

JOINT COMMUNICATION

Multi-Employer/UNA Collective Agreement Payout of "Named Holiday Banks" Upon Employee Transfer to Part-time or Casual Status

February 2009

Under the provisions of Article 18: Named Holidays, Full-time Employees can select an alternate day off with pay at a mutually agreed time for a Named Holiday when the Employee works on a Named Holiday, or when a Named Holiday falls on a day that would otherwise be the Employee's regularly scheduled day of rest or during their annual vacation. These alternate days off for a Named Holiday are often accumulated and referred to as "Named Holiday Banks" or "Stat Banks".

Issues have arisen across the Province regarding the practice of automatically paying out these banks when a Full-time Employee transfers to Part-time or Casual status. This issue was reviewed by the Multi-Employer/UNA Joint Committee and it has been concluded that:

- Employer practices vary across the province, with some Employers automatically paying out the Named Holiday bank when an Employee transfers status.
- An Alberta arbitration decision considered virtually identical collective agreement language. That decision concluded that a transfer from Full-time to Part-time status did not allow an Employer to unilaterally or automatically pay out the Named Holiday bank.

As a result, the Joint Committee has reached the following agreement regarding treatment of a Named Holiday bank when an Employee transfers status:

1. **Transfer from Full-time to Part-time Status** - There will be no automatic payout of a Named Holiday bank when an Employee transfers from Full-time to Part-time status. Employees may request payout at any time, but unless otherwise mutually agreed, an Employee who transfers from Full-time to Part-time status will retain his or her Named Holiday bank, with days off to be taken at a mutually agreed time.
2. **Transfer from Regular or Temporary Status to Casual Status** - When an Employee transfers from Regular or Temporary status to Casual status, the Employee's Named Holiday bank will be automatically paid out unless otherwise requested by the Employee. Such Employee request must occur before the payout is processed.

Payout of Named Holiday Banks on Employee Transfer from Full-time status

Where applicable, implementation of this agreed upon change in practice will commence as soon as possible. The parties have agreed to trial this practice until December 31, 2009. Employers and Locals are asked to record any problems that may arise and report those problems to the Joint Committee.

If you have any questions regarding the resolution of this issue, please contact your applicable representative, as follows:

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