

## STATUTORY & BOARD HOLIDAY POLICY

Policy Category	Corporate Services
Policy Search Name	<i>C – Statutory &amp; Board Holiday Policy</i>
*Anishinabek Standard	
<i>Place of Learning</i>	<i>E. Facilities that are compatible with the Anishinabek environment in which they are situated.</i>
<i>Educators</i>	<i>N/A</i>
<i>Students</i>	<i>N/A</i>
<i>Curriculum</i>	<i>N/A</i>
Approval Date & Board Motion Number	<i>7/27/2023</i> <i>Motion#072-2023</i>
Effective Date	<i>7/27/2023</i>
Previous Versions	Date initially approved: 01/26/2023 Date of last revision: 01/12/2023

\*These are organizationally adapted standards from the World Indigenous Nations Higher Education Consortium (WINHEC) and the Alaska Comprehensive Centre/Alaska Native Education approved by the Kenjgewin Teg Board of Directors, 2015.

### 1.0 Background and Purpose

1.1 Kenjgewin Teg Employees who qualify for public holiday pay shall receive holidays with pay as per the procedures outlined in this policy.

### 2.0 Definitions

N/A

### 3.0 Application

3.1 This policy applies to all staff members of Kenjgewin Teg.

3.2 This policy does not apply to postsecondary instructors who are assigned to teach a postsecondary course(s) delivered solely by Kenjgewin Teg and/or together with a postsecondary partner of Kenjgewin Teg.

### 4.0 Policy

#### Policy Objective

4.1 This policy will ensure Kenjgewin Teg recognizes and respects provincial and/or federal statutory holidays by providing guidelines on approved and recognized annual holidays.

**Procedures**

4.2 The following procedures are in accordance with the Ontario Employment Standards Act (ESA), Public Holiday Pay.

4.3 Full-time and part-time employees who qualify for holiday pay shall receive the following holidays with pay:

<b>Public (Statutory) Holidays</b>	<b>Board Designated Holidays</b>
New Year’s Day	Easter Monday
Family Day	Anishnaabe Giizhgat Day (June 6)
Good Friday	Aboriginal Solidarity Day (June 21)
Victoria Day	Annual Christmas Holiday Break
Canada Day	(*as per approved annual academic calendar)
Civic Day	Fridays for the months of July and August annually
Labour Day	
National Truth & Reconciliation Day (September 30)	
Thanksgiving Day	
Christmas Day	
Boxing Day	

4.4 As an Indigenous Institute, Kenjgewin Teg employees may choose to recognize or celebrate an Indigenous holiday in place of one of the public statutory holidays outlined in 4.3; if the request is approved, the employee will work on one of the public statutory holidays at regular hours and rate of pay and in exchange will not work on the Indigenous holiday that will be taken in lieu of. The Indigenous holiday taken in lieu of can be one of the following: All Souls Day, Gimaa Giizhgat, Spring Equinox, or Winter Equinox).

**Entitlement**

4.5 Employees must also have been employed continuously for three (3) months prior to the statutory or board holiday.

4.6 Any Kenjgewin Teg staff member who is required to attend and perform work on a recognized statutory holiday shall be paid at a rate of 1.5 times his/her regular wage for all hours worked and receive holiday pay for the day or receive a substitute paid day off.

4.7 Any Kenjgewin Teg employee who is requested to, and then chooses to, attend and perform work on a recognized board designated holiday shall receive a substitute paid day off or time off for the amount of hours they were required to work if less than 7.5 hours.

4.8 In the event that an employee fails to provide reasonable cause for his/her inability to work, either in part or in full, his/her last regularly scheduled day prior to the holiday, or the first regularly scheduled day following the holiday, the employee will be ineligible for statutory holiday pay.

4.9 Part-time employees will be provided with statutory holiday pay as outlined in the Ontario Employment Standards Act.

4.10 The amount of public holiday pay to which an employee is entitled is all the *regular wages earned* by the employee in the four work weeks before the work week with the public holiday *plus* all of the *vacation pay payable* to the employee with respect to the four work weeks before the work week with the public holiday, *divided by 20*. *Regular wages* do not include any overtime or premium pay payable to an employee.

4.11 Should an employee be absent the day before and/or the day after a Statutory Holiday, then that employee must utilize Sick Leave, Annual leave, or pre-approved overtime leave.

4.12 In the event that an employee is away on an unpaid leave of absence, away while receiving WSIB benefits or on Long Term Disability at the time of the holiday, the employee shall not be eligible for statutory holiday pay.

4.13 Employees of Kenjgewin Teg may elect to take the substitute day off up to twelve (12) months after the public holiday; this must be agreed to and requested in writing by the employee prior to the public holiday occurring.

4.14 If an employee leaves Kenjgewin Teg prior to using the deferred public holiday, they will be paid for the holiday on their final pay.

## **5.0 Roles and Responsibilities**

5.1 The President is responsible for the overall management and operation of Kenjgewin Teg.

5.2 The Corporate Services unit is responsible for overall implementation of this policy.

5.3 If a position referred to in this policy is vacant, the policy will not be invalidated. Instead, the President shall designate the roles and responsibilities of that role to another team member(s) and

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will ensure that the Kenjgewin Teg staff and community is informed of the designation(s) as appropriate.

**6.0 Evaluation Date – 10/31/2024**

6.1 This policy will be reviewed every two years as part of the Board of Director’s policy review cycle and schedule. The evaluation date above represents the first date upon which this policy becomes eligible for review.

<b>Related Legislation, Policies, Procedures, Guidelines and Documents</b>	Policy #OP5.1 Policy#5.2
<b>Policies Superseded by this Policy</b>	<i>Kenjgewin Teg Personnel Policy, P5.1 Leave</i>
<b><i>The official version of this policy is housed in the Office of the President. In case of discrepancy between an online version and the official version held, the official version shall prevail.</i></b>	