

LEGISLATIVE ASSEMBLY OF BRITISH COLUMBIA

POLICY MANUAL

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|----------------|-----------------|
| SECTION | Human Resources |
| POLICY | 4315 – Vacation |

Objective To provide a consistent application of accrual, use, carryover, and management of vacation time.

Application This policy applies to all employees of the Legislative Assembly appointed under section 39 of the *Constitution Act* (R.S.B.C. 1996, c. 66).

Authority Legislative Assembly operational policies are approved by the Clerk of the Legislative Assembly, as per *Policy 1000 – Legislative Assembly Policy Framework*.

Key Definitions **“auxiliary as-and-when employee”** means an employee appointed to a temporary position, working on an on-call basis and paid via timesheet submission;

“auxiliary term employee” means an employee appointed to a temporary position, working a defined full-time or part-time schedule, and paid a bi-weekly salary;

“qualifying auxiliary employee” means a term or as-and-when employee who is eligible to accrue vacation;

“regular employee” means an employee appointed to a full-time or part-time position with no defined end date to employment;

“supervisor” means the person to whom an employee directly reports.

- 1. General**
- .01 The primary purpose of vacation allotment is to provide employees with a break from their duties and responsibilities in the workplace. The Legislative Assembly encourages employees to use the full vacation allotment in the year it is earned to support work-life balance. It is the responsibility of the employee and their supervisor to manage the vacation allotment and ensure time off is appropriately scheduled each year to meet the purpose of this policy.
 - .02 The annual vacation allotment is determined by the number of years of continuous employment and is calculated on a calendar year basis. Partial years are prorated accordingly.
 - .03 The scheduling and taking of vacation is on a calendar year basis, as approved by the employee’s supervisor.

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2. Vacation by Employee Type

- .01 An employee may either accrue vacation or be paid vacation pay on a bi-weekly basis as follows:

| | Auxiliary As-and-When Employee | Auxiliary Term Employee | | Qualifying Auxiliary Employee | Regular Employee |
|------------------------|--------------------------------|--------------------------------|---|--|-------------------------------|
| | | <i>Less than 12-month term</i> | <i>12-month term or longer</i> | <i>Has worked 1827 hours in 33 pay periods</i> | <i>Full-time or part-time</i> |
| Accrue Vacation | No | No | Optional | Optional | Yes |
| Vacation Pay | Yes at 8% | Yes at 8% | Yes at 8% unless employee chooses to accrue | Yes at 8% unless employee chooses to accrue | No |

- .02 An auxiliary employee will receive vacation pay on each bi-weekly pay at the rate of 8% of the employee's regular earnings unless they elect to accrue vacation if eligible in accordance with section 2.01.
- .03 An auxiliary term employee with an initial employment contract term of less than 12 consecutive months whose employment is extended beyond 12 consecutive months may switch to accruing vacation at the time the employment is extended.
- .04 An auxiliary as-and-when employee or an auxiliary term employee on an employment contract of less than 12 months becomes a qualifying auxiliary employee once they have worked 1,827 straight time hours in 33 consecutive pay periods. A qualifying auxiliary employee has the option to accrue vacation in accordance with section 3.01.

To maintain eligibility as a qualifying auxiliary employee in subsequent years, such an employee must work 1,200 straight time hours in 26 consecutive pay periods.

For clarity, straight time hours are regular working hours. Straight time hours do not include overtime or any additional compensation paid at a different rate from the employee's regular rate of pay.

- .05 An employee receiving bi-weekly vacation pay may seek approval to take vacation without pay for up to 105 hours (15 workdays for an

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employee working a 7 hour day) in a calendar year. The granting and scheduling of this leave without pay is subject to approval by the employee's supervisor based on operational requirements.

3. Annual Vacation Allotment: Accruing Vacation

- .01 An employee who accrues vacation receives the following annual hours of vacation. Vacation allotment for an employee working less than full-time is prorated according to their full-time equivalency.

| Vacation year | Vacation hours | Days (Calculated for a 7 hour workday) | Accrued hours per pay period (Calculated for 70 hours worked) |
|---------------------|----------------|---|--|
| 1st | 140 prorated | 20 prorated | 5.39 prorated |
| 2nd to 7th | 140 | 20 | 5.39 |
| 8th | 154 | 22 | 5.93 |
| 9th | 161 | 23 | 6.20 |
| 10th and 11th | 175 | 25 | 6.74 |
| 12th | 182 | 26 | 7.00 |
| 13th to 15th | 189 | 27 | 7.27 |
| 16th to 18th | 196 | 28 | 7.54 |
| 19th | 203 | 29 | 7.81 |
| 20th | 217 | 31 | 8.35 |
| 21st | 224 | 32 | 8.62 |
| 22nd | 231 | 33 | 8.89 |
| 23rd and 24th | 238 | 34 | 9.16 |
| 25th and thereafter | 245 | 35 | 9.43 |

Vacation allotment is allocated as hours and must be recorded according to an employee's daily hours. The days listed in this table are indicative of a regular 7 hour working day.

- .02 Vacation accrual is calculated and credited each bi-weekly pay period, based on actual hours worked and paid.
- .03 Vacation accrual is not affected by:
- a) paid leave, except for long-term disability leave;
 - b) unpaid leave under 30 consecutive calendar days; or
 - c) unpaid leave of 30 consecutive calendar days or more that is provided for in the *Employment Standards Act* (R.S.B.C. 1996, c. 113).

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Paid and unpaid leaves are addressed in *Policy 4330 – Leaves*.

.04 An employee's first vacation year is the calendar year in which the employee's start date falls, except in the following circumstances where an employee's vacation year is assigned in accordance with *Policy 4405 – Credited Service*:

- a) an auxiliary employee becomes a qualifying auxiliary employee;
- b) an auxiliary employee becomes a regular employee;
- c) an employee joins the Legislative Assembly from an employer who contributes to the Public Service Pension Plan;
- d) an employee is re-hired by the Legislative Assembly after a break in service of less than 6 months; or
- e) an employee takes unpaid leave of more than 30 calendar days that is not provided for in the *Employment Standards Act* (R.S.B.C. 1996, c. 113).

Prior auxiliary service will be credited to a maximum of 2 years.

.05 A regular employee who is re-employed after a break in service longer than 6 months will start their vacation allotment at year one, prorated according to their start date.

4. Vacation Scheduling

.01 An employee should request vacation as far in advance as possible and may schedule vacation before they have accrued their full vacation hours. All vacation must be submitted to Human Resources for processing and is subject to supervisor approval based on:

- a) operational needs; and
- b) team coverage.

.02 A director may develop a department procedure in consultation with Human Resources to ensure competing employee vacation requests are managed in a consistent and transparent manner.

.03 A minimum of 105 hours (15 days for an employee working a 7 hour day) of current vacation allotment (pro-rated for part-time employees and employees in their first year of employment) must be scheduled and taken each calendar year unless:

- a) the employee's supervisor has directed the employee, in writing, to cancel scheduled vacation due to extreme pressures of work or other extenuating circumstances

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(supervisors taking this action must first consult with their department director or the Clerk's Leadership Group member responsible for the employee's department); or

- b) the employee was on paid sick leave or other paid leave over 3 months during the time the vacation was scheduled and was therefore unable to use this minimum vacation allotment; or
- c) the employee was on leave for 6 months or longer during the year; or
- d) the employee is in their first vacation year and their start date falls on or after June 30.

.04 Where an employee fails to schedule their minimum required vacation time before October 1, the department director will schedule the vacation period for the employee, subject to operational considerations. Directors taking this action will consult with the employee and the employee's supervisor prior to scheduling the employee on vacation. The employee will be given a minimum of 30 days' written notice of this action.

.05 An unbroken vacation period that continues into the next calendar year will be considered vacation time for the year in which the vacation began (e.g., if vacation begins in December 2025 and continues into January 2026, the vacation will be counted towards an employee's 2025 vacation allotment). In such circumstances, a vacation request must be submitted and approved prior to December 31 of the year in which vacation begins.

.06 Where the employee has taken more vacation time than they have available, the unearned portion will be charged against future earned vacation or recovered upon termination of employment, whichever occurs first.

5. Vacation Carryover

.01 An employee may carry over unused vacation allotment into the following calendar year.

.02 All vacation carried over to the following year must be fully used by the end of that year. Carried over vacation allotment can be:

- a) taken as vacation time;
- b) paid out as outlined in section 6; or
- c) used via a combination of taken vacation time and payout.

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- .03 An employee's vacation allotment for the current year is not available until they have fully used their carryover from the previous year (whether by taking the vacation time or requesting that it be paid out).

For clarity, this means that any vacation time an employee takes will not count toward their minimum required vacation time until all carryover has been used.

- .04 The provisions of sections 5.02 and 5.03 do not apply to an employee who is on leave for 6 months or longer in that calendar year.

6. Vacation Pay Out

- .01 If an employee wishes to have carryover paid out, they must submit an approved *Vacation and CTO Payout Form* by the end of February (e.g. to request payout of vacation carried over from 2025, the employee must submit the form by February 28, 2026).

- .02 Vacation allotments for the current calendar year are not paid out except upon termination of employment. Upon termination of employment, annual vacation earned will be paid out on the employee's final pay.

- .03 When vacation is paid out, it is paid at the employee's rate of pay at the time of the payout.

- .04 An employee accruing vacation who is scheduled to retire and immediately move to receiving a monthly pension benefit under the provincial *Public Service Pension Plans Act* (S.B.C. 1999, c. 44) will be granted vacation allotment for the full final calendar year of service. An employee working less than full-time will be granted vacation allotment based on an average of hours worked for the 12 months preceding the retirement date.

7. Cancelling or Call Back from Vacation

- .01 An employee's supervisor will consider the potential cost to the Legislative Assembly and discuss this cost with the employee prior to cancelling an employee's pre-approved vacation or calling an employee back from vacation. Costs must be documented in a *Management-Directed Cancellation of Vacation Form*, approved by the department director.

- .02 If the Legislative Assembly cancels an employee's pre-approved vacation or calls an employee back from vacation, the employee will be reimbursed all reasonable and non-refundable expenses,

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excluding per diems, incurred by the employee and their travelling companion(s) of:

- a) cancelling their vacation; or
- b) returning to the workplace and, upon resumption of vacation, in returning to the place from which they were recalled.

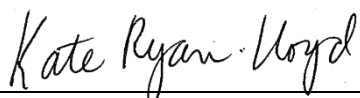
An employee must submit receipts to receive reimbursement.

- .03 If an employee is called back from vacation, the time necessary for travel in proceeding to the workplace and returning to the place from which they were recalled will not be deducted from their vacation allotment.

8. Vacation Displaced by Leave with Pay

- .01 There will be no deduction from vacation allotments when an employee is in receipt of Short-Term Illness and Injury Plan (STIIP) benefits or on any other approved leave of absence with pay during a scheduled period of vacation.
- .02 Any vacation displaced by an approved leave of absence with pay will be taken at a time mutually agreed upon by the employee and their supervisor.

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| Contact | Questions regarding this policy may be directed to Human Resources at human.resources@leg.bc.ca . |
| Procedures | <i>Management-Directed Cancellation of Vacation Form</i> <i>Vacation and CTO Payout Form</i> |
| References | <i>Policy 4330 – Leaves</i> <i>Policy 4405 – Credited Service</i> |



Approved and authorized by
Kate Ryan-Lloyd, Clerk of the Legislative Assembly

June 23, 2025

Date

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| POLICY HISTORY | |
|----------------|-------------------|
| Version 1 | March 16, 1998 |
| Version 2 | August 4, 2004 |
| Version 3 | December 12, 2005 |
| Version 4 | February 10, 2010 |
| Version 5 | March 9, 2020 |
| Version 6 | March 8, 2021 |
| Version 7 | November 2, 2022 |
| Version 8 | June 23, 2025 |