

Leaves of Absence with Pay (Non-Academic Exempt) Policy

Category: Human Resources

Approval: PVP

Responsibility: Associate Vice-President, Human Resources

Date: July 4, 1995, Last Revised January 2016

Purpose/Reason for Policy:

The purpose of this policy is to define and describe the various types of leave with pay available to exempt employees of Trent University.

Policy:

1. **Sick Leave Policy for Employees Covered Under the Long Term Disability Plan**

Each department shall keep accurate individual records of sick leave absences on the employees Attendance Form, and shall forward appropriate record summaries to the Department of Human Resources each month.

In the event of frequent absences or of an absence of more than four (4) days, a medical certificate will be required. When an absence is prolonged, monthly medical certificates will be required in order to ensure continuation of salary or wages. Subject to Provincial legislation or regulation these certificates will be paid for by the employee.

In the event of absence due to sickness or accident and upon receipt of satisfactory medical evidence, a regular or recurring employee who works seventeen and one half (17-1/2) hours or more per week and is enrolled in the Long Term Disability Insurance Plan will be paid regular salary or wages up to a maximum of six (6) calendar months. During this period of sick leave, the employee will continue to assume the cost of the employee's share of benefit and pension contributions.

An employee who holds a recurring appointment and becomes ill after notice of layoff will still be laid off under the terms of the appointment. Sick leave pay will be paid up to the time of layoff and will start again at the time of recall if the employee is still ill or disabled, provided a satisfactory medical certificate is produced. The total period of paid sick leave coverage both prior to and following the normal layoff period will not total more than six (6) months.

If at the end of six (6) months, the employee is unable to return to work, upon application to the insuring company for disability benefits and upon the company's approval of the application, long term disability benefits will commence.

Employees whose applications for benefits are not approved by the insurance company are entitled to apply to the Employment Insurance Commission, at the time of layoff, for sick benefits calculated on the basis of their insurable employment.

2. Sick Leave Policy for Employees Not Covered by the Long Term Disability Plan

Regular or recurring employees who work less than seventeen and one half (17-1/2) hours per week, or who are not entitled to LTD benefits, will be paid their hourly rate at the rate of one (1) normal working day for each month of service dating from the appointment date up to a maximum of sixty (60) normal working days, to the extent that these days have not been used on previous illness.

In the event of frequent absences or of an absence of more than four (4) days, a medical certificate will be required.

Contract employee are not eligible for sick leave, unless otherwise outlined in their appointment letters.

3. Sick Leave Policy for Employees Covered Under the Workplace Safety and Insurance Board (WSIB)

An employee who suffers an injury at work which is severe enough to warrant loss of time from work will receive full regular salary or wages from the University for a period of up to six (6) months from the date of the absence from work, provided medical evidence satisfactory to the University and the WSIB is received. The regular cost sharing of benefits and pension shall continue as if the employee was working. The WSIB will reimburse the University at a rate established by WSIB regulations.

If at the end of six (6) months, the employee is unable to return to work, the University will cease paying salary or wages and the WSIB will be instructed to pay the injured employee directly. This pay will be calculated at a rate established by WSIB regulations. Coincident with the employee receiving payment directly from WSIB, an application for long term disability benefits will be made to the insuring company providing these benefits.

If this application for long term disability benefits is approved, the amount of the WSIB payment will be deducted from the disability benefit payment.

At the same time as the WSIB starts to pay the injured or disabled employee directly, the University will commence paying for the total cost of the appropriate benefit and pension plans and will continue to do so while the employee is eligible to receive WSIB and/or long term disability benefits. Under certain circumstances, disabled and/or injured employees may engage in rehabilitative employment and continue to receive a portion of their WSIB and/or long term disability benefits.

4. Bereavement Leave

An absence, at normal pay, of up to five (5) working days leave shall be authorized in writing by an employee's supervisor for bereavement purposes with a copy of the authorization to the Associate Vice-President of Human Resources.

Five (5) working days will be granted in the event of a death in an employee's immediate family. "Immediate family" shall mean spouse, child, parent, brother, sister or grandchild. Three (3) working days will be granted in the event of the death in an employee's, father in law, mother in law, or grandparent. One (1) day absence will be granted for the purpose of attending the funeral of a brother in law or sister in law, son in law or daughter in law, aunt, uncle, niece or nephew. For those bereavements involving one (1) or three (3) working days, additional leave of up to two

(2) working days may be granted in exceptional cases, such as where a lengthy trip is required to attend the funeral. Requests for such additional leave shall not be unreasonably denied.

5. Civic Leave

Employees subpoenaed to serve as jurors or witnesses in any court shall be granted leave of absence for this purpose, without loss of salary or benefits. A subpoenaed employee shall present a satisfactory certificate showing the period of jury or witness service and the amount of compensation received for such services, if any. If the employee deposits with the University the full amount of compensation received for jury or witness service and presents an official receipt, the University shall authorize payment of full salary for the period in question. If the employee refuses to pay such funds to the University, the employee shall forfeit the right to claim any part of his or her salary for the period of absence.

6. Compassionate Leave and Special Leaves

Leave of absence at normal pay for up to a maximum of six (6) days per year may be granted for compassionate/special reasons. Such leaves shall be authorized in writing by the supervisor with a copy to Human Resources. Without limiting the generality of the types of situations where compassionate/special leave may be granted, the following situations will normally qualify:

- Paternity
- Adoption
- Illness in the immediate family
- Moving of a household
- Employee's wedding
- Major property damage caused by fire or some other personal disaster
- Religious holidays
- Inclement Weather

Requests for compassionate/special leave shall not be unreasonably denied.

In the event that the leave request is turned down by the supervisor, the employee may appeal the decision to the Associate Vice-President of Human Resources.

7. Medical and Dental Appointments

With the permission of their supervisor, employees may be allowed an early departure from or late arrival at work to attend medical and dental appointments. Permission for such absences of no more than two (2) hours per occasion shall not be unreasonably withheld. Early consultation with supervisors on each occasion is required to permit supervisors to organize the workforce.

8. Maternity Leave Sub Plan

After an employee has been employed at Trent University for one (1) year, she can file for maternity leave under this sub plan. Under this plan the University will pay 95% of the employee's normal salary or wages for the first two (2) weeks which represents the two week waiting period for Employment Insurance benefits and for the next fifteen (15) weeks, the University will supplement the benefit paid by the Employment Insurance Commission so that when combined with earnings from other sources, the total from both sources will equal 95% of the Trent base salary or wages. After the first two (2) weeks, the recipient will be required to produce a record of payment from the Employment Insurance Commission before the University can pay the supplement.

Payments in respect to guaranteed annual remuneration, deferred remuneration or severance pay benefits are not reduced or increased by payments received under this plan.

To be eligible for this benefit, an employee must have worked at Trent University for twelve (12) months, be planning to return to work no later than fifty two (52) weeks from the commencement of combined maternity and parental leave, and resume work for a period equal to seventeen (17) weeks. An agreement must be signed by the employee promising to repay to the University the University's portion if the employee decides not to return to work or does not return to work for the entire seventeen (17) week period.

During this period of leave, the cost of continuing in the benefit plans will be shared as if the employee were fully employed. During maternity leave, vacation credits accrue in accordance with the Employment Standards Act.

9. Adoptive Parental Leave Sub Plan

After an employee has been employed at Trent University for one (1) year, he/she can apply for adoption leave under this Sub Plan. Under this plan, the University will pay 95% of the employee's normal salary or wages for the first two (2) weeks and for the next ten (10) weeks, the University will supplement the benefit paid by the Employment Insurance Commission so that when combined with earnings from other sources, the total from both sources will equal 95% of the Trent base salary or wages. After the first two (2) weeks, the employee will be required to produce a record of payment from the Employment Insurance Commission before the University can pay the supplement.

Payments in respect to guaranteed annual remuneration, deferred remuneration or severance pay benefits are not reduced or increased by payments received under this plan.

To be eligible for this benefit, an employee must have worked at Trent University for twelve (12) months and be planning to return to work no later than twelve (12) weeks from the commencement of parental (adoption) leave for a period equal to twelve (12) weeks. An agreement must be signed by the employee promising to repay to the University the University's portion if the employee decides not to return to work.

During this period of leave, the cost of continuing in the benefit plans will be shared as if the staff member were fully employed.

During parental (adoption) leave, the vacation credits accrue in accordance with the Employment Standards Act.

10. Parental Leave Sub Plan

After a staff member has been employed at Trent University for one (1) year, she/he can apply for a parental leave sub plan. Under this plan all staff eligible under Article 15.14 above may also extend the sub plan for an additional ten (10) weeks as parental leave providing the parental leave is taken immediately following maternity leave. An additional twenty-five (25) weeks of parental leave may also be taken, but shall be considered an unpaid leave and may be eligible for Employment Insurance benefits, but not salary/wages from the University.

To be eligible for this benefit, a staff member must have worked at Trent University for twelve (12) months. The staff member must also be planning to return to work no later than fifty-two (52) weeks from the commencement of combined leaves (maternity, parental leave and unpaid leave) for a period equal to twenty-seven (27) weeks.

A staff member appointed to a limited term appointment as an external candidate is not entitled to these benefits beyond the completion date of the appointment.

Parental leave benefits for staff not eligible under 15.14 shall be subject to the following conditions:

- (a) If your spouse has not received Employment Insurance maternity leave benefits, the first two (2) weeks - 95% of staff member's normal salary/wages will be paid by the University upon receipt of Employment Insurance acceptance;
- (b) next ten (10) weeks - the University will supplement Employment Insurance benefits to 95% of normal salary/wages;
- (c) next twenty-five (25) weeks - are considered unpaid leave and may be eligible for Employment Insurance benefits, but not salary/wages from the University.

After the first two weeks, the staff member will be required to produce a Record of Payment from the Employment Insurance Commission before the University can pay the supplement.

Payments in respect to guaranteed annual remuneration, deferred remuneration or severance pay benefits are not reduced or increased by payments received under this plan.

To be eligible for this benefit, a staff member must have worked at Trent University for twelve (12) months. The staff member must also be planning to return to work no later than thirty-seven (37) weeks from the commencement of combined parental leave and unpaid leave for a period equal to twelve (12) weeks. An agreement must be signed by the candidate promising to repay the University's portion if the staff member decides not to return to work.

During parental leave, the vacation credits accrue in accordance with the Employment Standards Act.

11. Applications

All applications for leaves outlined in this policy shall be approved by the applicable Vice-President/Department/College Head and reported to the Department of Human Resources. Applications for all other types of short term leaves with pay shall be made to the Vice-President/Department/College Head who shall report them to the Department of Human Resources. Such applications will indicate the purpose of the leave and a reasonable outline of the activity proposed.

Applications for other types of leave shall normally be submitted at least two (2) months in advance of the proposed starting date, except for extended leaves of absence, for which at least six (6) months notice shall normally be required.

In the event that an application is turned down by the Vice-President/Department/College Head, the employee may appeal the decision with the Associate Vice-President of Human Resources.

12. Community Service

Trent University is committed to the principle that, where activities do not interfere with the carrying out of normal duties or pose a conflict of interest, employees are welcome to become involved in and support the greater community of Peterborough through involvement in volunteer and community service activities.

An employee who wishes to pursue community service activities during normal University working hours of operation may apply to his/her supervisor for community service leave specifying:

- the nature of the activity;
- the duration of the involvement; and
- how their regular duties will be handled during their absence.

Without limiting the generality of the types of situations where community service leave may be granted, the following situations will normally qualify:

- participation as a Member of the Board for public and non profit organizations;
- participation as a regular member of a service group; or
- participation in a community organization whose purpose is professional development.

13. Voting

- (a) Federal Elections: Employees who qualify as electors are entitled to up to four consecutive hours while polls are open during which to vote. If the hours of work do not allow for this an employee must be granted enough time off with no deductions in salary or wages to make up the four consecutive hours.
- (b) Provincial and Municipal Elections: Employees who qualify as electors are entitled to up to three consecutive hours while polls are open during which to vote. If the hours of work do not allow for this an employee must be granted enough time off with no deductions in salary or wages to make up the three consecutive hours.

14. Deferred Income Leave

Eligible staff members may fund leaves of absence by deferring a portion of their salary, which is then paid at the time the leave is taken. For more information, see the "Self-funded Leave Plan" booklet, as amended from time to time, or contact the Benefits Office in the Department of Human Resources.

Contact Officer:

Associate Vice-President, Human Resources

Date for Next Review:

January 2021

Related Policies, Procedures & Guidelines

- a) Policy, procedure or guideline
- b) Policy, procedure or guideline
- c) Policy, procedure or guideline

Policies Superseded by This Policy:

- a) Name of Policy