

HR: BEN04 – Personal Leave of Absence

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POLICY:

All employees may apply for a personal leave of absence at any time and this policy will apply, in the absence of a more specific leave policy applying to the circumstances, e.g. maternity leave, bereavement leave, etc.

All leaves save and except for jury duty (see below) and Maternity/Parental Leave are deemed to be for personal reasons and will be granted at the discretion of the employer, while meeting all Provincial Employment Standards Guidelines.

Requests for leave will be judged on their merit, having regard for individual circumstances, such as the leave purpose, the employee's performance and length of service, frequency of such requests and the impact on operations. Such leaves, if granted, shall be without pay.

Some specific categories of job-protected unpaid leaves shall include:

- Personal and Family Responsibility Leave: up to 5 days unpaid per year for short-term care of an immediate family member, which includes attending to personal emergencies and caregiving responsibilities related to education of a child.
- Citizenship Ceremony Leave: up to a half-day of unpaid leave for an employee attending a citizenship ceremony.
- Domestic Violence Leave: up to 10 days of job protected unpaid leave per year for employees addressing a situation of domestic violence.
- Critical Illness of Child Leave: up to 36 weeks of job protected unpaid leave for an employee whose child has disappeared as a result of a crime or up to 104 weeks if a child died as a result of a crime.

Insured benefit programs may be affected/suspended as a **result** of extended leaves, based on the insurer's guidelines. Where available/possible based on benefit carrier guidelines, arrangements may be made for prepayment of the employee/employer portion of benefit premiums for the duration of an approved leave.

Leave to work for another employer or serve a jail sentence will not be granted.

PURPOSE:

The purpose of the policy is to outline types of personal leave of absence that may be approved within established guidelines for handling such requests.



RESPONSIBILITY:

The Library Director is responsible to respond to any Request for Leave in a timely manner and for notifying the employee of the disposition of the request. In addition, the Library Director must ensure the appropriate payroll coding for the period of the absence.

DEFINITIONS:

“Working day” means a day on which the employee is regularly scheduled to work.

PROCEDURE:

1. An employee summoned for jury duty, or as a court witness, shall be granted Jury Leave of Court Attendance Leave, without pay, for the period required. Employee benefits shall continue as eligible.

Court Attendance Leave, with pay may be approved by the Library Director if the appearance arises out of the employee’s employment relationship, providing the employee agrees to the following conditions:

- The employee is required to return to work immediately if the services are not required or immediately upon completion of their attendance in the court; and
 - The employee shall provide a copy of the summons to witness and shall submit a certified statement of fees paid by the court or other parties, if applicable and such fees will be deducted from the employee’s regular pay base.
2. Except for eligible Court Attendance Leave, Maternity/Parental Leave, eligible paid Bereavement Leave or those specific categories of leave referenced above; employees are expected to first use lieu time owed or vacation owed to them before requesting personal leave.
 3. Written requests for personal leave of absence shall be submitted to the Library Director as far in advance of the date of commencement as is possible
 4. All such leaves shall be documented for attendance/payroll tracking purposes and must be recorded on an employee absence record.
 5. When an employee advises the Library Director or designate of the absence they must advise of the reason(s) and expected return to work date. (Note: a reason does not require a medical diagnosis; but refers to a category for reason of absence, e.g. illness, leave for family reasons, bereavement leave, jury duty/court appearance etc.)
 6. Absence from work for three (3) consecutive workdays, without notification to the Library Director, is considered to be a voluntary resignation of the employee from employment.

7. Employee's will be subject to coaching or potentially formal discipline if they are absent or late without authorization for three (3) occurrences in a twelve (12) month period, after the last recorded occurrence.
8. Authorized absences due to illness will be compensated in accordance with the appropriate benefit that the employee is eligible for. ↑
9. Authorized absences related to approved leaves will be paid according to the respective leave policy.
10. Approved absences for Jury Duty will be unpaid leaves with the payment due to the employee from the courts being paid directly to the employee.
11. Approved absences for Court Appearances arising out of the employee's employment will be compensated only for those hours that the employee appears in court on the employer's behalf. ♦

