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<b>SUBJECT</b>	Repeal of Vacations Policy (HR5)
<b>SUBMITTED TO</b>	Employment Relations Committee
<b>MEETING DATE</b>	November 22, 2021
<b>SESSION CLASSIFICATION</b>	Recommended session criteria from Board Meetings Policy: OPEN
<b>REQUEST</b>	Action requested – Approval IT IS HEREBY RESOLVED that the Employee Relations Committee recommends to the Board of Governors the repeal of the Vacations Policy (HR5), effective February 1, 2022.
<b>LEAD EXECUTIVE</b>	Hubert Lai Q.C., University Counsel
<b>SUPPORTED BY</b>	Marcia Buchholz, Vice-President Human Resources

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**PRIOR SUBMISSIONS**

The subject matter of this submission has not previously been considered by the Employee Relations Committee.

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**EXECUTIVE SUMMARY**

The Vacations Policy (HR5) was first ratified in March 1979, and sets out specific vacation entitlement for the following categories of UBC employees: Service Unit Directors (“SUDs”), Management and Professional Staff (“M&P”), Professional Librarians, and Program Directors in Continuing Studies (Extended Learning).

Given its age and a preliminary determination that significant elements of the Vacations Policy were out of date, it was prioritized for review. Based on due diligence undertaken by Human Resources (“HR”), it was determined that the Vacations Policy has become redundant and should be repealed.

**Rationale**

In August and September of 2021, HR undertook a review of the employees covered by the Vacations Policy to determine whether the Policy was still necessary or whether it can be repealed for being redundant.

HR’s review determined that as of August 2021, there were 37 SUDs and 138 M&P employees, as well as five non-bargaining Librarians and 93 faculty bargaining Librarians. Program Directors in Extended Learning accounted for the smallest group with a total of four employees. The following sections summarize HR’s findings with respect to vacation entitlements of employees covered by the Vacations Policy.

***M&P Employees***

M&P employees, other than SUDs, receive a standard offer letter upon hire which outlines the terms and conditions of their employment. There are no individual employment contracts. Rather, employees are directed to refer to their vacation entitlement under the benefits section for their specific employee group on the HR website, which makes no reference to the Vacations Policy.

The vacation entitlement for these M&P employees as stated on the website aligns with the Vacations Policy. For this reason, there would be no impact on them if the Vacations Policy is repealed.

***Service Unit Directors***

SUDs typically hold job titles such as: Associate Dean, Senior Director, Executive Director, Managing Director and Director. These employees are considered a subset of the M&P employee category. However, unlike other M&P

employees, SUDs do receive individual employment contracts outlining the terms and conditions of their employment. HR's review of these individual contracts revealed that there are no specific references to the Vacations Policy. Instead the letters outline the exact vacation entitlement the employee will receive and the amount of vacation eligible for carryover.

Therefore, there would be no impact to SUDs if the Vacations Policy is repealed.

Since SUDs are not identified on the HR website separately from other M&P employees, HR will list them explicitly to avoid confusion.

### ***Professional Librarians***

Previously, the terms and conditions of Professional Librarians were governed by UBC policies including the Vacations Policy and, where applicable, the Collective Agreement between UBC and the Faculty Association.

UBC and the Faculty Association entered into a Memorandum of Agreement dated November 24, 2020 under which they agreed that Professional Librarians would largely retain the same vacation entitlements that were provided to them under the Vacations Policy, with some adjustments to "supplementary" vacation entitlements. The terms of the Memorandum of Agreement were communicated to affected employees and HR is in the process of updating their website to capture the terms of the Memorandum of Agreement in a manner similar to the M&P employee group.

Since vacation entitlements for Professional Librarians are now addressed entirely within the Collective Agreement, there would be no impact to Professional Librarians if the Vacations Policy is repealed.

### ***Program Directors***

Program Directors in Extended Learning receive individual employment contracts but vacation is not addressed within those contracts. The practice has been to follow the M&P employee vacation allotments rather than the Vacations Policy. Therefore, there would be no impact to Program Directors if the Vacations Policy is repealed. Out of an abundance of caution, HR will provide written confirmation to the four affected employees to ensure there is no misunderstanding with respect to their vacation entitlement.

## **Recommendation**

The due diligence performed by HR confirms that the Vacations Policy has been rendered redundant. The University Counsel and the Vice-President Human Resources recommend that the Board of Governors repeals the Vacations Policy effective February 1, 2022. The effective date has been chosen to provide a window within which HR will complete communications with affected employees as well updates to their website in order to minimize the risk of any confusion.

The Vacation Policy is more than 40 years old and is extremely simple, comprising only a few paragraphs. Given the thoroughness of the review performed by HR and considering the simplicity and brevity of the existing Vacations Policy, we believe it is not necessary to undertake a broader community consultation with respect to this repeal.

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## **APPENDICES**

1. Current Version of Vacations Policy



 <b>The University of British Columbia Board of Governors</b>	<b>Policy No.:</b>  <b>HR5</b>
<b>Long Title:</b>  Vacations - Non-Union, Management and Professional Staff	
<b>Short Title:</b>  <b>Vacations Policy</b>	

## 1. General

- 1.1 Service Unit Directors and Management and Professional Staff who had ten or more years of service as at December 31, 1987, as well as Professional Librarians and Program Directors in Continuing Studies:

After 1 year's continuous service - 4 weeks  
 After 5 years' continuous service - 5 weeks  
 After 8 years' continuous service - 6 weeks  
 After 13 years' continuous service - 6 weeks (+1)\*  
 After 18 years' continuous service - 6 weeks (+2)\*  
 After 23 years' continuous service - 6 weeks (+3)\*  
 After 33 years' continuous service - 6 weeks (+4)\*

- 1.2 Service Unit Directors and Management and Professional Staff who had less than ten years of service as at December 31, 1987:

After 1 year's continuous service - 4 weeks  
 After 5 years' continuous service - 5 weeks  
 After 8 years' continuous service - 6 weeks

- 1.3 Up to 2 weeks of the vacation entitlement may be banked and carried over to the succeeding year of entitlement but it must be taken during the succeeding year of entitlement.

\* (+X) means plus X weeks of 'supplementary' vacation, that is, X weeks extra vacation once during the ensuing 5 or 10 years service as appropriate.

## 2. Executive Administrative Staff

- 2.1 (Appointments through Human Resources) Includes secretarial staff (may apply to other administrative support staff) who are exempt from the bargaining unit on the basis of confidentiality in matters pertaining to labour relations.

2.2 The vacation entitlement of this group is defined in the Handbook for Executive Administrative Staff.

### **3. Non-Union Technicians and Research Assistants**

3.1 (Appointments through Human Resources) The vacation entitlement of this group is defined in the Handbook for Technicians & Research Assistants. A maximum of two weeks (10 working days) may be carried over into the next calendar year.



## EXPLANATORY NOTES REGARDING THE VACATIONS POLICY

**Issued October 2021 by the Office of the University Counsel**

*The OUC has prepared these Explanatory Notes to provide context and background regarding the Vacations Policy. These Explanatory Notes do not replace or supersede the content of the Vacations Policy.*

**Policy Long Title:** Vacations - Non-Union, Management and Professional Staff

**Policy Short Title:** Vacations Policy

**Policy Number:** HR5

**Responsible Executive:** Vice-President, Human Resources

**Responsible Board Committee:** Employee Relations Committee

**Related Policies:** N/A

**Related Legislation:** N/A