



**Rationale**

It is recognized that Leaves of Absence are an important component of CISVA’s employment practice that contributes to the smooth running of our schools.

**Policy**

Tables I and II below outline the type of Leaves of Absence available CISVA employees, where applicable, as well as the procedure and approval process to avail of such leaves and approval process. In general, and where practicable, all requests for leave require written notification well in advance of the leave itself (to allow for appropriate cover to be arranged), the details of which are outlined below.

**Leave Entitlement Under the *Employment Standards Act***

The *Employment Standards Act* will be the minimum standard followed in all instances of leave of absence, where applicable. Leaves to which the employee is entitled under the *Employment Standards Act* include the following:

**Table 1 – Leave Entitlement Under the *Employment Standards Act*<sup>1</sup>**

| Type            | Eligibility   | Entitlement   | Process   |
|-----------------|---------------|---|---|
| Pregnancy Leave | All employees | <ul style="list-style-type: none"> <li>Up to 17 consecutive weeks of unpaid leave to be taken no earlier than 13 weeks before the expected due date and no later than actual birth;</li> <li>The leave can be extended an additional 6 consecutive weeks if the employee is unable to return at the end of the leave for reasons related to the birth or pregnancy;</li> <li>In the case of an employee on pregnancy leave, and in circumstances of an incomplete pregnancy, death of the child or other special situations, an employee may request a return to work earlier than provided in the agreed upon leave.</li> <li>An employee on leave who wishes to return from leave within 6 consecutive weeks after the birth has occurred is permitted to do so, upon receipt of satisfactory medical documentation. Otherwise, a request to change the length of the leave requires the advance written consent of the employee and her employer.</li> </ul> | <ul style="list-style-type: none"> <li>Written request to the Principal indicating both the start date of the leave and the length of the leave, which request should be submitted a minimum of 4 weeks prior to the expected commencement of the leave.</li> <li>The employee is required to enter into a Pregnancy Leave Agreement that spell out the details of the leave itself (dates, duration, etc.), which shall also include the employee’s parental leave, if applicable;</li> <li>An employee intending to make an early return to duty (i.e. within 6 consecutive weeks after the birth has occurred) or requesting the 6-week extension to the leave, will submit a written application at least 7 days in advance as well as the required medical documentation;</li> <li>In all other circumstances, an employee is not entitled to change the length of her leave but may request the consent from her employer to do so. It is recommended that employees provide a minimum of 1 months’ notice of an intention to change the</li> </ul> |

<sup>1</sup> Be sure to consult this *Act* for a detailed description of these leaves please consult the relevant section of the *Employment Standards Act*. Should there be a discrepancy between the details outline in this table and the *Act* itself, the *Act* takes precedence.



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|                             |               |  | length of the leave in order for requests to be properly considered.  |
| Parental                    | All employees | <ul style="list-style-type: none"> <li>Up to 61 consecutive weeks of unpaid leave following pregnancy leave (if taken by the employee entitled to pregnancy leave)</li> <li>Otherwise, up to 62 consecutive weeks beginning within 78 weeks of the birth of the child/ren (or up to 62 consecutive weeks which must begin within 78 weeks of an adopted child being placed with parent)</li> <li>Leave can be extended 5 weeks if the child/ren) has a physical, psychological or emotional condition requiring an additional period of parental care</li> </ul> | <ul style="list-style-type: none"> <li>If the employee has already submitted a request for pregnancy leave, it is expected that the initial request will pertain to the combined pregnancy and parental leave.</li> <li>In all other cases, written request to the Principal indicating both the start date of the leave and the length of the leave, which request should be submitted a minimum of 4 weeks prior to the expected commencement of the leave.</li> <li>If the employee has not previously entered into a Pregnancy Leave Agreement, the employee is required to enter into a Parental Leave Agreement that spell out the details of the leave itself (dates, duration, etc.).</li> <li>An employee intending to request a 5-week extension to the leave for medical reasons will submit a written application at least 7 days in advance as well as the required medical documentation;</li> <li>In all other circumstances, an employee is not entitled to change the length of his/her leave but may request the consent from his/her employer to do so. It is recommended that employees provide a minimum of 1 months' notice of an intention to change the length of the leave in order for requests to be properly considered.</li> </ul> |
| Compassionate Care          | All employees | <ul style="list-style-type: none"> <li>Up to 27 weeks of unpaid leave to provide care or support to a family member if a medical practitioner or nurse practitioner issues a certificate stating that the family member has a serious medical condition with a significant risk of death within 26 weeks</li> <li>Leave expires only on the last day of the week in which either the family member dies or the expiration of 52 weeks from the date the leave began</li> </ul>   | <ul style="list-style-type: none"> <li>Written request to Principal</li> </ul>  |
| Family Responsibility Leave | All employees | <ul style="list-style-type: none"> <li>Up to 5 days of unpaid leave for the care, health or education of a child or other member of the employee's immediate family</li> </ul>   | <ul style="list-style-type: none"> <li>Written request to Principal</li> </ul>  |
| Reservists' Leave           | All employees | <ul style="list-style-type: none"> <li>Applies to a member of the reserve force as defined in the National Defence Act (Canada)</li> </ul>   | <ul style="list-style-type: none"> <li>Written request to Principal</li> </ul>  |



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| Bereavement                                   | All employees | <ul style="list-style-type: none"> <li>Up to 3 days of unpaid leave on the death of a member of the employee's immediate family</li> </ul>   | <ul style="list-style-type: none"> <li>Written request to Principal</li> </ul> |
| Jury Duty                                     | All employees | <ul style="list-style-type: none"> <li>If employee is required to attend court as a juror, the employee has the same rights as outlined in sec 54, para 2 and 4 in the Act</li> </ul>          | <ul style="list-style-type: none"> <li>Written request to Principal</li> </ul> |
| Leave respecting the disappearance of a child | All Employees | <ul style="list-style-type: none"> <li>Up to 42 weeks for employees who experience the disappearance of a child due to a suspected crime, which expires in accordance with the Act.</li> </ul> | <ul style="list-style-type: none"> <li>Written request to Principal</li> </ul> |
| Leave respecting the Death of a Child         | All Employees | <ul style="list-style-type: none"> <li>Up to 104 weeks for employees who experience the death of a child for any reason, which expires in accordance with the Act.</li> </ul>                  | <ul style="list-style-type: none"> <li>Written request to Principal</li> </ul> |

Under the *Employment Standards Act*, an employee's employment is deemed to be continuous while on leave for the purpose of calculating annual vacation entitlement and entitlement to notice/severance upon termination under the *Act*, as well as for the purposes of any pension, medical or other benefit plan.

Employees are directed to speak with their Principal as well as Benefits Office to discuss the continuation of benefits during their leaves.

**Additional Leave Entitlements for CISVA Employees**

**Table II – Leave Entitlements for CISVA Employees**

| Type        | Eligible Employees | Entitlement   | Approval by         | Process  |
|-------------|--------------------|---|---------------------|--|
| Bereavement | All employees      | <ul style="list-style-type: none"> <li>paid leave for 10 days for husband, wife, child</li> <li>paid leave for 3 days for immediate family</li> </ul>         | Principal           | <ul style="list-style-type: none"> <li>Written notice given to Principal</li> </ul>  |
| Paternity   | All employees      | <ul style="list-style-type: none"> <li>3 days paid leave</li> </ul>   | Principal           | <ul style="list-style-type: none"> <li>Written notice given to Principal</li> </ul>  |
| Extended    | All employees      | <ul style="list-style-type: none"> <li>&gt; 2 weeks of unpaid leave (discretionary not to extend beyond the term of the contract year)</li> </ul>             | Education Committee | <ul style="list-style-type: none"> <li>Written notice given to Principal</li> <li>If greater than 2 weeks: completion by employee of "Leave of Absence Agreement"</li> </ul>                       |
| Jury        | All employees      | <ul style="list-style-type: none"> <li>Paid leave up to a maximum of 4 weeks from the start date of jury duty</li> <li>Employees on jury duty will</li> </ul> | Principal           | <ul style="list-style-type: none"> <li>Written notice given to Principal</li> <li>When appearing in court for less than a four-hour duration, employees are expected to return to work.</li> </ul> |



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|   |  | reimburse the employer to the extent of the jury pay they receive during those days |                     |   |
| Special                                     | Teachers, Principals, VPs only               | <ul style="list-style-type: none"> <li>Up to 3 days paid leave</li> </ul>           | Principal           | <ul style="list-style-type: none"> <li>Written notice given to Principal</li> <li>Where required Principal to speak with Pastor and/or PEC Chairperson</li> </ul>   |
| Maternity Supplemental Unemployment Benefit | All employees Teachers, Principals, VPs only | See below   | Education Committee | <ul style="list-style-type: none"> <li>Written notice of pending birth to Principal</li> <li>Completion by employee of "Maternity Pregnancy Leave of Absence Agreement" submitted to Education Committee</li> </ul> |

**Bereavement Leave (All employees)**

Employees are entitled to a leave of absence from work, with pay, for a period of ten (10) days relating to the death of a wife, husband or child. In the event of the death of an immediate family member, additional leave with pay may be granted for travel at the discretion of the Principal. The teacher is entitled to a leave of absence from work, with pay, for a period of three (3) days relating to the death of an immediate family member other than those mentioned above.

**Paternity Leave (All employees)**

Employees are entitled to a paid leave of absence from work related to the birth of his child for a period of three (3) days.

**Extended Leave (All employees)**

An Extended Leave of Absence relates to a proposed leave that is greater than two (2) weeks, which does not fall within any of the categories set out in the *Employment Standards Act*, above. In such instances a "Leave of Absence Agreement" must be submitted to the local Education Committee for approval (form is available in the password protected Administrators' Download area of the CISVA website under "Human Resources"). The Education Committee may grant an extended leave of absence with or without pay and with or without benefits, on written application from the teacher employee for compassionate or other reasons accepted by the Employer. Such leave is not to extend beyond the term of the contract year.

When making this application the teacher employee should outline the reasons for the application and include the start and end date and duration of the leave required. For extended leaves of absence other than pregnancy, the Employer is under no obligation to offer benefits to an employee. If they are willing to offer benefits, the Employer must decide what portion, if any, of the premiums they will pay. The Employee may choose to waive any of the benefits for which he/she is eligible.



**Special Leave (Teachers, Principals, VPs Only)**

Upon request to the Employer, and with two weeks’ notice where possible, a teacher/Principal/ VP may be granted up to three (3) days of paid Special Leave for pressing personal business that cannot be dealt with at any time other than during the school day.

The Education Committee will mandate the Principal to determine the appropriate granting of Special Leave. Each instance of request for Special Leave will be dealt with independently, and on its own merit. Special instances may require consultation with the Pastor and/or the Education Committee chairperson.

Special Leave requests must be made in writing, must include the date and reasons for the requested leave, and must be signed and dated by both the Principal and the employee ~~teacher~~. Ordinarily, these days may not be taken: just prior to or immediately after a school vacation period, long weekends, holidays, or on days requiring the presence of the entire teaching staff (i.e. report card interviews, special staff days).

**Supplemental Employment Benefit (Teachers, Principals and VPs Only)**

The employer shall implement a 75% supplemental unemployment benefit (SUB) plan that the teacher/ Principal/VP shall access for pay during the health-related portion of her maternity leave for a minimum of 6 weeks and maximum of 15 weeks. The SUB shall be payable for the period indicated by the medical documentation up to a maximum of 15 weeks. The health-related portion of the maternity leave shall be determined by the medical documentation. (This plan will be instituted according to provincial and federal legislation.)

**Grandfathered Contracts and Letter of Intent Notice**

Teachers on a leave of absence who are on a grandfathered contract (see Policy 316 Teacher’s Contracts) must ensure that they continue to give their notice of intent in writing by 15 April even while they are on leave, otherwise they will not have their contracts renewed on 1 May, leaving them without a contract for the next school year.

**Payment of the Employee’s Portion of Benefits**

It is the employer's responsibility to remit the employee's portion of premium for benefits to the Superintendent's Office. The employer (i.e. local school) should make arrangements to ensure that the employee remits each month to the school his or her portion of the premium for benefits during the term of leave should the employee opt to retain benefits coverage. If this is not possible, an arrangement should be made so that the employee remits all of their payments before their leave begins.

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| <i>Reference</i><br>This is an amalgamation of 2 policies (Policy 310 – Leave of Absence Agreement and Policy 311 – Leave of Absence – Types) adopted by the Board 1 November 2016.<br><i>Employment Standards Act, www.bclaws.ca</i> | <i>Approved</i><br>Board of Directors |
|   | <i>Date Approved</i><br>Pre-1996      |
|   | <i>Dates Revised</i><br>November 2006 |



## Human Resources

### Employee Leaves of Absence

Policy 310

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| <i>Cross-Reference</i> | 1 November 2016<br>5 June 2018 |
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