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Students feel cheated

SUMMER JOBS: Provincial government not paying vacation pay in lieu

Posted By COURTNEY WHALEN, THE PACKET AND TIMES

Posted 12 hours ago

Students spending their summer trying to make other's vacation time enjoyable are feeling "betrayed" by the government after finding out they won't be receiving payment in lieu of holiday and vacation time.

When it came time to get summer jobs to help save money for their next year of post-secondary education, Tyler Penton, Rachel Mayo and Kelsey Marchand decided to return to a place they'd all worked before -- Six Mile Lake Provincial Park south of Parry Sound.

They signed letters of employment that included a provision that they would receive an additional 8.16% of their gross pay in lieu of vacation time and holiday pay. It was an arrangement all three were familiar with from their previous summers working at the government-run park.

They reported to work at the beginning of May and it wasn't until the first pay cheque arrived that they realized the change.

"I noticed money was missing and went to the park clerk," Penton said yesterday, sitting in Simcoe North MPP Garfield Dunlop's office.

When questioned, the clerk said they had been informed students would no longer be receiving the 8.16%.

"Betrayed, almost. It's upsetting," 20-year-old Mayo said of how she felt when she found out the money she had been expecting as part of her job wouldn't be forthcoming.

"Obviously, some people, if they knew they weren't going to get the money, would look for another job. When they (told) them, it (was) too late to find other jobs," she said.

Penton said his understanding is that Tier 1 students, who started later in the summer, were informed a few weeks before they were to start.

But the students maintain at that time of year it was too late for those students to look for other work as well.

The Crown is able to exempt itself from certain sections of the Employment Standards Act, including the vacation and holiday pay, because employees, including the students, are covered by collective agreements, in this case the Ontario Public Service Employees Union.

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"There is no special exemption for student employees working with the Ontario government," said Ministry of Government Services spokesperson Ciaran Ganley. "All provincial government employees are exempt from the vacation and holiday pay sections of the Employment Standards Act."

OPSEU was informed in December 2008 that the government had been paying the inlieu payments in error and that it would cease.

But when Penton, Mayo and Marchand signed their letters of employment in the spring, they said it was still included.

"The reason that some letters of employment didn't rule that out was strictly an administration error," Ganley said yesterday, noting it was corrected as soon as it was noticed.

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But a group of summer students, frustrated with what they see as the government renegeing on part of their agreement, brought their concerns to Dunlop at his constituency picnic July 11.

On Monday, Dunlop said that prior to the picnic, he hadn't heard of the rescinding of the pay-in-lieu. He put out a press release calling on the McGuinty government to honour the commitment to the students. He plans to raise the issue in the legislature this fall.

In order to help their co-workers understand just what the loss of the 8.16% means to their bottom line, Penton and Mayo crunched the numbers and circulated a memo to other student summer employees.

According to their calculations, Tier 2 employees are losing \$72.46 on every two-week pay period (at a salary of \$11.10 per hour) and Tier 1 students, who make \$9.50 an hour, are missing out on \$56.20 per pay period. With 15 Tier 1 student employees and nine Tier 2 student employees at Six Mile Lake Provincial Park, the total amount of money saved by the government in not paying out the 8.16% amounts to just under \$1,500.

Over the course of the summer, the loss of the pay-inlieu is estimated to cost the student employees between \$450 and \$600 in money they believed they would be earning.

"That's a lot of money," Mayo said, noting it could mean nearly two months rent for her when she goes back to the University of Guelph.

Penton and Marchand commute to Georgian College in Barrie. Penton said that money represents gas and insurance money for him.

The loss of it means the students are being more selective in their activities.

"I'm really cheap now," he said. "You're always watching what's in your bank account."

The three agree they'd like to see the money reinstated. If it's not, Penton, at least, will be looking for employment somewhere else.

"I won't be back," he said.

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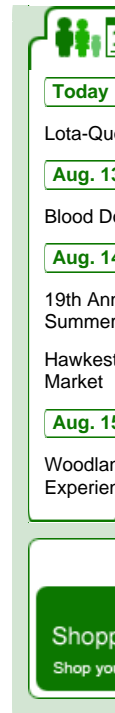
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