



Municipality of the County of Kings

Temporary Leave of Absence Policy

Policy Category	Human Resources	Most Recent Amendment	N/A
First Council Approval	June 1, 2021	Future Amendment Date	May 2025

1. Purpose

- 1.1 To establish a uniform policy for temporary leaves of absence from work and to specify the conditions under which such leaves of absence will be granted.
- 1.2 Objectives are to:
 - 1.2.1 Identify the types of temporary leaves of absence allowed;
 - 1.2.2 Define the eligibility requirements for each type of temporary leave of absence;
 - 1.2.3 Outline the procedure for applying for a temporary leave of absence;
 - 1.2.4 Define the approval process and level of authority required;
 - 1.2.5 Identify the length of temporary leave of absence permitted; and
 - 1.2.6 In the case of a Personal Leave of absence, outline the treatment of benefit premiums, vacation entitlement, and sick leave benefits, if permitted, during the period of the leave.

2. Scope

All Non-Union Employees of the Municipality. Leave provisions for Union Employees are covered within the CUPE 2618 and the Municipality of the County of Kings Collective Agreement.

3. Definitions

- 3.1 Extended Family: Includes a brother-in-law, sister-in-law, aunt, uncle, niece or nephew including step relations.
- 3.2 Group Insurance: Insurance provided through the Municipality to employees which may include coverage for medical, dental, life, dependent life, accidental death and dismemberment, and long term disability. The premiums are normally cost shared between the Municipality and the employees with the employee’s portion being typically deducted from bi-weekly pay.
- 3.3 Immediate Family: Includes a parent (including legal guardian or person who acted in the capacity of parent), spouse, common law partner, fiancé, pregnancy loss, child, brother, sister, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandparent, grandparent-in-law, grandchild or ward including step relations.
- 3.4 Insurer: The insurance company underwriting the Municipality’s Group Insurance contract and agreeing to pay compensation to an insured employee in the event of an insured loss.
- 3.5 Jury Duty: The requirement to attend court as a member of a jury or for jury selection.
- 3.6 Subpoena: A court document that requires a person to give evidence at a court proceeding.

4. Policy Statements

4.1. Personal Leaves of Absence

- 4.1.1. A Personal Leave of Absence is unpaid time off work that is granted for reasons including, but not limited to, specialized experiences, family issues, extenuating personal needs, elected office, or formal studies that result in promoting the interests of the Municipality and/or the employee.
- 4.1.2. A Personal Leave of absence may be granted where circumstances require an employee to be absent from the workplace. The Municipality has final decision as to if, and when, a leave of absence is approved.

- 4.1.3. A request for a Personal Leave of absence must be submitted, in writing, by the Employee to their supervisor. The request must state the period of leave required and the reason. The onus is on the Employee to substantiate the reason for the leave.
- 4.1.4. Requests for a Personal Leave of absence will be considered on an individual basis. The Municipality shall consider the following factors for each request:
 - 4.1.4.1. The Employee's length of service and performance;
 - 4.1.4.2. The reason for leave of absence;
 - 4.1.4.3. The department's current workload;
 - 4.1.4.4. Availability of suitable replacement staff;
 - 4.1.4.5. Cost to the Municipality; and
 - 4.1.4.6. Previous requests for leaves of absence.
- 4.1.5. A Personal Leave of absence for a period of up to four (4) weeks may be granted at the discretion of the employee's immediate supervisor. If the leave is requested by a Manager or Director, than the leave requires the approval of the Chief Administrative Officer. All Personal Leaves of absence requests longer than four (4) weeks require the approval of the Chief Administrative Officer.
- 4.1.6. With the exception of long-term disability insurance, any or all Group Insurance coverages may be continued for up to six months from the date the Personal Leave period commences. Coverage beyond six months is at the discretion of the Insurer and cannot be guaranteed.
 - 4.1.6.1. The Employee must request in writing which Group Insurance coverages are to be continued and which are to be cancelled during the Personal Leave period.
 - 4.1.6.2. While on a Personal Leave, the Employee will be responsible for remitting 100% of all Group Insurance premiums due. The Municipality will collect the premiums monthly by direct debit from the Employee's bank account.
 - 4.1.6.3. If the Employee opts to cancel any or all Group Insurance coverages at the beginning of, or at any time during the Personal Leave period, the coverages cannot be reinstated until the Employee actively returns to work.
 - 4.1.6.4. If any Group Insurance coverages are not reinstated within 31 days of the date the Employee actively returns to work, the Insurer will treat the Employee as a late applicant which includes the right to deny coverage.
- 4.1.7. An Employee shall not accumulate seniority, vacation entitlement or sick leave while on a Personal Leave of absence.
- 4.1.8. Employees granted a Personal Leave of absence shall resume work on the first work day following the expiration date of the approved leave of absence period. If the Employee does not return to work and has not received approval to extend their Personal Leave of absence, the Employee may be presumed to have resigned employment and may be subject to loss of all related employment benefits.
- 4.1.9. Subject to budgetary restrictions and operational requirements, the Municipality is interested in encouraging Employees to improve their educational qualifications in subjects and fields of endeavour which are related to the Employee's position and which will place the Employee in a position to improve their job performance in accordance with the Training and Professional Development Policy HR-06-014.

4.2. Bereavement Leaves of Absence

- 4.2.1. Bereavement Leave is a temporary leave of absence from work that is granted to employees bereaved by the death of an Immediate or Extended Family member.
- 4.2.2. Employees shall be granted Bereavement Leave with pay for a period of five (5) consecutive working days in the event of a death in the employee's Immediate Family.
- 4.2.3. Employees shall be granted Bereavement Leave with pay for a period of one (1) working day in the event of a death in the employee's Extended Family.
- 4.2.4. If an Employee learns of the death after they have reported to work, the Employee shall be paid for that day but it shall not count as a day of Bereavement Leave.
- 4.2.5. If the death occurs during an Employee's scheduled vacation, the Employee may claim Bereavement Leave and reschedule their vacation days at a time agreed upon between the Employee and their supervisor.

4.2.6. With the approval of the Chief Administrative Officer, an Employee may be granted up to five (5) days Bereavement Leave in addition to the leave provided in Sections 4.2.2 or 4.2.3. The Employee may use their accumulated sick leave for this purpose and must provide as much notice as possible to the Chief Administrative Officer.

4.3. Court Leaves of Absence

- 4.3.1. Court Leave is a temporary leave of absence from work that is granted to employees required to attend court during regular business hours.
- 4.3.2. When an Employee must attend court on behalf of the Municipality during regular working hours, the Employee shall appear as requested and be allowed time off with pay during the period the Employee is required to attend court.
- 4.3.3. When an Employee must attend court on behalf of the Municipality outside of regular working hours, the Employee shall appear as requested and the time shall be recorded as overtime in accordance with the Non-Unionized Employee Vacation and Overtime Policy HR-06-017.
- 4.3.4. If an Employee is required to appear in court, but not on behalf of the Municipality, the issuance of a Subpoena is mandatory upon which the Employee will be granted Court Leave without pay. Vacation or lieu time may be used to compensate for lost earnings. In extraordinary situations, the Chief Administrative Officer may approve Court Leave with pay.
- 4.3.5. When an Employee has been summoned for Jury Duty, the Employee’s normal straight-time salary shall be continued during the period of Jury Duty. In these circumstances, the Employee will be required to turn over to the Municipality all amounts paid for Jury Duty, other than travel expenses.

5. Responsibilities:

- 5.1 Council will:
 - 5.1.1 Ensure that the Municipality has a policy in place for temporary leaves of absence for Non-Union Employees; and
 - 5.1.2 Review, amend, and adopt changes to this Policy as required.
- 5.2 The Chief Administrative Officer or designate will:
 - 5.2.1 Implement and administer this Policy;
 - 5.2.2 Identify necessary revisions to this Policy in consultation with Council and managerial staff; and
 - 5.2.3 Ensure staff are advised of this Policy.
- 5.3 Non-Union Employees will:
 - 5.3.1 Familiarize themselves with, and act, in accordance with this Policy.

6. Amendments

Date	Amendments
June 1, 2021	Consolidation of Policies HR-06-009: Bereavement Leave, HR-06-010: Court Leave, and HR-06-011: Personal Leave into one Policy. New template, new definitions, added clarity, more details regarding Group Insurance, removed reference to holidays in section 4.2.5, and clarified the use of vacation or lieu time in 4.3.4.