated amount would be calculated from June to December, of which, the employee would be entitled to the following January).
- c. **Limitation** - According to the ESA, vacation must be taken no later than 10 months after the end of the vacation entitlement year for which it is given. If an employee does not take his/her paid vacation within the 10 months following the year from which the vacation was given, then that vacation is paid out unless an agreement for carryover is made with the employer in advance.  
<http://www.labour.gov.on.ca/english/es/pubs/guide/vacation.php>
- d. **Carry-over** - Summit allows employees to carry-over vacation for 1 (one) calendar year. Eligible vacation must be taken within 12 months of when it is earned (i.e. 10 days of vacation eligible on 1 Jan 2014 must be taken by 31 Dec 2014, or it will be paid out)
- e. **Unpaid absences** - If any salaried employee takes time away from work in excess of his/her paid absence allowance (vacation + personal days), his/her pay will be deducted accordingly. (Company policy is based on Empl. Stds). Unpaid absences exceeding **10 days** per calendar year is not permitted (see Sec III below).
- f. **Advances** on a following/future year's vacation are not practiced. After the employee uses the total vacation allowance, he/she will not be paid for any further absences during that year (up to 10 unpaid days).
- g. **"Vacation Entitlement year"** means the 12-month period over which employees earn vacation.

## Considerations for Calculating Vacation Time:

- a. **Full-time employees** are given paid vacation of **two weeks** (10 working days) after each vacation entitlement year that he or she completes.
- b. **Modified working schedule** - the percentage of time an employee works compared to the regular standard (e.g. 30, 37.5, 40-hour-week, etc.) determines the amount of paid vacation time allotted to the employee. (e.g. a 4-day work week is 80% of the normal 5 days; therefore, vacation allowance is 80% of normal)
- c. **Part-time employees** (partial days or or partial weeks) are given paid vacation that is adjusted according to the work performed as a percent of 'normal'.  
<http://www.labour.gov.on.ca/english/es/pubs/guide/vacation.php>

## **2. Paid Absence - Other (Company Policy)**

Summit acknowledges that 'modern life' can be complicated and sometimes a challenge to juggle all commitments. Summit provides additional paid absences to accommodate for this and to promote work/life equilibrium. Additional paid absences are intended to be used for rest and recreation (to manage stress and prevent illness) and/or recuperation from illness, and/or simply to accommodate "appointments" and other requirements of a busy life. Summit encourages all team members to lead a healthy lifestyle (eating well, exercising regularly, resting adequately, etc.) so that illness does not interfere with their quality of life, including commitments to family and work obligations.

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## A. "Paid Personal (PP) Days" (Company Policy)

- a. **Salaried** employees are given **four (4) paid personal (PP) days per calendar year** (Jan 1<sup>st</sup> to Dec 31<sup>st</sup>) for personal reasons (rest, wellness maintenance, illness, appointments, personal obligations, etc.)
- b. **Hourly** employees are given two (2) PP days per calendar year.
- c. PP days are to be taken once per quarter (for salary) or once per half-year (for hourly) to last the whole year. If more than one personal is taken in a single time period (quarter- or half-year) and employment is terminated for any reason (resignation, etc.) then the excess PP day(s) is(are) counted as PV day(s).
- d. PP days not taken during the calendar year **cannot be carried-over** to the following calendar year, nor are PP days paid-out or owed, should termination of employment occur at any time.
- e. Any days taken above this allowance are not paid (unless for bereavement, etc., as outlined below).

## B. Bereavement (Company policy)

**Three (3) days paid leave** is given to employees for bereavement as it applies to the following persons as they relate to the employee:

- a. The employee's spouse
- b. A parent, step-parent or foster parent of the employee or the employee's current\* spouse
- c. A child, current step-child or current foster child of the employee or the employee's current\* spouse
- d. A grandparent, step-grandparent or grandchild of the employee or of the employee's current\* spouse
- e. The current\* spouse of a child of the employee
- f. The employee's brother or sister
- g. A relative of the employee who is (was, at the time) currently dependent on the employee for care or assistance.

[http://www.labour.gc.ca/eng/standards\\_equity/st/pubs\\_st/bereavement.shtml](http://www.labour.gc.ca/eng/standards_equity/st/pubs_st/bereavement.shtml)

\*Current Spouse is one with whom the employee still cohabitates

### Notes from Federal Labour Standards

Bereavement leave covers only scheduled working days. For example, if a member of an employee's immediate family dies on a Friday, and the employee's regular days off were Saturday and Sunday, bereavement leave would only apply to the Monday.

Similarly, if the death occurred during an employee's vacation, bereavement leave would not apply. [http://www.labour.gc.ca/eng/standards\\_equity/st/pubs\\_st/bereavement.shtml](http://www.labour.gc.ca/eng/standards_equity/st/pubs_st/bereavement.shtml)

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## C. Partial Days – Lateness and Early Departure

- a. **Respect for Work Schedule** - as per Summit Employment Agreement (contract), Summit expects all team members to be punctual (arrive on time / early for work); and leave at or slightly after scheduled daily work conclusion each day, and work as long as required to fulfill job/function expectations (if a team member habitually works in excess of 44 hours in a week to meet objectives/goals, he/she is expected to consult with management)
- b. **Balance** - Summit encourages all team members to take a short break during the morning and afternoon as well as a half-hour lunch break in the middle of the workday.
- c. **Reciprocal Respect** - Summit team members are given the respect and freedom to exercise good, professional judgment and personal integrity when taking time for lunches and breaks.
- d. **Punctuality** - should a team member arrive late, leave early, or take an extra long break, this is considered absence from work and an increment of his/her absence allowance is deducted accordingly - either as the “freebie” or an absence (the team member can choose whether this is paid or unpaid)
- e. **Habitual Contravention** - habitual lateness and/or early departures and/or long breaks put the employee’s job security in jeopardy.

## D. Statutory Holidays and Closures

- a. Please refer to company schedule for dates (posted annually)
- b. In the case where a Statutory holiday falls on a weekend, the vacation is typically given on the scheduled work day that falls immediately before or after that date (e.g. December Closures – typically, the week during which 25 December falls)
- c. If a team member is required to work on statutory holiday (e.g. due to attending an event of some kind), an equivalent paid absence (day or half day) “in lieu” is given to that team member to compensate for the time worked during the stat holiday.
- d. When a public holiday falls on a day that is **not** ordinarily a working day for an employee, or during the employee's vacation, the employee is entitled to either:
  - 1) a substitute holiday off with public holiday pay;
  - or**
  - 2) public holiday pay for the public holiday, if the employee agrees to this in **writing** (in this case, the employee will not be given a substitute day off).

<http://www.labour.gov.on.ca/english/es/pubs/guide/publicolidays.php>

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## Sec. III – Unpaid Absences

**Unpaid Absence\*\*** - employers are obligated to allow employees to take time away from work without pay (up to a maximum) without the employee experiencing any loss of job security.

### A. Personal Emergency Leave\*\*

Employees are entitled to a leave of absence, without pay, because of any of the following reasons listed below. The employee is entitled to take a total of **10 days** leave under this section during each calendar year (without consequence or repercussion).

1. Personal illness, injury or medical emergency,  
**or**
2. Death, illness, injury, medical emergency or urgent matter relating to the following family members:
  - A spouse\*;
  - A parent, step-parent, foster parent, child, step-child, foster child, grandparent, step-grandparent, grandchild or step-grandchild of the employee or the employee's spouse;
  - The spouse of the employee's child;
  - A brother or sister of the employee;
  - A relative of the employee who is dependent on the employee for care or assistance.

**\*Note:** "spouse" includes both married and unmarried (common law) couples, of the same sex or the opposite sex.

<http://www.labour.gov.on.ca/english/es/pubs/guide/emergency.php>

#### Important Notes:

Unpaid leave taken in excess of the allowed maximum of 10 days per calendar year puts the employee's job security at risk.

- a. Summit encourages all team members to understand and appreciate the challenges and potentially damaging effects that arise with excessive employee absence (whether absence is unpaid or not) including but not limited to: general problems of inconsistency of our service delivery; challenges for students adjusting to uncertainty and constant change; management's time/energy to find and arrange coverage; an overall compromise to operational integrity
- b. Nevertheless, Summit subscribes to a humanistic approach and therefore attempts to learn and appreciate personal circumstances that may need accommodation
- c. There are limits to which Summit can accommodate excessive absence without simply finding a more suitable team member who is willing and able to commit to consistent performance and contribution

### B. Family Medical Leave\*\*

- Employee can apply for EI (Employment Insurance)

Family medical leave may be taken to provide care or support to certain family members and people who consider the employee to be like a family member in respect of whom a qualified health practitioner has issued a certificate indicating that he or she has a serious medical



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condition with a significant risk of death occurring within a period of 26 weeks. Family caregiver leave is another job-protected leave available under the Employment Standards Act, 2000 (ESA) for employees with certain relatives who have a serious medical condition. One of the main differences between family medical leave and family caregiver leave is that an employee may be eligible for family caregiver leave even if the family member who has a serious medical condition does not have a significant risk of death occurring within a period of 26 weeks.

All employees, whether full-time, part-time, permanent, or term contract, who are covered by the ESA are entitled to family medical leave.

There is no requirement that an employee be employed for a particular length of time, or that the employer employ a specified number of employees in order for the employee to qualify for family medical leave.

**Care or support includes, but is not limited to:** providing psychological or emotional support; arranging for care by a third party provider; or directly providing or participating in the care of the family member.

The specified **family members** for whom a family medical leave may be taken are:

- the employee's spouse (including same-sex spouse)
- a parent, step-parent or foster parent of the employee or the employee's spouse
- a child, step-child or foster child of the employee or the employee's spouse
- a brother, step-brother, sister, or step-sister of the employee
- a grandparent or step-grandparent of the employee or of the employee's spouse
- a grandchild or step-grandchild of the employee or of the employee's spouse
- a brother-in-law, step-brother-in-law, sister-in-law or step-sister-in-law of the employee
- a son-in-law or daughter-in-law of the employee or of the employee's spouse
- an uncle or aunt of the employee or of the employee's spouse
- a nephew or niece of the employee or of the employee's spouse
- the spouse of the employee's grandchild, uncle, aunt, nephew or niece
- family medical leave may also be taken for a person who considers the employee to be like a family member. Employees wishing to take a family medical leave for a person in this category must provide their employer, if requested, with a completed copy of the Compassionate Care Benefits Attestation form, available from Employment and Social Development Canada, whether or not they are making an application for EI Compassionate Care Benefits or are required to complete the form to obtain such benefits.

The specified family members do not have to live in Ontario in order for the employee to be eligible for family medical leave.

<http://www.labour.gov.on.ca/english/es/pubs/guide/family.php>

## C. Parental Leave (maternity leave)

- Employee can apply for EI

<http://www.labour.gov.on.ca/english/es/pubs/guide/pregnancy.php>

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## Sec. IV – Termination of Employment (TOE)

- see separate document package for details

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## Sec. V – Non-Salaried Employees

Please Note: most of the policies detailed in this document apply to Salaried employees, however, these policies and practices are adjusted accordingly for hourly, part-time, and occasional employees.

Policies specific to hourly teachers include the following, details TBA:

- **Teacher Attendance & Time-sheets**
- **Occasional Teacher** – what of these Payroll Policies apply to me? (TBA)

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## Sec. VI – Appendices

(Please refer to the online teacher resource page for appendices)

1. **“Snow Days” Winter Storm Closure Policy** – see separate document for details
2. **Student “No Show” policy** – when no students show up for a session
3. **Occasional Teachers** – how to secure coverage (‘substitute’) for my absence as a teacher
4. **“Employment Bridging”** – how Summit can help me maintain continuous income for me/my family during down-cycles