Leaves (With and Without Pay)
(Appplies to administrative and professional staff only.)

2. General Policy Statement

Simon Fraser University wishes to establish and maintain an orderly system for the administration and control of the various forms of leave, including those with pay, partial pay or without pay.

3. Definitions

3.01 Vacation Credits -- earned vacation entitlement in hours based on service and accumulated on a bi-weekly basis.

3.02 Vacation Year -- the calendar year, January to December.

4. Responsibility

4.01 Human Resources is responsible for:
   a. Administering, interpreting and ensuring consistent application of the leave policy.
   b. Assisting department heads, supervisors and employees in the administration and application of the leave policy.

4.02 The Immediate Supervisor is responsible for:
   a. Assisting employees in identifying eligibility under the leave policy and assisting employees in the completion of the necessary documentation.
   b. Completing all required documentation respecting the leave policy.

4.03 The Employee is responsible for:

Being aware of the regulations, policies and procedures respecting the various programs of leave.

5. General/Statutory Holidays

5.01 The following days will be holidays for the University and employees will have leave with pay:

- New Year's Day
- Labour Day
- Good Friday
- Thanksgiving Day
- Easter Monday
- Remembrance Day
- Victoria Day
- Christmas Day
- Canada Day
- Boxing Day
- British Columbia Day
- Plus any other day officially proclaimed by Government
5.02 Should any of the above-named holidays fall on a weekend, a day in lieu will be given.

5.03 Temporary employees will be entitled to general holiday pay provided they have worked fifteen (15) days in the thirty (30) calendar days preceding the general holiday.

5.04 All continuing part-time and eligible temporary part-time employees will receive general holiday pay prorated on the basis of the normal weekly hours.

6. **Annual Vacation**

6.01 Vacation Leave

Annual vacations are established to provide a paid period of earned rest and relaxation, away from the duties of employment, and 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</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 7 years</td>
<td>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 8th through the 14th year</td>
<td>5 weeks (180 hours)</td>
</tr>
<tr>
<td>In the 15th and succeeding years</td>
<td>One additional day for each additional year of service to a maximum of five (5) additional days</td>
</tr>
</tbody>
</table>

6.02 Vacation credits are not earned during a period of extended personal leave or while on long term disability and are prorated in the event that an individual terminates before the end of the calendar year.

6.03 Except in cases of retirement, vacation may not be taken immediately prior to termination of employment. Such earned vacation credits will be paid out on the final pay.

6.04 In the event of retirement, an individual is entitled to the entire year's entitlement regardless of the date the retirement is effective.

6.05 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.

Supervisors shall make a reasonable effort to facilitate vacation schedules which allow the maximum number of employees to take vacations on the dates of each employee’s choice.

6.06 Part-time continuing employees will receive prorated entitlement based on normal bi-weekly hours.

6.07 Temporary employees will receive vacation pay of eight (8) percent of wages paid bi-weekly.
7. **Maternity and Parental leave**

7.01 Maternity/Parental Leave – Birth Mother

a. Length of Leave

A continuing employee is entitled to a leave of absence, without pay, for a period up to eighteen (18) consecutive weeks of maternity leave and up to twelve (12) consecutive weeks of parental leave. The parental leave must immediately follow the maternity leave.

b. Notice Requirements

At least four (4) weeks written notice must be provided prior to the leave commencement. A medical 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 employee gives birth before requesting maternity leave or before commencing maternity leave, her leave will be deemed to have started on the date she gave birth. The employee may terminate the leave(s) by giving four (4) weeks written notice. This may be waived in extreme circumstances by mutual agreement. A medical certificate may be required stating the employee is able to return to work.

c. Sick Leave

An employee on leave shall be entitled to paid sick leave (as outlined in Policy AD 9-8, Section 11.01) for illnesses related to the pregnancy or birth, occurring during the leave upon presentation of a medical certificate.

d. Benefits and Service Credits

During the term of the maternity and/or parental leave, both the University and the employee shall continue to pay their portion 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 for at least two (2) months following her leave shall be eligible for the following reimbursement:

i. employees who received the Unemployment Insurance maternity benefit may submit a claim to Human Resources for reimbursement of the difference between the UI maternity benefit and the employee's normal salary for the duration of the UI maternity benefit period.

ii. employees who were ineligible for UI maternity benefits may submit a request to Human Resources for reimbursement of a lump sum of forty (40) percent of their normal wages for the duration of the normal UI maternity benefit period.

7.02 Parental Leave – Birth Father and Adoptive Parent

a. Length of Leave

A continuing employee who is the birth father, the adoptive father or the adoptive mother shall be entitled to twelve (12) consecutive weeks of leave, without pay. 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 employee may terminate the leave by giving four (4) weeks written notice. This may be waived in extreme circumstances by mutual agreement. A medical certificate may be required stating the employee is able to return to work.

In the event the birth mother dies or is totally disabled during the maternity leave period, the father of the child shall be entitled to both maternity and parental leave without pay under the terms and conditions which would otherwise apply to the birth mother.

b. Notice Requirements

At least four (4) weeks written notice must be provided prior to 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 shall be waived with the employee making request as soon as is reasonably practicable. An employee who requests parental leave for the adoption or caring of a child shall be required to provide proof of adoption or birth of the child.

c. Benefits and Service Credits

During the term of the parental leave, both the University and the employee shall continue to pay their portion of the benefit premiums. Vacation entitlement, pension and other service credits will not be affected by the leave.

d. Reimbursement

A birth father or adoptive parent who has returned to work for at least two (2) months following a parental leave and who has received the Unemployment Insurance (UI) parental benefit shall be entitled to reimbursement of the difference between the UI parental benefit and her/his normal salary for the duration of the UI parental benefit period. Claims for reimbursement must be submitted to Human Resources.

8. Court/Jury Leave

8.01 An employee required by summons or subpoena to appear as a witness or to serve as a jury member in a court of law, shall receive salary maintenance for the time required to be in court.

8.02 Salary maintenance is not available to temporary employees.

9. Personal Leave Without Pay

9.01 A leave 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.

9.02 An employee requesting leave without pay will submit an application to the Department Head for approval. Leaves of six (6) months or more in duration require the approval of the appropriate Vice-President.

9.03 Benefit Maintenance

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

a. leaves of less than four months - both the University and the employee shall continue to pay their portion of the benefit premiums.

b. leaves of more than four months - the employee shall be responsible for paying the full cost of the premiums. If the 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 share of premiums will terminate at the end of the month in which the leave of absence begins and will commence with the first day of the month following that in which the leave terminates.

10. Compassionate Leave

10.01 When death, serious illness, or injury strikes a close family member or close friend of an employee up to five (5) days compassionate leave may be granted at the discretion of the supervisor. The supervisor may also grant up to two (2) days leave with pay per year when an employee must respond to an emergency domestic or personal problem.

10.02 Temporary employees are eligible for compassionate leave.

11. Sick leave

11.01 Entitlement (continuing employees)

University sick leave for each illness or injury shall 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) months</td>
<td>One week (36 hrs) at 100% of salary</td>
</tr>
<tr>
<td>Three (3) months but less than one year</td>
<td>Four weeks (144 hrs) at 100% salary, then</td>
</tr>
<tr>
<td></td>
<td>Twelve 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 year but less than five years</td>
<td>Twelve (12) weeks (432 hrs) at 100% salary, then</td>
</tr>
<tr>
<td></td>
<td>Four(4) weeks (144 hrs) at 75% of salary, then</td>
</tr>
<tr>
<td></td>
<td>ten (10) weeks (360 hrs) at 60% of salary</td>
</tr>
<tr>
<td>Five years or more</td>
<td>Twenty-six weeks (936 hrs) at 100% of salary</td>
</tr>
</tbody>
</table>

Part-time employees will be entitled to sick leave prorated accordingly.

11.02 Entitlement (temporary employees)

Employees with more than three weeks of service prior to each period of sick leave are eligible for the entitlement as continuing employees as stated in clause 11.01 above.

11.03 Holidays During Sick Time

When a statutory or University holiday falls within, or contiguous to, a period of paid sick leave, the holiday shall not be assessed against the employee's sick leave.

11.04 Employees must report their inability to work due to illness to their Supervisor or to the person designated to receive such reports before the start of their work day or as soon as reasonably possible after work begins. It is the employee's obligation to keep the Supervisor informed of his/her status (inability to work) on an ongoing basis.

11.05 At the discretion of the Supervisor, any absences due to illness or injury may be required to be supported by a Physician's certificate satisfactory to the University.

11.06 Repeated absences or persistent inability to perform duties because of chronic illness may result in an employee being required to undergo medical examination and to take sick leave until the employee 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.

11.07 If an employee fails to cooperate by not undergoing medical examination or fails to follow a prescribed course of treatment or produce confirming medical certificates, the employee's sick leave may be cancelled and the employee may be recommended for dismissal.

12. **Worker's Compensation**

12.01 Eligibility for Workers' Compensation

All University employees are eligible for compensation for loss of pay and medical expenses arising from work-related injury or occupational disease in accordance with the Workers' Compensation Board Act.

12.02 The Benefit

Continuing employees will have their salary maintained in accordance with the Sick Leave Policy provided they make appropriate application to The Worker's Compensation Board. If the employee is not able to return to work at the expiration of his/her sick leave then the employee will no longer receive compensation from the University and will receive compensation directly from the Workers' Compensation Board.

12.03 Responsibilities:

a. The Employee is responsible for:

   i. Obtaining medical aid as required for the injury.

   ii. Reporting all injuries to his/her Supervisor.

   iii. Providing medical documentation to the Supervisor in support of any absences relating to the injury.

   iv. Completing the workers' report form provided by the Workers' Compensation Board.

b. The Supervisor is responsible for:

   i. Ensuring that the injured employee receives medical attention as required.

   ii. Completing the "Employer's Report," Workers' Compensation Form 7 and forwarding it to Human Resources within three days.

12.04 Injury

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

12.05 Injury (Time Off Longer Than The Day of Injury)

If an employee is unable to perform his/her regular duties and requires time off longer than the day of injury, he/she will have his/her salary maintained in accordance with the Sick Leave Policy. The employee must submit to his/her Supervisor a medical certificate verifying the inability to perform his/her duties because of the injury and the approximate length of time off required.

12.06 Pay While on Workers' Compensation

The University will maintain the employees salary in accordance with the Sick Leave Policy. Any and all Workers' Compensation Board Wage Loss Compensation payments shall then go directly to the University. In the event that the employee's bi-weekly salary under the Sick Leave Policy falls below
the Wage Loss Compensation payment, then the salary maintenance from the University shall cease and the employee shall receive the Wage Loss Compensation directly from the Workers' Compensation Board.

12.07 Employee Returns From Workers' Compensation (Regular Duties)

Employees returning from WCB Leave must produce a Doctor’s certificate, verifying that they are fit to resume regular duties.

12.08 Employee Returns From Workers' Compensation (Light Duties Only)

Employees returning to work with "light duties only" medical certificates may return to work if there is light duty available. The Workers' Compensation Board, the department and Human Resources shall mutually agree upon a work arrangement.

12.09 Employee Benefits

Where the employee no longer receives regular compensation from the University and receives compensation directly from Workers' Compensation, the University will maintain the benefit premiums.