

Must Ontario Employers Give Employees Written Vacation Statements?

written by Rory Lodge | September 30, 2015



QUESTION

Are employers required to issue vacation time statements? I know there are requirements about the information that has to be recorded about vacation time taken and available, but is it required by law to issue an official statement every year or can this information be simply available at employees' request?

Thanks

– Ontario company

[learn_more caption="Answer"]

You must provide written vacation statements to employees if they request them in writing.

EXPLANATION

Required Vacation Statements

(Section 41.1 of) of the Ontario Employment Standards Act gives employees the right to make a written request for two types of vacation statements:

1. After the end of a vacation entitlement year, a written statement listing the vacation information the employer is required to keep (under Section 15.1(2) of the ESA); and

2. After the end of a stub period, a written statement setting out the Section 15.1(2) information.

Information Vacation Statements Must List

I realize that you know what information you're required to keep but I'll list it for any readers who aren't familiar with the requirements:

- Vacation time earned since the start of employment but not taken before the start

of the vacation entitlement year;

- Vacation time earned during the vacation entitlement year;
- Vacation time taken during the vacation entitlement year;
- Vacation time earned since the start of employment but not taken as of the end of the vacation entitlement year;
- Vacation pay paid during vacation entitlement year;
- Amount of wages used to calculate vacation pay and period of time to which those wages relate; and
- If the employer establishes an alternative vacation entitlement year, the additional information required under Section 15.1(3).

When Statement Must Be Provided

To repeat, you only need to provide these statements if employees request them in writing. If you do get a request, you must furnish the statement no later than seven days after the request is made or the first pay day after the request, whichever is later. If the request is made during the vacation entitlement year or stub period to which the info relates, you have seven days after the start of the next vacation entitlement year or first vacation entitlement year, as the case may be or first pay day of the next vacation entitlement year or first vacation entitlement year, whichever is later.

You also don't have to employees a statement more than once per vacation entitlement year or stub period.

I hope this helps.

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