

REPORT FOR ACTION

Employee Policies and Procedures - Lieu Time/Overtime

Date: August 30, 2024
To: The Board of Governors of Exhibition Place
From: Don Boyle, Chief Executive Officer
Wards: Ward 10 - Spadina-Fort York

SUMMARY

This report recommends approving the revised Lieu Time / Overtime Policy for non-union employees as outlined in Appendix A.

RECOMMENDATIONS

The Chief Executive Officer recommends that:

1. The Board approve the Lieu Time/ Overtime policy attached in Appendix A of this report.

FINANCIAL IMPACT

There are no negative financial implications from the report.

DECISION HISTORY

The Exhibition Place 2022-2026 Strategic Plan has a goal to Invest in Our People and Culture. Embedded in this goal is our commitment to ensuring our staff has a safe and respectful workspace, recognizing the diverse workforce and empowering employees to participate in decisions.

At its meeting of December 8, 2020, the Board approved the Exhibition Place Employee policies resulted from an entire review of all policies and best practices in the industry.

<https://secure.toronto.ca/council/agenda-item.do?item=2020.EP15.4>

COMMENTS

The following provides background information and outlines the Lieu Time / Overtime Policy change for non-union employees.

Exhibition Place is a 24/7, 365-day-a-year operation that requires employees to work on designated public holidays under the Employment Standards Act, 2000 ("ESA") and employer-designated public holidays.

The ESA mandates and observes nine public holidays:

- New Year's Day
- Family Day
- Good Friday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Christmas Day
- Boxing Day (December 26)

Exhibition Place further recognizes three additional public holidays:

- Easter Monday
- Civic Holiday
- Remembrance Day (when the day falls on a weekday - Monday through Friday)

These dates align with the City of Toronto.

The Policy complies with ESA legislation stipulating that employees working on a public holiday are entitled to premium pay at 1.5 times their regular rate. Alternatively, the employee can be paid regular wages for the day and bank time off in lieu of a holiday at the premium pay regulation. Our previous policy exempted the organization's supervisory levels (levels 8 to 16) from earning premium pay entitlements for working on a public holiday. Employers are not obligated to pay managers and supervisors overtime pursuant to the ESA.

Through our engagement with employees, management staff overwhelmingly expressed their view that working on public holidays should be examined differently than regular overtime. Public holidays are an attempt to ensure families and communities all have leisure opportunities at the same time. The management staff did not reject the notion of working on public holidays; they asked to be afforded the same policy privileges as the other employees (levels 1 to 7) working these designated days.

Employee engagement has emerged as a key to focusing on appropriate and positive behaviour and increased resilience. Our experience informs us that job satisfaction, commitment, productivity, and innovation rise as we move towards a more engagement-centric approach.

The policy recommendation to extend premium pay entitlement to management employees has no financial impact and follows Exhibition Place's commitment to acknowledging employee engagement.

CONTACT

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SIGNATURE

Don Boyle
Chief Executive Officer

ATTACHMENTS

Appendix A - Lieu Time / Overtime Policy