



Name of Manual:	Human Resources	Policy # 8.0	Page 1 of 9
Policy Title:	LEAVES OF ABSENCE	Original Date:	December 2001
Prepared by:	Resources Committee	Reviewed Date:	February 2021
Approved by:	Board of Directors	Approval Date:	

1. PURPOSE

The purpose of this policy is to provide instruction related to the application of the following leaves of absence:

- Health Leave
- Bereavement Leave
- Personal Time
- Court Leave
- Leave without Pay
- Top Up Maternity Benefits
- Sabbatical Leave
- Employment Standards Act (ESA) Leave of Absences
 - Pregnancy and Parental Leave
 - Family Medical Leave
 - Reservist Leave
 - Family Caregiver Leave
 - Critically Ill Child Care Leave
 - Crime-related Child Death and Disappearance Leave
 - Domestic or Sexual Violence Leave

2. SCOPE

This Policy applies to all employees of the North Lambton CHC.

3. POLICY

- 3.1 Advance notice of any absence from work for any leave is essential to ensure adequate time is available to make arrangements for replacement staffing and to ensure program and service continuity.
- 3.2 Documentation and/or written requests will be required based on the type of leave.
- 3.3 Employees must report absence from work for any leave as soon as they become aware of the need to be away prior to the start of their schedule shift to their Team Leader.
- 3.4 The employee will also be required to submit the request through the ESS system, as soon as able.

4. PROCEDURE

4.1 Health Leave

- Full-time permanent employees are entitled to health leave at the rate of one day for each full calendar month worked per year for a maximum of 12 days sick leave per fiscal year. If an employee has no health days available, absences due to illness will be “no pay/unpaid” days unless the employee chooses to use vacation or accumulated lieu time, if any.
- Regular part-time permanent employees, working at least 18.75 hours per week, are entitled to health leave on a pro-rated basis calculated using the employee's hours of work, as specified in his/her letter of employment, and the standard fulltime work week.
- Contracted employees working defined full-time hours (37.5 hours/week) are entitled to a maximum of 6 paid health days per year; contracted employees with defined hours of less than 37.5 hours/ week are entitled to paid health leave on a prorated basis calculated using the employee's hours of work.
- Casual employees with no defined hours are entitled to a maximum of 3 paid health days per year.
- Health leave may be used for personal illness or personal health related procedures, or to care for an ill spouse/partner (common-law), child (step, foster), or parent (step, in-laws) of the employee.
- The ESA also provides additional programs for caregivers under the compassionate leave of absence policies (see details below). All employees must complete the appropriate leave form for recording health time used as soon as practicable upon their return to work. Pre-booked appointments need to be submitted into ESS system prior to attending.
- If any absence exceeds three (3) schedule workdays, a written report from a qualified medical practitioner authorizing the time off work is required, indicating the employee is fit to return to work.
- If any absence exceeds ten (10) scheduled workdays, a second opinion from a qualified medical practitioner selected by the Centre may be required by the HR department. North Lambton CHC would reimburse the employee for the costs of the medical note.
- Unused accumulated sick leave will not be paid out under any circumstances (i.e. no cash value of unused sick time) and will not be rolled over to the next fiscal year.

4.2 Bereavement Leave Eligibility and Usage

- All permanent full/part-time regular employees are eligible for paid bereavement leave as outlined below.
- Employees hired on a full/part-time temporary contract, seasonal/on-call are eligible for unpaid bereavement leave as outlined below.
- Bereavement leave with/without pay will be granted as follows:
 - **3 consecutive workdays for the following immediate family members, defined as:**
 - Spouse (common law or same sex partner), siblings, step-siblings, spouse of siblings, siblings of spouse, children, step-children, foster-child, grandchildren, son-in-law, daughter-in-law, parent, step-parent,

foster-parent, parents of spouse, step-parents of spouse, grandparents and grandparents of spouse.

- **2 consecutive workdays for the following family members, defined as:**
 - Niece and nephew (step), niece and nephew (of spouse)
- **1 consecutive workday for the following family members, defined as:**
 - Employee's immediate aunt, uncle, cousin, or great-grandparent
- The bereaved employee may be granted additional time off without pay for the purpose of travel and/or matters related to the estate of the deceased; such additional time off may be arranged with the Executive Director or designate.
- Arrangements for other bereavement leave not covered above are to be made with the Executive Director/Team Leader by applying other available time (e.g. use of unpaid time, personal time, flex, lieu, or vacation time).
- Paid bereavement leave is effective after the probationary period.

4.3 Court Leave (Jury and Witness Duty)

- Jury duty includes being interviewed to be a potential juror, to actively serve as a juror in any court of law or required by subpoena to testify at a court proceeding.
- As a Canadian citizen, it is a civic duty to respond to a jury Summons and, if chosen, to serve as a juror.
- An employee, who is required by law to serve on a jury or is called to appear as a witness by those who have legal authority to demand their presence, will receive the normal pay that they would have received for that period of time. They will accrue all normal leave credits.
- The employee will be required to provide proof of attendance at the court.
- Excluding travel expenses, any monies received shall be delivered to the Health Centre.

4.4 Leave without Pay

- Permanent employees may be granted a leave of absence without pay for reasons such as educational and personal leave.
- The Executive Director is responsible for reviewing such requests for leave without pay and has the authority to approve leave without pay for up to one (1) year.
- While an employee is on leave without pay, they will not be entitled to cost shared or North Lambton CHC funded group benefits. If an employee wishes to retain his/her coverage at his/her own expense, he/she may do so by making arrangements with the Finance Team Leader.
- Employees on leave without pay will cease to accrue leave benefits for the entire period of the leave.
- Leave without pay will be granted only under exceptional circumstances and when lieu, health or vacation time has been exhausted and needs approval by the Executive Director.
- Except under special circumstances approved by the Executive Director, contract/purchased service employees or employees on probation are not entitled to take leave without pay.

4.5 Top Up of Maternity Benefits

The Employment Insurance (EI) Act provides maternity and parental benefits to eligible claimants. Provision to top-up Maternity Benefits (applicable only to the biological mother) will be available at North Lambton CHC. This provision is available to North Lambton CHC staff in Ministry-approved positions that are eligible for the Centres' group benefit plans and EI Maternity Benefits. This benefit provides top-up to fifty percent (50%) of regular salary for up to seventeen (17) weeks from the start of the EI benefits (this includes the 2 weeks of unpaid waiting period).

The employee must submit proof that she is eligible and that she has received EI Maternity Benefits to the HR Department so an accurate calculation of the top-up entitlement can be made and processed in payroll.

4.6 Sabbatical Leave

Employees may apply for an unpaid sabbatical leave of up to twenty (20) working days after each five (5) years of regular full/part-time employment. Such leave may be granted for the purpose of engaging in research or study projects or professional development that will have a beneficial effect on the activities and mission of North Lambton CHC.

The criteria for a sabbatical approval would entail the following:

- Have a direct relationship to the professional development of the employee;
- Reflect the needs of the North Lambton CHC;
- Enhance the skills needed for particular job responsibilities;
- Coverage for the position could be covered without hardship to the organization.

4.7 Employment Standards Act (ESA) Leave of Absence

All employees are eligible for the following leave of absences in accordance with the Employment Standards Act (ESA), 2000.

i) Pregnancy and/or Parental Leave Entitlement and Usage

- Employees who have been in the employ of the North Lambton CHC for a minimum of thirteen (13) weeks, who intend to take pregnancy and/or parental leave are required to provide written notice to the Centre at least four (4) weeks in advance of the date on which they intend to commence their leave.
- Employees are required to provide at least four (4) weeks written notice if there is any change in the date of their expected return to work date.
- An employee on pregnancy and/or parental leave who wishes to maintain employee coverage in relation to benefits and/or pension plan will continue their normal portion of premiums by way of post-dated cheques/pre-authorized automatic withdrawals for each complete month of leave. Long-term disability insurance benefits are mandatory and payment of the normal portion of premiums by way of post-dated cheques/pre-authorized automatic withdrawals must continue for each month of leave. During the pregnancy and/or pregnancy parental leave the Centre will continue to make the employer's contributions for benefits
- An employee on pregnancy and/or parental leave will continue to accrue vacation time during the period of the leave.
- Paid sick time does not accumulate when an employee is on pregnancy

and/or parental leave.

- ii) Family medical Leave Under the Employment Standards Act (ESA)
Family Medical Leave is unpaid leave under the ESA for the purposes of providing care and support to family members that are seriously ill and have a significant risk of death within twenty-six (26) weeks.

A. Family Medical Leave Eligibility and Usage

- Employees are entitled to take unpaid Family medical Leaves (also known as Compassionate Care Leave) in accordance with the ESA.
- Family Medical Leaves without pay are for a maximum of eight (8) weeks for the purposes of providing care and support to family members that are seriously ill and have a significant risk of death within twenty-six (26) weeks.
- The eight (8) weeks do not have to be taken consecutively; rather an employee may take the leave in periods of entire weeks within a specified twenty-six (26) week period.
- Requests for Family Medical Leaves are to be made in writing to the employee's Team Leader or Executive Director.
- Employees requesting Family Medical Leave must first provide a medical note from a qualified medical practitioner OR documentation from a treating health care provider stating that the family member in question has a serious medical condition requires care and support and that there is a significant risk of death within twenty-six (26) weeks.
- The specific family members for whom a Family Medical Leave may be taken are the employee's spouse (including same sex partner), parent, step-parent or foster parent of the employee, child, step-child or foster child of the employee or the employee's spouse.
- Where more than one employee wishes to take an unpaid leave in respect to the same family member, the aggregate amount of leave available may not exceed eight (8) weeks.
- The HR department will consult with the employee and discuss the process to continue their health and welfare benefits during this absence, as required.

- iii) Personal Emergency Leave Under the Employment Standards Act (ESA)
Personal Emergency Leave is unpaid leave of ten (10) days provided for a personal illness, injury or medical emergency, or the death, illness, injury, medical emergency, or urgent matter concerning a family member. The North Lambton CHC currently provides eligible employees with paid time that will be applied toward this leave (i.e. sick time, bereavement).

A. Personal Emergency Leave Eligibility and Usage

Employees are entitled to take Personal Emergency Leaves in accordance with the ESA.

- An employee is entitled to take a total of ten (10) days unpaid Personal Emergency Leave in each calendar year.
- Requests for Personal Emergency Leaves are to be made in writing to the employee's Team Leader as soon as possible.

- The North Lambton CHC reserves the right to request documentation (evidence reasonable in the circumstances) of the entitlement to the Personal Emergency Leave.
- The specific family members for whom a Personal Emergency Leave may be taken are the employee's spouse (including same-sex partner), parent, step-parent or foster parent of the employee or the employee's spouse, child, step-child or foster child of the employee or the employee's spouse, grandparent, step-grandparent, grandchild or step-grandchild of the employee or of the employee's spouse, spouse of a child of the employee, employee's brother or sister and a relative of the employee who is dependent on the employee for care or assistance.

iv) Reservist Leave Under the Employment Standards Act (ESA)

Reservist Leave is unpaid leave for the purposes of deployment to a Canadian Forces operation as defined in the ESA.

A. Reservist Leave Eligibility and Usage

- An employee is eligible for a Reservist Leave without pay if the employee is a reservist and will not be performing the duties of his or her position because the employee is deployed to a Canadian Forces Operation outside Canada; inside Canada; or the prescribed circumstances apply.
- An employee is eligible to begin a Reservist Leave if he/she has been employed for at least six consecutive months.
- An employee is entitled to take Reservist Leave for as long as the deployment applies to him/her.
- Requests for Reservist Leaves are to be made in writing to the employee's Team Leader as soon as possible. If the employee must begin the Reservist Leave before advising the employer, the employee shall advise the employer of the leave as soon as possible after beginning it.
- An employee who intends to end a Reservist Leave shall give his/her employer notice of the day on which he/she intends to end the leave.
- The North Lambton CHC reserves the right to request documentation (evidence reasonable in the circumstances) of the entitlement to the Reservist Leave.
- The HR department will consult with the employee and discuss the process to continue their health and welfare benefits during this absence, as required.

v) Family Caregiver Leave Eligibility and Usage

- An employee will be entitled to an unpaid leave of absence in order to provide care or support to a family member if a qualified health practitioner issues a certificate stating that the family member has a serious medical condition. The employee is required to produce the certificate to his/her employer upon request.
- The Family Caregiver Leave will apply to the following family members: an employee's spouse; parent, step-parent, foster parent of

the employee or their spouse; a grandparent, step-grandparent, grandchild or step-grandchild of the employee or their spouse; the spouse of a child or the employee; the employee's brother or sister; a relative of the employee who is dependent on the employee for care or assistance; and any individual prescribed as a family member.

- The leave may be up to eight weeks for each family member in each calendar year. The employee must advise their Team Leader in writing before going on leave or as soon as possible after beginning the leave.
- The HR department will consult with the employee and discuss the process to continue their health and welfare benefits during this absence.

vi) Critically Ill Child Care Leave Eligibility and Usage

- An employee who has been with an employer for at least six months will be entitled to an unpaid leave of absence to care for a critically ill child. A critically ill child is one whose life is at risk and whose baseline state of health has significantly changed. A qualified health practitioner must issue a certificate stating that the child is critically ill and requires the care and support of one or more parents. The certificate should set out the period for which a child requires care and support.
- The Critically Ill Child Care Leave will apply with respect to a child who is: a child, stepchild, foster child, or child under legal guardianship. The child must be under 18 years of age.
- Leave may be for a period of up to 37 weeks and can be taken in consecutive weeks or separately. If the certificate specifies a shorter period of time than 37 weeks, then the period in the certificate applies. The Act contains provision of for extensions of time and additional leaves.
- An employee who intends to go on a Critically Ill Child Care Leave must advise their Team Leader and the HR department in writing and provide a written plan that indicates the weeks that he/she will be on leave.
- The HR department will consult with the employee and discuss the process to continue their health and welfare benefits during this absence, as required.

vii) Crime-related Child Death and Disappearance Leave Eligibility and Usage

- Employees who have been with their employer for at least six consecutive months will be entitled to Crime-Related Child Death or Disappearance Leave. "Child" includes a child, stepchild, or foster child less than 18 years of age. An employee will be entitled to an unpaid leave of absence of up to 104 weeks if his or her child died, and the death was probably the result of a crime. An employee will be entitled to an unpaid leave of absence without pay for up to 52 weeks if his or her child disappeared, and the disappearance was probably the result of a crime. The Act will also address circumstances where a

missing child is found.

- The employee will not be entitled to a leave of absence if the employee is charged with a crime related to the child's death or disappearance or, if it is probable, considering the circumstances, that the child was a party to the crime. If a change of circumstances indicates that the child's death or disappearance was not the result of a crime, the employee's entitlement to leave will end.
- An employee who intends to go on leave must advise his/her Team Leader and the HR department in writing and provide a written plan indicating the weeks that he/she will be on leave. This must be done prior to commencing leave or as soon as possible after beginning it. In most cases, this leave must be taken in a single period.
- The HR department will consult with the employee and discuss the process to continue their health and welfare benefits during this absence, as required.

viii) Domestic or Sexual Violence Leave

Bill 148 created a new Domestic or Sexual Violence Leave which entitles an employee who has been employed for at least 13 consecutive weeks to a leave of absence where that employee or the employee's child experiences domestic or sexual violence or the threat of sexual or domestic violence and the leave is taken for one of the following purposes:


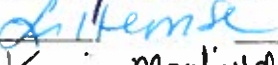
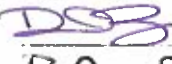



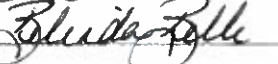
- To seek medical attention for a physical or psychological injury or disability caused by the domestic or sexual violence;
- To obtain services from a victim services organization;
- To obtain psychological or other professional counselling;
- To relocate temporarily or permanently;
- To seek legal or law enforcement assistance, or
- Any other prescribed purposes
- The leave is structured as a dual entitlement. In each calendar year, an employee may take up to 10 days of leave and may take up to 15 weeks of leave as well. The first 5 days of the leave must be paid in accordance with the new "domestic or sexual violence leave pay" calculation.

Policy Reviewed and Adopted by Resources Committee:

Date: 23 February 2021 Resources Representative: Columbus

Policy Reviewed and Adopted by Board of Directors:

Date: 23 February 2021 Board of Directors Representative: Spencer

Policy Approved by:	Signature	Date
Executive Director		FEB 25 2021
Quality & Chronic Disease Team Leader		FEB 25 2021
Data Management Team Leader	Konnie Maxfield	FEB 25 2021
Finance Team Leader		FEB 25 2021
Health Promotion Team Leader		FEB 25 2021
Risk Management Team Leader		FEB 25 2021
Primary Care Team Lead - North		FEB 25 2021
Primary Care Team Lead - West		FEB 25 2021