



A Level II Accredited Company

Policy Number: 2420

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Effective Date: 1 January 2018

Replaces: 1 January 2016

SECTION: PERSONNEL

TOPIC: LEAVE OF ABSENCE

Typically, a leave of absence (LOA) will not be considered (excluding reservist leave) for an employee with less than 90 days of continuous employment with the Agency.

An Employee may be granted, upon written request, a leave of absence without pay for a specific length of time.

Each request for a LOA is assessed on an individual basis taking into consideration the circumstances for the request and the operational needs of the Agency. **Leaves will be granted for legitimate medical reasons and legitimate job protected leaves and are not subject to service area approval.**

Requests for Leaves may include:

- Personal reasons – this includes unpaid time off for personal matters not covered by other categories of leaves (e.g., educational, general, administer estates, moving household effects, etc.)
- Compassionate care - An employee who meets the qualification for this entitlement will be allowed up to 27 weeks of unpaid leave to provide care or support to a seriously ill family member. Both primary and non-primary caregivers are eligible. To qualify, employees will need to provide the employer with a certificate from a physician stating a family member has a significant risk of death within 26 weeks and requires the support of one or more family members. Leave is available for multiple weekly installments within the period outlined in the medical certificate. Two weeks prior to an anticipated leave, the employee shall submit a written request and accompanying documentation to their service area coordinator / director for approval. In unanticipated or emergency circumstances, the notice period may be waived if determined a reasonable measure by the agency. Employees are required to provide 1 week of written notice when planning to return to work
- Critical illness of an adult family member – this is an unpaid leave that provides up to 16 weeks of job protection for employees who take time off to care for an ill or injured adult family member
- Critical illness of a child – this is an unpaid leave that provides up to 36 weeks of job protection for parents of critically ill or injured children
- Death or disappearance of a child – this is an unpaid leave that provides up to 52 weeks of job protection for employees whose child disappeared as a result of a crime, or up to 104 weeks if a child died as a result of a crime



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- Long term illness and injury – this is an unpaid leave providing up to 16 weeks of job protection per year for long term personal sickness or injury. A medical certificate and reasonable notice, as identified in this policy, will be required.
- Personal and family responsibility – This unpaid leave provides up to 5 days of job protection per year for personal sickness or short term care of an immediate family member. This includes attending to personal emergencies and caregiving responsibilities related to the education of a child
- Domestic violence – this is an unpaid leave that provides up to 10 days of job protection per year for employees addressing a situation of domestic violence
- Citizenship Ceremony : this is an unpaid leave that provides up to a half day of job protection for employees attending a citizenship ceremony

Notification Required:

LOA for Two Weeks and Under:

In predictable situations, one month prior to the anticipated leave, employees shall submit their written request to their supervisor for consideration. The supervisor will review the request with their coordinator/director and determine whether to approve or not to approve. This decision will be communicated to the employee in writing by the service area. **N.B: All requests for medical leaves and job protected leaves must be granted when the eligibility requirements have been met by the employee. If uncertain, the HR Director must be consulted.**

LOA Over Two Weeks:

In predictable situations, two months prior to the anticipated leave, the employee shall submit their written request to their supervisor. The supervisor will review the request with their coordinator / director and determine whether or not to recommend approval. The service area Coordinator/Director will then forward their recommendation with relevant documentation (i.e., update form, written request, any pertinent medical documentation) to the HR Director. If in agreement, the HR Director will respond to the employee's request in writing, outlining the conditions for the leave. If not in agreement, the HR Director will consult with the service area Director regarding the reasons for denial of the request. Whenever a request is denied, the decision will be communicated to the employee in writing by the service area. **N.B: All requests for medical leaves and job protected leaves must be granted when the eligibility requirements have been met by the employee. If uncertain, the HR Director must be consulted.**



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The employee is responsible to abide by the terms and conditions under which the leave is granted. Written requests regarding the terms and conditions of a LOA must include, but are not limited to:

- The reasons for the LOA
- The specific duration
- Anticipated / agreed upon date of return if known

During an LOA without pay, vacation days, statutory holidays and sick days will not be earned for the duration of the absence. Vacation accrual must be taken prior to any approved LOA. **N.B. Vacation does not need to be taken prior to any medical or job protected leaves.** Employees who receive the Agency's extended benefit plan, and are on an approved LOA for a period over 30 days, can continue their benefits (Agency Benefit Plan) for a period up to 1 year at their own cost. It is the employee's responsibility to contact HR and payroll to make decisions and arrangement for payments regarding their benefits.

Specifically, advance arrangements must be made with the HR Director (to continue or suspend benefits) a minimum of two weeks prior to the start of a planned LOA. In the event of an emergency LOA, employees are asked to contact the HR Coordinator / Director as soon as possible regarding extended benefits decisions (i.e., within the month). If no arrangements are made by the employee within a reasonable length of time, benefits will be suspended. Supervisors are required to notify HR in writing of all verbal emergency requests. Employees who choose to discontinue the extended benefit plan at the onset or during their approved leave, excluding medical and job protected leaves, will be eligible to have benefits coverage reinstated six months after their return to work date on the first day of the following month.

Leaves of absence for personal reasons typically will not be approved during the period of time from November 15th to January 15th in the following year. This restriction is needed to ensure the support needs of individuals in service are met.

Reference *Policy 2430 Maternity, Parental and Adoption Leave*
Policy 2450 Bereavement Leave
Policy 2395 Agency Benefits and Employee Eligibility