

The Corporation of the Township of Huron-Kinloss



BY-LAW

2022 - 86

Being a By-law to Amend the Hours of Work and Overtime Policy for the
Township of Huron-Kinloss

WHEREAS The Council for The Corporation of the Township of Huron-Kinloss deems it expedient to establish policies;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(3), as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9, shall be exercised by By-Law;

AND WHEREAS the Employment Standards Act, 2000 requires employers that employ 25 or more employees have a written policy on disconnecting from work in place.

AND WHEREAS the Council for The Corporation of the Township of Huron-Kinloss passed By-Law No. 2019-165 to adopt an Hours of Work and Overtime Policy and it is now deemed desirable to amend the policy to include a clause for Disconnecting from Work;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss enacts as follows:

- 1.0 That the Corporation of the Township of Huron-Kinloss Council hereby adopts the amended Hours of Work and Overtime Policy as contained in the attached Schedule "A" to this by-law.
- 2.0 That By-Law No. 2019-165 is hereby repealed.
- 2.0 This By-Law shall come into full force and effect upon final passage.
- 3.0 This By-Law may be cited as the "Hour of Work and Overtime Policy By-Law".

READ a FIRST and SECOND TIME this 16th day of May 2022

READ a THIRD TIME and FINALLY PASSED this 16th day of May, 2022

Mitch Twolan, Mayor

Emily Dance, Clerk



The Corporation of the Township of Huron-Kinloss

Policy

Section: 3.0 Human Resources

Policy: Hours of Work and Overtime Policy

By-Law: 2019-165, 2022-86

Date: 16 May 2022

Revision: 1

Coverage:

This policy shall apply to all non-union employees of the Township of Huron-Kinloss, as well as union employees subject to the terms and conditions in their respective collective agreements.

Policy Statement:

The Township of Huron-Kinloss will establish hours of work, including shift work if required in order to administer its operations as efficiently and effectively as possible. As this is in the best interest of the general public.

The Township will endeavour to provide adequate resources to enable each department to meet the objectives and level of service required without excessive overtime being incurred. Recognizing that overtime work may: impact employees work productivity; affect their general health and; may increase stress in their personal life, fair remuneration or time off in lieu will be provided to employees to accommodate these expectations.

It is important for an individual's wellbeing and helps employees achieve a healthy and sustainable work-life balance to effectively disconnect from work.

Legislative Authority:

Employment Standards Act (ESA) Disconnect from Work

Contents:

Hours of Work and Overtime Policy



Township of Huron-Kinloss

Hours of Work and Overtime Policy

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1.0 Hours of Work

In order to administer its affairs as efficiently and effectively as possible, and in the best interest of the general public, the Township will establish hours of work, including shift work if required, for all job classifications.

Classifications

1. Regular Full Time: A salaried or hourly employee whose employment has no specified end date. The normal minimum weekly hours of work for full-time salaried, management, supervisory, technical, administrative and administrative support employees will be thirty-five per week. The normal weekly hours of work for full-time hourly employees in Community Services department will be forty hours per week.

2. Regular $\frac{3}{4}$ Time: An employee who is expected to be an employee for at least one year and is scheduled to work at least 27.5 hours per week, but less than 35 hours per week.

3. Regular Part Time: An employee who is expected to be an employee for at least one year and is scheduled to work less than 27.5 hours per week.

4. Temporary/Contract: An employee who is hired to work a specific number of hours for a specific period of time for a specific purpose with a clear start and end date.

5. Casual: An employee who is not required to work a specific number of hours in any given work week but is scheduled to work on an as-needed basis, with no guarantee of availability of work.

6. Student: An employee who is a full time student hired to work during a period of time when classes are not in session.

7. Volunteer Firefighters: An employee who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance.

General

Two fifteen minute break periods and an unpaid 1 hour lunch is provided for shifts over 7 hours. All other shifts shall be provided lunch periods in accordance with the Employment Standards Act.

Disconnecting From Work

Disconnecting from work is defined as not engaging in work-related communications including emails, telephone calls, video calls or sending or viewing other messages so as to be free from the performance of work. The Township supports an effective work-life balance and employees are generally not expected to respond to work messages outside of their normal working hours. In the event of an emergency or urgent matter employees may be contacted directly.

2.0 Overtime

The Township will endeavour to provide adequate resources to enable each department to meet the objectives and level of service required without excessive overtime being incurred.

Management employees are expected to manage the resources of their department and their own time using proper delegation, time management and other management principles, in order to accomplish this.

For the purpose of this policy overtime is considered to be any hours worked over and above one's normal working hours.

1. Salaried Employees

- a. A limited amount of overtime is acceptable during particular times of the year when a department may encounter increased demands (eg. Tax billing, budget preparation, year end, tax due dates, making ice, special events, emergency management including public works). Immediate Supervisors shall authorize all overtime.
- b. Overtime hours as a result of increased demands are banked "hour for hour" from the first hour worked and can be taken as time off in lieu.
- c. Authorized evening meetings will be banked "hour for hour".
- d. Overtime hours can be banked to a maximum of 2 weeks (70 hours) in a calendar year.

2. Hourly Employees

- a. Overtime shall only be accumulated if the employee works more than 40 hours in one week.
- b. All overtime that is to be banked shall be documented on the weekly timesheets. When using banked overtime for time off in lieu an absenteeism form will be filled out accordingly.
- c. Overtime hours can be banked up to a maximum of 2 weeks (80 Hours) in a calendar year, and will be banked at the applicable overtime rate per ESA or collective agreement, respectively.
- d. The employee's immediate supervisor must authorize all overtime hours in advance.

3. All Employees

- a. Overtime may be banked once the banked time agreement has been signed and, with the immediate Supervisor's approval. Hours will be documented by the Payroll Department, excluding senior management who will document their own hours.
- b. Any unused overtime will be paid out at the end of the calendar year, and cannot be carried forward. Any exceptions must be approved by the CAO.
- c. Upon termination or resignation of an employee, accumulated time off in lieu or banked hours will be paid out to a maximum of two weeks based on the hours of work policy.
- d. An employee's regular salary or wages will be paid for the working days of a conference, convention, or professional development training. No overtime will be paid for hours extended outside the employee's normal working day or for travelling time. Please note: Conferences, Conventions and Professional Development Training are a privilege, not a mandatory requirement and thus, the employee is expected to contribute their time beyond the normal working day.