Leaves With and Without Pay

2. General Policy Statement

The University has established a system for the administration and control of the various forms of leave with and without pay, with partial pay or with reimbursed pay.

3. Responsibility

3.01 Human Resources is responsible for:

a. administering, interpreting and ensuring consistent application of the leave policies,
b. assisting department heads, supervisors and Employees in the application of the leave policies.

3.02 Vice-Presidents, Deans and supervisors, as appropriate, are responsible for

a. assisting an Employee in identifying eligibility under the leave policy and in the completion of the necessary documentation,
b. completing all required documentation respecting the leave policies, including approval of leave applications, where applicable.

3.03 The Employee is responsible for being aware of the regulations, policies and procedures respecting the various programs of leave.

4. General/Statutory Holidays

4.01 The following days are holidays for the University and the Employee will have leave with pay:

New Year’s Day British Columbia Day
Family Day Labour Day
Good Friday Thanksgiving Day
Easter Monday Remembrance Day
Victoria Day Christmas Day
Canada Day Boxing Day
Plus any other day officially proclaimed by Government

4.02 Should any of the above-named holidays fall on a weekend, a day in lieu will be given.

4.03 A Temporary Employee will be entitled to general holiday pay provided he/she has worked fifteen (15) days in the thirty (30) calendar days preceding the general holiday.

4.04 A Part-time Employee in a Continuing Position, and an eligible Part-time Employee in a Temporary Position, will receive general holiday pay prorated on the basis of the normal weekly hours.
5. **Annual Vacation**

5.01 Annual vacations are established to provide a paid period of earned rest and relaxation, away from the duties of employment, and subject to Sections 5.02 and 5.03, to recognize length of service by providing increases in Vacation Entitlement as follows:

<table>
<thead>
<tr>
<th>Number of Calendar Years of Employment</th>
<th>Length of Vacation Entitlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zero (0) to Seven (7) years</td>
<td>Four (4) weeks (144 hours) per calendar year (prorated in the first year from date of employment to December 31)</td>
</tr>
<tr>
<td>In the eighth (8) through the fourteenth (14) years</td>
<td>Five (5) weeks (180 hours)</td>
</tr>
<tr>
<td>In the fifteenth (15) and succeeding years</td>
<td>One (1) additional day for each additional year of service to a maximum of six (6) additional days</td>
</tr>
</tbody>
</table>

5.02 A Part-time Employee in a Continuing Position will receive prorated Vacation Entitlement based on normal bi-weekly hours.

5.03 A Temporary Employee will receive vacation pay of eight (8) percent of wages paid bi-weekly.

5.04 Vacation Entitlements are not earned during a period of extended personal leave or while on LTD and, subject to Section 5.06, are prorated if the Employee leaves the University before the end of the calendar year.

5.05 Except in cases of retirement, Vacation Entitlements may not be taken immediately before termination of employment. Any earned Vacation Entitlements will be paid out on the final pay.

5.06 When an Employee retires, he/she receives the entire year's Vacation Entitlement regardless of the date the retirement is effective.

5.07 As at January 1, 2003, an employee's full Vacation Entitlement for a given calendar year may be deferred for one year but must be taken in the next calendar year. Where an employee is unable to take the deferred vacation entitlement in the next calendar year, the deferred vacation will be paid out.

As at January 2004, the following methodology shall be used to calculate vacation carry over:

a. Any vacation taken is first deducted against any vacation entitlement carried over from the previous year;

b. Any further vacation taken is then deducted from the employee's current year vacation entitlement; and

c. Any further vacation taken is then deducted from the employee's grandfathered December 31, 2002, total vacation carry over amount.

5.08 Supervisors will make a reasonable effort to facilitate vacation schedules that allow the maximum number of Employees to take vacations on the dates of each Employee's choice.

6. **Court/Jury Leave**

6.01 A Continuing Employee required by summons or subpoena to appear as a witness or to serve as a jury member in a court of law, will receive salary continuance for the time required to be in court. The Employee will reimburse the University the funds received from the Court for jury duty less the amount paid for parking.

6.02 Salary continuance is not available to a Temporary Employee.
7. **Compassionate and Personal Leave With Pay**

**7.01** When death, serious illness, or injury strikes a close family member or close friend of an Employee, up to five (5) days compassionate leave with pay may be granted at the discretion of the supervisor.

**7.02** The supervisor may also grant up to two (2) days personal leave with pay per year when an Employee must respond to a domestic emergency or personal problem. This is not intended to supplement the compassionate leave benefit.

**7.03** A Temporary Employee is eligible for leave with pay under Sections 7.01 and 7.02.

8. **Sick Leave**

**8.01** Entitlement

a. For a Continuing Employee, University sick leave for non-occupational illness or injury will be based on length of service as follows:

<table>
<thead>
<tr>
<th>Service Period</th>
<th>Entitlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than three (3)</td>
<td>One (1) week (36 hrs) at 100% of salary</td>
</tr>
<tr>
<td>months</td>
<td></td>
</tr>
<tr>
<td>Three (3) months but</td>
<td>Four (4) weeks (144 hrs) at 100% salary, then</td>
</tr>
<tr>
<td>less than one (1) year</td>
<td>twelve (12) weeks (432 hrs) at 75% salary, then</td>
</tr>
<tr>
<td></td>
<td>ten (10) weeks (360 hrs) at 60% salary</td>
</tr>
<tr>
<td>One (1) year but less</td>
<td>Twelve (12) weeks (432 hrs) at 100% salary, then</td>
</tr>
<tr>
<td>than five (5) years</td>
<td>four (4) weeks (144 hrs) at 75% salary, then</td>
</tr>
<tr>
<td></td>
<td>ten (10) weeks (360 hrs) at 60% salary</td>
</tr>
<tr>
<td>Five (5) years or more</td>
<td>Twenty-six (26) weeks (936 hrs) at 100% of salary</td>
</tr>
</tbody>
</table>

b. In any seven-year period, an employee is eligible for an aggregate maximum of twenty-six weeks sick leave for the same illness or injury. If the illness or injury occurs again within the seven-year period, and the employee has already taken twenty-six weeks sick leave, he/she shall be eligible to apply for Long Term Disability. Any other illness or injury not directly related to the earlier illness or injury shall also carry an aggregate maximum entitlement of twenty-six weeks of sick leave in any seven-year period.

c. A Part-time Employee will be entitled to sick leave prorated accordingly.

d. A Temporary Employee with more than three (3) weeks of service in his/her current position prior to each period of sick leave is eligible for the entitlement as a Continuing Employee as stated in Section 8.01 (a) above.

**8.02** When a statutory or University holiday falls within, or contiguous to, a period of paid sick leave, the holiday will not be assessed against an Employee's sick leave.

**8.03** An Employee must report his/her inability to work due to illness to his/her supervisor or to the person designated to receive such reports before the start of the work day or as soon as reasonably possible after work begins. An Employee is obligated to keep the supervisor informed of his/her status (inability to work) on an ongoing basis.

**8.04** At the discretion of the supervisor, a physician's certificate satisfactory to the University may be required to support any absence due to illness or injury.

**8.05** Repeated absences or persistent inability to perform duties because of chronic illness may result in an Employee being required to undergo a medical examination and to take sick leave until he/she can produce satisfactory medical evidence of the ability to return to work. This decision will be made by the Dean or Director in consultation with the Executive Director, Human Resources.
8.06 If an Employee fails to cooperate by refusing a medical examination, or by failing to follow a prescribed course of treatment or to produce a confirming medical certificate, his/her sick leave will normally be canceled and he/she may be recommended for dismissal.

9. Workers' Compensation

9.01 Eligibility

All Employees are eligible for compensation for loss of pay and medical expenses arising from work-related injury or occupational disease according to the Workers' Compensation Board (WCB).

9.02 Entitlement

a. An Employee experiencing loss of pay and medical expenses arising from a work-related injury or occupational disease will have his/her salary continued by the University according to the sick leave Policy provided he/she makes appropriate application to The Workers' Compensation Board. Any Workers' Compensation Board Wage Loss Compensation payments will then go directly to the University.

b. An injured Employee requiring time off for the day of the injury only will be paid regular salary in full for that day.

c. If an Employee is not able to return to work at the expiration of his/her sick leave then he/she will no longer receive compensation from the University and will receive compensation directly from the Workers' Compensation Board.

d. If an Employee's Bi-weekly Salary under the sick leave Policy falls below the Wage Loss Compensation payment, then salary continuance from the University will cease and the Employee will receive Wage Loss Compensation directly from the Workers' Compensation Board.

9.03 An Employee is responsible for

a. obtaining medical aid as required for the injury, and

b. reporting all injuries to his/her supervisor, and

c. providing mandatory medical certificates/documentation to the supervisor in support of any absences relating to the injury, including verifying the inability to perform his/her duties because of the injury and the approximate length of time off required, and

d. completing the worker's report form provided by the Workers' Compensation Board.

9.04 Supervisors are responsible for

a. ensuring that an injured Employee receives medical attention as required, and

b. completing the "Employer's Report," Workers' Compensation form and forwarding it to Human Resources within three days of the incident.

9.05 When an Employee no longer receives regular compensation from the University and receives compensation directly from Workers' Compensation, the University will maintain the benefit premiums.

9.06 An Employee returning from WCB leave must produce a physician's certificate, verifying that he/she is fit to return to work and identifying any limitations.

9.07 An Employee returning to work with a "light duties only" medical certificate may return to work if there is light duty available. The Workers' Compensation Board, the department and Human Resources will mutually agree upon a work schedule.
10. Maternity and Parental Leave

10.01 Maternity/Parental Leave - Birth Mother – Continuing Employee

a. Length of Leave -- A Continuing Employee is entitled to a leave of absence, without pay, for a period up to seventeen (17) consecutive weeks of maternity leave and up to thirty-five (35) consecutive weeks of parental leave. The parental leave must immediately follow the maternity leave. Where the birth mother chooses to take only the parental leave she is entitled up to thirty-seven (37) consecutive weeks of unpaid leave to be taken within fifty-two (52) weeks of the birth of the child.

b. Notice Requirements -- At least four (4) weeks written notice must be provided before the leave begins. A physician's certificate indicating the expected probable date of birth must accompany the written request. The request will specify the day on which the leave is to begin and the expected return to work date. Where a pregnant Employee gives birth before requesting maternity leave or before beginning maternity leave, her leave will be deemed to have started on the date of the child’s birth. An Employee may end a leave by giving four (4) weeks written notice. This may be waived in extreme circumstances by mutual agreement. A physician's certificate may be required stating an Employee is able to return to work.

c. Sick Leave -- An Employee on leave will be entitled to paid sick leave (as outlined in Section 8.01) for illnesses related to the pregnancy or birth, occurring during the leave upon presentation of a physician's certificate.

d. Benefits and Service Credits -- During the period of maternity and/or parental leave, both the University and the Employee will continue to pay their portions of the benefit premiums. Vacation Entitlement, pension and other service credits will not be affected by the leave.

e. Reimbursement -- A Continuing Employee who has returned to work following her leave will be eligible for the following reimbursement:

   i. A Continuing Employee who is the birth mother and received the EI (Employment Insurance) maternity and/or EI parental benefits may submit a claim to Human Resources for reimbursement of the difference between the EI maternity and/or EI parental benefits and her Normal Salary for the duration of the EI maternity and/or EI parental benefit period to a maximum of thirty-five (35) weeks. EI stubs must accompany the claim.

   ii. A Continuing Employee who is the birth mother and was ineligible for EI maternity and/or EI parental benefits may submit a request to Human Resources for reimbursement of a lump sum of forty (40) percent of her Normal Salary for the duration of the normal EI maternity and/or EI parental benefit period to a maximum of thirty-five (35) weeks.

   iii. A Continuing Employee who resigns within one year of returning to work following the leave shall be required to repay to the University a prorated amount of the difference between the EI benefit and her Normal Salary for the duration of the benefit period.

10.02 Parental Leave - Spouse of a Birth Mother and Adoptive Parent

a. Length of Leave - A Continuing Employee who is either a Spouse of a birth mother or an adoptive parent will be entitled to thirty-seven (37) consecutive weeks of leave, without pay. Leaves must be taken within fifty-two (52) weeks of the birth of the child or the date the child comes into the actual care and custody of the parent.

   In special adoption cases, leaves will be extended up to an additional five (5) consecutive weeks without pay where the child is at least six (6) months of age.
before coming into the Continuing Employee's care and custody and where a medical practitioner or the agency that places the child certifies that an additional period of parental leave is required because the child suffers from a physical, psychological or emotional condition.

If the birth mother dies or is totally disabled during the maternity leave period, the parent of the child will be entitled to both maternity and parental leave without pay under the terms and conditions that would otherwise apply to the birth mother.

b. Notice Requirements -- At least four (4) weeks written notice must be provided to the supervisor and copied to Human Resources before the leave commencement and the expected return to work date. If the leave is for the purpose of adoption, then the four (4) week notice period will be waived with the Continuing Employee making a request as soon as is reasonably practicable. A Continuing Employee who requests parental leave for the adoption or caring of a child will be required to provide proof of adoption or birth of the child. A Continuing Employee may end the leave by giving the supervisor four (4) weeks written notice. This may be waived in extreme circumstances by mutual agreement.

c. Benefits and Service Credits -- During the period of parental leave, both the University and the Employee will continue to pay their portions of the benefit premiums. Vacation Entitlement, pension and other service credits will not be affected by the leave.

d. Reimbursement -- A Continuing Employee who is either a Spouse of a birth mother or an adoptive parent who has returned to work following parental leave and who has received EI parental benefits will be entitled to reimbursement of the difference between the EI parental benefits and his/her Normal Salary for the duration of the EI parental benefit period to a maximum of thirty-five (35) weeks. Claims for reimbursement must be submitted to Human Resources. EI stubs must accompany the claim. A Continuing Employee who resigns within one year of returning to work following the leave shall be required to repay to the University a prorated amount of the difference between the EI benefit and his/her Normal Salary for the duration of the EI benefit period.

10.03 Maternity & Parental leave - Temporary Employees

a. Length of Leave - The length of the maternity and/or parental leave for a Temporary Employee will not exceed the end of his/her temporary appointment.

i. Birth Mother – A pregnant Temporary Employee is entitled to a leave of absence, without pay, for a period of seventeen (17) consecutive weeks of maternity leave and up to thirty-five (35) consecutive weeks of parental leave. The parental leave must immediately follow the maternity leave. In the case where the birth mother chooses to take only the parental leave she is entitled to up to thirty-seven (37) consecutive weeks of unpaid leave to be taken within fifty-two (52) weeks of the birth of the child.

ii. Birth Father, Spouse of the Birth Mother, Adoptive Parent – A Temporary Employee who is the birth father, Spouse of the birth mother, or the adoptive parent shall be entitled to thirty-seven (37) consecutive weeks of leave, without pay. The leave must be taken within fifty-two (52) weeks of the birth of the child or the date the child comes into the actual care and custody of the mother or father.

In special adoption cases the leave will be extended up to an additional five (5) consecutive weeks without pay where the child is at least six (6) months of age before coming into the employee's care and custody and where a medical practitioner or the agency that places the child certifies that an additional period of parental leave is required because the child suffers from a physical, psychological or emotional condition. The Temporary Employee may terminate the leave by giving four (4) weeks
written notice. This may be waived in extreme circumstances by mutual agreement.

b. Notice Requirements - At least four (4) weeks written notice must be provided to the supervisor and copied to Human Resources prior to the leave commencement. A physician or midwife’s certificate indicating the expected probable date of birth must accompany the written request. The request will specify the day on which the leave is to commence and the expected return to work date. Where a pregnant Temporary Employee gives birth before requesting maternity leave or before beginning maternity leave, her leave will be deemed to have started on the date she gave birth. The Temporary Employee may terminate the leave(s) by giving four (4) weeks written notice. This may be waived in extreme circumstances by mutual agreement. A physician’s certificate may be required stating the Temporary Employee is able to return to work.

c. Sick Leave - A Temporary Employee on leave shall be entitled to sick leave (as outlined in AD10-08 Section 8.) for illnesses related to the pregnancy or birth, occurring during the leave upon presentation of a physician’s certificate.

d. Benefits and Service Credits - During the term of the maternity and/or parental leave, both the University and the Temporary Employee shall continue to pay their portion of the benefit premiums. Vacation Entitlement and other service credits will not be affected by the leave.

11. Personal Leave without Pay

11.01 Leaves of absence without pay may be granted to an Employee at the discretion of the department head if the operational efficiency of the department will not be adversely affected.

11.02 An Employee requesting a personal leave without pay will submit an application to the department head, the Dean/administrative Director or the Vice-President for approval.

11.03 Depending on the length of the leave the maintenance of the benefit premiums will be as follows:

a. Leaves of less than four (4) months -- both the University and the Employee will continue to pay their portions of the benefit premiums.

b. Leaves of more than four (4) months -- the Employee will be responsible for paying the full cost of the premiums. If an Employee chooses not to maintain all the premiums required during the leave, proof of insurability and the applicable waiting period may result upon return to work. The University’s share of premiums will stop at the end of the month in which the leave of absence begins and will begin again the first day of the month following that in which the leave ends.