



Corporate Policy Manual

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| Sub Topic: | Standby & Call-Out Duty | Policy No. | HR.2-03 |
| Topic: | Hours of Work & Overtime | Employees Covered: | Regular Full-Time Non-Union Employees |
| Section: | Human Resources | Council Adoption Date: | November 12, 2007 |
| Effective Date: | January 1, 1999 | Revision No: | 001 Date: January 2, 2005 002 September 12, 2007 003 July 27, 2015 |

POLICY STATEMENT

The Town of Newmarket acknowledges that it may be necessary to assign employees to standby and call-out duty to ensure that services to the Town are maintained and/or respond to an urgent situation and that employees so assigned should be compensated appropriately and in compliance with employment legislation.

PURPOSE

The Town of Newmarket will establish standards and procedures to compensate employees who are assigned to call-out and standby duty to:

- Ensure that employees are paid appropriately.
- Support consistent application of standby and call-out procedures.
- Comply with employment legislation.

DEFINITIONS

Standby Duty

The assignment of employees on standby duty ensures staff availability outside regular hours of coverage to address operational demands.

Supervisors are generally delegated to assign stand by duty, however, Directors/Managers have the authority to confirm or adjust previously established standby requirements to ensure maximum efficiency and effectiveness. Employees assigned to standby duty must be accessible by telephone/pager, available and able to report/respond to work within a reasonable and acceptable time to deal with the call.

Standby Pay

Refers to compensation paid to an employee who has completed standby duty as defined in this policy.

Call-Out Duty

Refers to a situation where an employee has been called back in before their next scheduled shift.

Call-Out Pay

Refers to compensation paid to an employee who has completed call-out duty as defined in this policy.

PROCEDURES

1. Standby Pay to be paid as follows:

- Employees, excluding those in receipt of Management Compensation Lieu Days who have been assigned to standby duty, must be immediately available by direct telephone contact or a pager, and able to work, shall be paid in accordance with Appendix A, as amended from time to time.
- Where standby demands are ongoing, standby duty shall be assigned using a rotation schedule for 7-day blocks of time as determined by the department.
- Should an employee's standby schedule fall during a planned vacation period, standby shall be re-assigned for the period of the vacation.
- There is no entitlement to standby should an employee be unable to fulfill their standby duty due to illness/injury or is unavailable for other unexpected urgent reasons.

2. Call-out pay to be paid as follows:

- Employees, excluding those in receipt of Management Compensation Lieu Days, who have left the Corporation's premises, having worked their regular scheduled shift, and are subsequently called back in to the workplace outside their regularly scheduled hours shall receive a minimum of two (2) hours pay at time and one half their base rate.
- An employee on standby, who is called out to physically attend the worksite, shall receive a minimum of two (2) hours pay at straight time and over 40 hours at 1 ½ times their base rate.
- An employee on standby, who can respond remotely, shall receive a minimum of one (1) hour pay at straight time and over 40 hours at 1 ½ times their base rate. Hours worked in excess of one (1) hour are tracked and reported.
- The call-out provisions do not apply to an employee who is requested to start his/her shift early, if there is at least eight (8) hours notice of the early start.
- Call-out pay provisions cease when the employee's regularly scheduled shift commences.

RESPONSIBILITIES

Employees are responsible to:

- Ensure he/she is aware of his/her standby schedule, and that he/she is available to respond to a call-out within a reasonable time.
- Ensure that he/she is accessible and able at all times to respond to a call-out when assigned to standby.
- Find a replacement, obtain approval of their immediate supervisor and ensure that standby coverage is maintained when:
 - the standby schedule falls during the employee's vacation
 - the employee exchanges their scheduled standby.
- Comply with the Town's Drug and Alcohol Policy HR.5-02 where employees on call out and /or standby to exclude any possibility of being impaired when reporting to work.

Commissioners/Directors/Managers/Supervisors are responsible to:

- Prepare standby lists appropriate to the Department needs and notify employees of the standby rotation; post lists as necessary.
- Ensure effective and efficient use of other Town approved practices/policies regarding hours of work to maximize staff resources.
- Ensure fair and appropriate distribution of standby duty among qualified employees.
- Assign employees as necessary for standby duty to respond to urgent situations.
- Advise employees of any changes to the standby list, approve exchanges of standby duties, and schedule coverage in cases of illness, as appropriate.
- Determine reasonable response times with respect to a call-out.
- Investigate and follow-up all situations where impairment or suspected impairment precludes the employee's ability to accept call-out.
- Maintain documentation and records relevant to departmental standby needs.
- Ensure that time cards record employees' standby and/or call-out, and that Payroll has appropriate information.
- Supervisors require previous approval from their Manager/Director for scheduled standby duty.

Human Resources is responsible to:

- Work with Departments and employees to resolve conflicts/issues arising with respect to standby duty and call-out.
- Ensure appropriate interpretation of and compliance with the procedures outlined in this policy, related policies and legislation.
- Monitor standby and call-out compensation; conduct market reviews, as appropriate.
- Prepare reports/recommendations to the Chief Administrative Officer and Council as appropriate.

Cross Reference:

[Alternative Work Arrangements](#) HR.2-07

[Overtime](#) HR.2-02

[Vacation](#) HR.3-01

[Management Compensation Lieu Days](#) HR.3-02

[Progressive Discipline](#) HR.4-01

[Drug and Alcohol Policy](#) HR.5-02

[Employment Standards Act and Regulations](#) as amended from time to time

Appendix A

Standby Pay for Standby Duty

Standby Pay will be paid in accordance with the Standby & Call-Out Duty Policy #HR.2-03.

Employees assigned to standby duty will be paid as follows:

\$29.00 per day (Monday to Friday)

\$58.00 per day (Saturday, Sunday, Statutory and Public/Town Paid Holidays)

Exceptions:

- 1) Employees whose two regularly scheduled days off fall on days other than a Saturday and Sunday shall be paid \$58 per day for the two scheduled days off that they are on standby duty.
- 2) Employees in receipt of Management Compensation Lieu Days (Policy #HR.3-02) are not eligible for standby or call-out pay as noted in the Policy.

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