



## TMG Time and Leave Provisions Guideline

For Managers of Employees in TMG (The Management Group)

The University's PeopleSoft-based HR system features a centralized time reporting system. This Guideline has been developed to assist you with the input of time management information into PeopleSoft. This functionality within PeopleSoft is not meant to change the flexibility which has existed for TMG. The information contained herein is a summary of the existing provisions regarding time away from work and leave of absences provisions that are applicable to employees in TMG.

*Last Updated: July 2019*

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## 1. *Purpose*

Fulfilling our University mission of being "committed to creativity, innovation and excellence" and valuing "integrity, quality, inclusiveness and teamwork" in everything we do requires the passion and dedication of over 11,000 faculty and staff, supporting approximately 32,000 students annually. Providing optimal service to our colleagues, internal and external community partners, and students, requires a commitment from each of us to fulfill our role at work and put forth our best efforts.

Members of the Management Group (TMG) play a special leadership role in directing the future of the University. As such, the time and leave provisions provided to TMG are intended to recognize the nature of the work performed.

The time and leave provisions documented herein are not intended as a change in current practice or policy, but as a clarification of current available provisions. While alignment in practice across the University is desired, flexibility based on unique individual and Department needs is still encouraged for our TMG leaders.

The University recognizes that the ability to successfully manage personal, family, and professional obligations is critical to the engagement of our people leaders and confidential staff. At the same time, University leaders, are accountable for maintaining appropriate staffing levels in order to ensure optimal service throughout the year, and will work to balance these needs accordingly within their team.

### *Scope*

The existing policies should be the primary point of reference for the terms and conditions of employment for all employees in TMG. The TMG Time and Leave Provisions Guideline ("the Guideline") does not attempt to replicate the policies.

The Guideline will also facilitate the consistent input into time management information into our PeopleSoft system; which is particularly important given exception time entry was not previously required.

Some Departments may find that their existing practices will need to change in accordance with the provisions of the Guideline and/or the implementation of PeopleSoft. If this is the case, it is highly recommended that they first consult their Human Resources Advisor or Consultant.

Whether employees themselves or a specific departmental representative will be responsible for time entry is determined in large part by the Department. This Guideline will assist supervisors and managers in their time approval role as well as 'time-administrators' responsible for time entry in individual Departments.

Overall, this Guideline is intended to provide more explicit details regarding the application of Paid Time Away From Work, such as TMG Management Days, vacations, absenteeism, and use of salary continuance, as well as Leaves of Absence arrangements, with the goal of providing greater consistency and fairness across our workplace for all involved employees.

## 2. *Paid Time Away From Work*

### **Work Week**

The work week consists of the 7 consecutive days beginning on Sunday at 00:00 and ending on the following Saturday at 23:59.

### A. TMG Management Days

All full-time members of TMG are allocated five (5) TMG Management Days each calendar year. Management Days are pro-rated for TMG members holding a part-time appointment. For their first year, members of TMG receive a pro-rated number of Management Days corresponding to the period worked in that calendar year as a member of TMG and the result is rounded up to the nearest half day.

TMG Management Days provide members of TMG with paid time away from work for personal purposes. Management Days facilitate the balancing of life and work in support of overall wellness and provide an element of additional flexibility for TMG positions which can have inherent exceptional demands or work schedules. The reasons for which TMG Management Days may be used vary widely, and include but are not limited to, attending to a personal or family emergency or appointment. TMG Management Days are not for the purpose of attending training or professional development events, the TMG Retreat, or the TMG Day of Service. Attendance at such work-related events are to be considered as work time. Planning time off is initiated by the TMG member and approved by the supervisor.

TMG Management Days are taken in the calendar year. Unused Management Days cannot be carried into the next calendar year. Unused Management Days are not compensable upon leaving the University. Management Days remain with the TMG member upon transfer to another TMG position within the University.

TMG Management Days may be reported in half or full days.

The TMG Management Days Policy is available on the web:

<https://hr.mcmaster.ca/app/uploads/2019/01/Management-Days-Policy-final-June-2018-web-1-94.pdf>.

### B. Vacation

Employees who are members of TMG are granted paid vacation. The chart below reflects the enhanced vacation schedule that was approved in 2014 and is in effect beginning with the 2015 calendar year.

<b>Service</b>	<b>Group A (Band L and Below)</b>	<b>Group B (Band M and Above)</b>
Less than one year	1.25 working days per completed months of service	1.67 working days per completed months of service
1 but less than 4 years of service	15 days	20 days
4 but less than 10 years of service	20 days	20 days
10 but less than 12 years of service	21 days	21 days
12 but less than 14 years of service	22 days	22 days

<b>Service</b>	<b>Group A</b> (Band L and Below)	<b>Group B</b> (Band M and Above)
14 but less than 16 years of service	23 days	23 days
16 but less than 18 years of service	24 days	24 days
18 but less than 30 years of service	25 days	25 days
30 or more completed years of service	30 days	30 days

All vacation days are scheduled by mutual agreement between the supervisor and the member of TMG, subject to departmental work requirements.

The vacation accrual year is July 1 to June 30 and vacation is taken in the calendar year. One cannot take more vacation than what has been accrued.

While PeopleSoft is programmed to allow an employee to take vacation that is not yet accrued, this is not a best practice, nor is it recommended. It should be done rarely and only in cases where there is a written agreement to this effect with the supervisor.

Vacation may be reported in half or full days.

PeopleSoft calculates vacation accrual on the first of every month. If a TMG employee is hired after the first of the month they will receive a prorated entitlement dependent on their start date.

Effective July 1, 2019, employees on leaves of absence will accrue vacation pay based only on their earnings during the leave, subject to a) and b) below.

- a) Supplemental Unemployment Benefits (SUB) received during a pregnancy, parental, or family medical leave shall be deemed to be earnings for the purpose of determining vacation pay, and shall be deemed to be earned at 100% of the employee's regular rate of pay (irrespective of the actual SUB and/or Employment Insurance Benefits received during such leaves). For example, an employee taking pregnancy and parental leaves totalling 52 weeks and receiving 30 weeks of SUB payments, will accrue vacation for those 30 weeks.
- b) Salary Continuance received in accordance with Salary Continuance Program shall be deemed to be earnings for the purposes of determining vacation pay.

While on a leave of absence that is unpaid, accrual of vacation continues on an unpaid basis. Unpaid vacation accrued is not tracked in PeopleSoft, but when unpaid vacation is taken there is an appropriate code with which to enter the time.

*Carry-over*

It is University policy that each member of TMG should take his/her full amount of vacation entitlement within the appropriate calendar year; any days not taken will normally be considered lost. An employee may submit a written request for carry-over of up to 5 days vacation to their direct supervisor for approval. Requests for vacation carry-over in excess of 5 days must be approved by the appropriate vice-president.

In cases where an employee is on a pregnancy or parental leave, they may not be able to request a carry-over as expeditiously as usual. However, the request should still be given full consideration and, in most cases, granted.

Any carry-over days are expected to be scheduled at the outset of the calendar year by mutual agreement between the employee and their supervisor. In exceptional circumstances vacation days may also be paid out.

Vacation days to be carried over in the system will need to be specifically entered and approved. PeopleSoft will not automatically convert vacation days not taken into carry-over days.

*Vacation and Prior Temporary Employment*

In some cases employees obtain a position in TMG after having worked in a temporary capacity. After 1 year, temporary employees are entitled to 2 weeks of vacation and most receive their vacation pay of 4%, on each pay deposit. When a temporary employee transitions into a position in the TMG employee group it is important to note that they will likely have unpaid vacation time available to them.

*Part-time Employment*

Employees who work on a part-time basis have their vacation calculated in hours, based on the following formula in PeopleSoft:

$\frac{\text{total weekly work hours}}{\text{total weekly FTE hours}}$	x	$\frac{\text{vacation entitlement}}{\text{per year based on years of}}$	x	$\frac{\text{FTE daily hours}}{\text{per year based on years of}}$	x	$\frac{\text{\# of working months/year}}{12}$
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For Example:

Employee working 21 hours per week in a 35 hour FTE position, 8 months of the year, whose full-time vacation entitlement is 23 days:

$\frac{21}{35}$	x	23 days	x	7 hours	x	$\frac{8 \text{ months per year}}{12}$	=	64.4 hours of vacation entitlement
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For Example:

An employee has a 25 hour per week assignment and his or her scheduled working hours are 7 hours per day from Monday through Wednesday and 4 hours on Thursday. The employee has 25 hours of vacation time remaining. If they wanted the full week off, they would use 7 hours of vacation time on Monday, Tuesday and Wednesday and 4 hours on Thursday.

*Seasonal Employees*

Those who have employees that work on a seasonal basis e.g., August to May should be aware that when reviewing vacation entitlement in PeopleSoft it is based on the full year entitlement. This entitlement will not be updated in Mosaic until the time that the seasonal leave commences at which time it will be reduced on a prorated basis. However, the accrual information in the system will be up to date.

C. Temporary Schedule Changes

A temporary schedule change is a change to an employee’s regular schedule (increased or decreased hours), for a duration of less than 1 year. This type of change needs to be communicated to Human Resources and captured in PeopleSoft.

A temporary schedule change which increases or decreases the employee's total weekly hours may impact an employee's pay, pension and benefits. Any proposed temporary schedule change should be discussed with your Human Resources Advisor or Consultant to determine the impacts to pay, pension and benefits that will result from the change.

Vacation is pro-rated for part-time and seasonal employees. As such, vacation entitlement would proportionately increase or decrease for the duration of the temporary schedule change.

The need for a temporary schedule change should be discussed with your Employee/Labour Relations Consultant as notice provisions exist for employees in certain circumstances.

#### D. Paid Holidays

Employees who are members of TMG are entitled to specified holidays observed by other members of TMG. These need not be entered into the PeopleSoft system. A full list of specified holidays is available on the web:

[https://hr.mcmaster.ca/app/uploads/2019/06/HolidaySchedule\\_2018-2019-1-12.pdf](https://hr.mcmaster.ca/app/uploads/2019/06/HolidaySchedule_2018-2019-1-12.pdf)

### 3. *Leaves of Absence*

#### A. Statutory Leaves

For a summary of leaves of absence and their eligibility terms available under the ESA, please see: <https://hr.mcmaster.ca/app/uploads/2018/09/Statutory-Leaves-of-Absence-1-73.pdf>.

#### B. Salary Continuance

Salary Continuance is the program that McMaster University has in place for members of TMG, to ensure that eligible employees are not without income and group benefits participation for temporary periods during which they are medically unable to attend work due to non-occupational illness or injury.

##### *Eligibility for Salary Continuance Benefits:*

Employees are eligible for Salary Continuance benefits of varying duration dependent on years of service:

<b>Years of Service</b>	<b>Duration of Salary Continuance Benefits (Subject to satisfactory medical evidence)</b>
Less than 5 years' service	Up to a maximum of 15 weeks
5 to ten 10 years' service	Up to a maximum of 18 weeks
Over 10 years' service	Up to a maximum of 26 weeks

Subject to satisfactory medical evidence, salary and benefits continue will continue for the duration of the absence, subject to the limits described above.

When an employee reports an absence which would result in an absence of 9 work days or less, this absence is managed in PeopleSoft by the Department. When an employee's absence extends to 10 or more work days, Employee Health Services will manage this absence in

PeopleSoft. However, it is important that the Department contact Employee Health Services in these circumstances.

*When is entitlement to Salary Continuance re-established?*

When an employee uses Salary Continuance and then returns to work they must be back at work at their regular hours for the same number of days for which they were off before they re-qualify for Salary Continuance, in any amount. In that interim period, for clarity, any absence due to non-occupational illness or injury would be unpaid.

Practical Application:

An employee who has not re-established Salary Continuance but is absent due to medical reasons is unpaid for the subsequent period of absence.

For Example:

If an employee is off sick for 16 consecutive work days, they must be back at work for 16 work days before they re-qualify for Salary Continuance benefits. If they are off sick before being back for 16 work days, they can use vacation, Management Compensation Days, otherwise their absence will be unpaid. In this case, the employee will not be entitled to receive Salary Continuance benefits. Only once they have been back at work for 16 consecutive work days, will they re-qualify for Salary Continuance.

Note that for longer absences, this means it may take quite some time, for example, up to 26 weeks, for someone to re-qualify for Salary Continuance.

C. Bereavement Leave

Employees are entitled to bereavement leave in accordance with provisions for TMG and these leaves should be recorded as such in PeopleSoft.

Bereavement leave provides seven consecutive working days of paid leave for immediate family members comprising spouse, common-law spouse, same-sex partner, daughter, son, children of the employee's spouse and common-law spouse, step-children, ward, mother, father, sister and brother. Five consecutive working days of paid bereavement leave are provided for extended family members comprising in-laws, including mother, father, daughter, son, sister and brother, grandparents of the employee and employee's spouse, grandchild, stepmother and stepfather. Additional paid time can be granted by the supervisor to address special circumstances and employee needs.

Bereavement leave may be reported in full days.

D. Jury Duty/Court Service Leave

Where an employee is not a party to the proceedings and is required under summons or subpoena to serve as a juror or witness they will not suffer a loss of pay. Employees will be paid the difference, if any, between the amount paid for jury or witness services and the amount they would have received for their employment during the same period of time. Employees must provide their supervisors with a copy of the summons or subpoena and payments received from the court are to be reported to the University.

Jury duty / court service leave may be reported in full days.



#### E. Unpaid Personal Leave

These types of leaves are available and typically do not exceed one (1) year's duration. Approval is at the discretion of the supervisor. Employees taking this leave may continue to participate in certain benefits plans provided that they pay the employer cost as well as their own. Participation in the Pension Plan while on an unpaid personal leave is not allowed and contributions and accruals under the Pension Plan will cease for the duration of the unpaid personal leave. Participation in the Group RRSP ceases while on an unpaid personal leave.

Unpaid personal leave may be reported in full days.

#### F. Parental and Pregnancy Leave for TMG

Parental and Pregnancy Leave for TMG is designed to facilitate reasonably flexible arrangements for employees and their families at the time of the birth and adoption of children.

Employees in TMG are entitled to parental and pregnancy leaves in accordance with the *Employment Standards Act, 2000*.

#### **Financial Benefits – Pregnancy Leave**

For each week of pregnancy leave up to the 17th week, inclusive, the University will pay 95% of the base salary they otherwise would have received, less the maximum amount of weekly pay any individual is eligible to receive in accordance with the EIA (the "EI Max"), regardless of whether or not such amount is actually received by the Employee. If the Employee provides proof that their EIA entitlement is less than the EI Max, their weekly payment from the University will be 95% of base salary they otherwise would have received less the amount of their EIA entitlement.

#### **Financial Benefits – Parental Leave**

##### Option A

For each week of parental leave up to the 13<sup>th</sup> week, inclusive, the University will pay 95% of regular salary, less the maximum amount of weekly pay any individual is eligible to receive in accordance with the EIA (the "EI Max"), regardless of whether or not such amount is actually received by the Employee. If the Employee provides proof that their EIA entitlement is less than the EI Max, her weekly payment from the University will be 95% of regular salary less the amount of their EI entitlement.

##### OR

##### Option B

For the first 6 weeks of leave, the University will pay 100% of regular salary.

#### **General Information**

For clarity, the supplemental financial benefits described above are calculated based on a standard, not extended, parental leave.

An Employee who takes a pregnancy and/or parental leave is entitled to continue to participate in all retirement income and health benefit plans, as may be applicable.

For information about continuing benefits while on leave, refer to the full policy:  
<https://hr.mcmaster.ca/app/uploads/2019/01/Pregnancy-and-Parental-Leave-Policy-TMG-final-Apil-2019-web-posting.pdf>

#### G. Deferred Salary Leave

Deferred salary leave affords employees in TMG the opportunity to take a leave of absence funded solely by the employee through the deferral of salary over a define period which is then paid over the period of the leave.

The policy is available on the web:

<https://hr.mcmaster.ca/app/uploads/2019/01/Deferred-Salary-Leave-1-48-1-94.pdf>

#### H. Family Medical Leave

An employee may take a family medical leave in accordance with the provisions of the *Employment Standards Act, 2000* which includes provisions for unpaid, job-protected Family Medical Leave of up to 28 weeks in a 52-week period, taken consecutively or separately, per designated family member.

Family Medical Leave may be taken to provide care or support to any of the following individuals who have a serious medical condition with a significant risk of dying within 26 weeks:

- your spouse
- your parent, step-parent or foster parent
- your brother, step-brother, brother-in-law, step-brother-in-law, sister, step-sister, sister-in-law or step-sister-in-law
- a child, step-child, foster child, son-in-law or daughter-in-law of you or your spouse
- a grandparent, step-grandparent, grandchild or step-grandchild of you or your spouse
- your father-in-law, step-father-in-law, mother-in-law or step-mother-in-law
- an uncle, aunt, nephew or niece of you or your spouse
- the spouse of your grandchild, uncle, aunt, nephew or niece
- your spouse's foster parent
- any other person who considers you to be like a family member

Information about your eligibility for Employment Insurance benefits during a Family Medical Leave is available through the Government of Canada:

<https://www.canada.ca/en/services/benefits/ei/caregiving.html>.

Employees in TMG who take a Family Medical Leave are eligible to receive McMaster's Supplementary Compassionate Care benefits for up to 8 weeks. For each week of leave up to the 8<sup>th</sup> week, inclusive, the University will pay 95% of regular salary, less the maximum amount of weekly pay any individual is eligible to receive in accordance with the EIA (the "EI Max"), regardless of whether or not such amount is actually received by the Employee. If the Employee provides proof that their EIA entitlement is less than the EIA Max, their weekly payment from the University will be 95% of regular salary less the amount of their EIA entitlement. Employees are

responsible for fulfilling the requirements set out by Human Resources & Skills Development Canada in order to receive these benefits.

For more information about this leave, refer to the web:

<https://hr.mcmaster.ca/employees/life-events/statutory-leaves-of-absence/>