



Town of Onoway

Council Policy

Number	Title			
A-HUM-LEA-1 (1.2, 3.1.3.6)	Leave Policy			
Approval	Originally Approved		Last Revised	
(CAO initials)	Resolution No:		Resolution No:	
	Date:		Date:	
			Resolution No:	
			Date:	
			Resolution No:	
			Date:	

Purpose

The intent of the Leave Policy is to provide salary and position continuance during periods of absence from work due to illness, non-work-related injury, legislative entitlements and personal leave.

Policy Statement

The Town has adopted this policy to ensure that employees are provided with authorized time off as per applicable legislation without fear of a negative impact on their employment status or opportunities within the organization. The Town of Onoway is committed to providing a work-life balance for employees and understands that situations can and will arise that call for immediate, emergency leave. This policy covers instances where employees may need to take planned or unplanned leave of absence in order to attend to situations that directly affect their families or dependents.

Guidelines

Unless otherwise noted in this policy, all requests for leave shall be submitted in writing at least fourteen (14) calendar days prior to the beginning of the leave and shall include reason for requesting leave and schedule of dates required (except in situations of an unforeseen or emergency nature, in which case the employee's request shall be made as soon as the employee becomes aware of the situation which prompted the request for leave). Any employee who has been granted a leave of absence and fails to return on the date granted by the employer may be deemed to have abandoned his/her position, unless such a delay has been satisfactorily explained.

Definitions

- a) **Continuous service:** unbroken periods of employment - a period of 90 days or longer with no hours worked will result in a new start date upon return to active employment (excluding an authorized absence).
- b) **Date started:** the start date of most recent continuous service.
- c) **Day of rest:** a day when an employee is not regularly scheduled to work.
- d) **Earned Day Off (EDO) Program:** An agreed upon schedule to increase regular daily work hours allowing employees to bank pre-determined earned time and use as approved by the employee's supervisor.
- e) **Emergent:** an event or situation that could not be reasonably foreseen and calls for immediate response.
- f) **Employee:** any person employed by the employer under the Terms and Conditions of this policy.
 - o **Employee Types**
 - **Permanent employees:** are employed on a continuous basis in either a full-time or part-time authorized position (minimum of 14 hours per week).
 - **Temporary employees:** are non-permanent employees that are regularly scheduled for a defined duration (nine months or longer) in either a full-time or part-time position (minimum of 14 hours per week).
 - **Non-permanent hourly employees:** are non-permanent employees employed for a defined duration of less than 9 months or are scheduled as needed with no defined duration.
 - **Contract employees:** are employees hired under the specific terms and conditions of their employment contracts.
- g) **Employer:** Town of Onoway.
- h) **Immediate family:** a spouse (includes common-law), son, daughter, parent, sibling, grandparent or grandchild of the employee or their spouse; a person permanently residing in the employee's household, or with whom the employee permanently resides; or a person under the legal guardianship of the employee or their spouse. **Vacation leave:** the annual leave granted to employees.
- i) **Vacation pay:** the money paid to employees not eligible for paid vacation leave.
- j) **Vacation pay out:** the money paid to employees in lieu of unused vacation leave at time of separation of employment; or, paid in lieu of unused vacation leave in 10 days accrual at year end; or, unused vacation time paid in lieu of Alberta Employment Standards basic entitlement, upon the employee's written request.
- k) **Work day:** any day on which employees are normally expected to be at their place of employment.

Effect of Leave on an Employee's Benefits

Where an employee is on a leave of absence without pay the following shall apply:

- a) An employee will not accumulate vacation or sick days.
- b) Sick leave cannot be drawn while on leave without pay.
- c) Payments shall not be granted for any named holidays occurring during a leave without pay or occurring prior to actual resumption of normal duty.
- d) Should the Leave request be granted, the employee's health benefits will be affected in the following way

Maternity/Parental Leave

All Group Health Benefits coverage will be continued for the maximum duration as required by provincial legislation. During this time, the Town will continue to pay the employer portion of premiums for all applicable Group Health Benefits. The employee shall pay monthly in advance for their portion of premium cost of insurance benefits for all related "Group Health Benefits." After the period of leave, the employee will have the option to maintain all Group Health Benefits coverage or to waive all Group Health Benefits coverage. Shall the employee wish to continue Group Health Benefits the employee shall pay in advance by providing the full premium cost to the Town of Onoway; In the event that post-dated cheques are not received by Town of Onoway by the date that the leave commences, or if any cheque is returned due to nonsufficient funds, all benefits will be terminated.

Leave of Absence

The employee will have the option to maintain all group health benefits coverage for a maximum period of three (3) months or to waive all group health benefits coverage. Shall the employee wish to continue group health benefits, the employee shall pay monthly in advance for the full premium cost of insurance benefits for all related "Group Health Benefits." In the event that payments are not received by the date that the leave commences, or if any cheque is returned due to non-sufficient funds, all benefits will be terminated.

Protected Leaves

- Maternity Leave
- Parental Leave
- Compassionate Care Leave
- Long-Term Illness and injury leave
- Personal and family responsibility leave
- Bereavement leave
- Domestic Violence leave
- Citizenship ceremony leave
- Critical illness of a child leave
- Death or disappearance of a child leave
- Reservist leave

Eligibility for Protected Leaves:

- Any employee who has completed at least 90 days of employment with the Town of Onoway is eligible for protected leaves, subject to the specific eligibility requirements for each leave.
- For more information on eligibility for Protected Leaves, please refer to the Employment Standards website for Alberta.

Bereavement Leave

In the event of death in the immediate family or family relative (refer to Definitions), an employee so bereaved is allowed time off from work according to the following guidelines: Permanent full time, and part-time employees (working scheduled hours of seventeen-point five (17.5) per week or more) shall be entitled to bereavement leave up to a maximum of five (5) days with pay at their regular rate of pay (pro-rated on their F.T.E.) upon the death of an immediate family member as defined in the definitions section of this manual.

Up to one (1) day paid bereavement leave may be granted to permanent full time and part time employees for the death of any other relative or friend as approved by Management. Temporary, Seasonal and Casual employees shall be entitled to three (3) days per year unpaid leave upon the death of an immediate family member as defined in the definitions section of this manual. Additional time off for bereavement may be granted at the discretion of Management, however such time off will be considered as vacation time, earned time off in lieu of overtime, or possible leave of absence without pay.

Citizenship Ceremony

If an employee is becoming a citizen of Canada, they may take up to a half-day of unpaid leave to attend a citizenship ceremony to receive a certificate of citizenship, as provided for under the Citizenship Act (Canada) and regulations made under that Act.

Compassionate Leave

Eligible employees can take up to 27 weeks of unpaid leave to care for gravely ill family. Employees eligible for compassionate care leave may also be eligible for Employment Insurance benefits for compassionate care. For more information, contact Service Canada.

Domestic Violence Leave

Employees may take up to 10 days of unpaid leave per year for any of the reasons listed on the Employment Standards website under “criteria” for this leave.

Long Term Illness and Injury Leave

Eligible employees are entitled to up to 16 weeks of unpaid leave per calendar year due to the injury, illness, or quarantine of the employee. Employees may be eligible for Short Term and/or Long-Term Illness leave under the Town of Onoway’s benefit plan.

Please refer to “Weekly Indemnity” and “Long Term Disability” sections in this Policy manual.

Personal/Family Responsibility Leave

- Employees are entitled to up to five (5) days of unpaid leave per calendar year, but only to the extent that the leave is necessary for the health of the employee or for the employee to meet their family responsibilities in relation to a family member.
- Before taking this leave, employees must provide as much notice as reasonable and practicable in the circumstances.
- Personal/Family Responsibility leave days do not accumulate from year to year.

Illness/Personal Leave

Illness leave shall mean the period of time an eligible employee (as described below) is absent from work with full pay due to a bona-fide sickness, medical appointment(s) and/or injury that does not come under the provision of the Workers' Compensation Act.

Employees in positions based on 70 hours bi-weekly

	Permanent Full-Time	Permanent Part-time	Temporary Part-time	Non-permanent hourly	Contract
Upon hire or transfer into an eligible position or January 1 st	91 hours	91 hours – prorated base on FTE	91 hours, prorated based on FTE	Not eligible May request unpaid illness leave	Consult terms of contract

Employees in positions based on 80 hours bi-weekly

	Permanent Full-Time	Permanent Part-time	Temporary Part-time	Non-permanent hourly	Contract
Upon hire or transfer into an eligible position or January 1 st	104 hours	104 hours – prorated base on FTE	104 hours, prorated based on FTE	Not eligible May request unpaid illness leave	Consult terms of contract

Personal Day Leave

The Town of Onoway (the “Town”) will provide Permanent Full-Time employees who have successfully completed their probationary period, up to five (5) paid personal days each calendar year. Personal days will accrue monthly at a rate of 0.42 days per month and will be prorated during an employee’s first year of employment.

Permanent part time employees shall be entitled to personal leave continuation credits computed from their date of commencement of employment at the rate of 0.42 working days per month for each full calendar month of employment cumulative to a maximum credit of five (5) working days pro-rated based on their full-time equivalency (F.T.E) as applied towards authorized sick leave.

Temporary or seasonal employees shall not be entitled to paid personal leave.

Personal days must be taken in full day increments.

Employees in positions based on 70 hours bi-weekly

	Permanent Full-Time	Permanent Part-time	Temporary Part-time	Non-permanent hourly	Contract
Upon hire or transfer into an eligible position or January 1 st	35 hours	35 hours – prorated base on FTE	35 hours, prorated based on FTE	Not eligible May request unpaid illness leave	Consult terms of contract

Employees in positions based on 80 hours bi-weekly

	Permanent Full-Time	Permanent Part-time	Temporary Part-time	Non-permanent hourly	Contract
Upon hire or transfer into an eligible position or January 1 st	40 hours	40 hours – prorated base on FTE	40 hours, prorated based on FTE	Not eligible May request unpaid illness leave	Consult terms of contract

It is the employee's responsibility to provide reasonable notification to their manager, where possible, in advance of taking a personal day and prior to 9:00 a.m. on the day of absence. In the event that reasonable notification has not been provided, which is to be determined in the sole discretion of the Town, management may require the employee to take the day as an unpaid day of leave.

Personal days may not be carried over to the following calendar year.

Employees will not be paid for earned but unused personal days upon cessation of employment.

Birthday Leave

Permanent employees are entitled to one paid leave day on the employee's birthday. If their birthday falls upon the weekend or a statutory holiday, the employee can choose either the preceding or succeeding workday in lieu. If multiple employees share a birthday, either employee can take their birthday leave during the pay period in which the birthday occurs to ensure minimal impact to operations. Birthday paid leave will not be paid upon cessation of employment and may not be carried over to the following calendar year.

Vacation Leave

a) Accrual Rates

Permanent and Temporary, Full-time, Non-Management	Permanent and Temporary Full-Time, Management
<p>Less than 3 years of service Employees who have completed less than three (3) years of continuous service will earn vacation leave at a rate of: 2.69 hours bi-weekly if they are based on the 35-hour grid, or 3.08 hours bi-weekly if they are based on the 40-hour grid) (70 hours for 35-hour, 80 hours for 40-hour)</p>	<p>Less than 7 years of service Management employees who have completed less than seven (7) years of continuous service will earn vacation leave at a rate of: 5.38 hours bi-weekly if they are based on the 35-hour grid, or 6.15 hours bi-weekly if they are based on the 40-hour grid (140 hours for 35-hour, 160 hours for 40-hours)</p>
<p>3 years to 7 years of service Employees who have completed at least three years of service, but less than eight years of continuous service will earn vacation leave at a rate of: 4.04 hours bi-weekly if they are based on the 35-hour grid, or 4.62 hours bi-weekly if they are based on the 40-hour grid) (105 hours for 35-hour, 120 hours for 40-hour)</p>	<p>7 to 15 years of service Management employees who have completed more than than seven (7) years, but less than 16 years of continuous service will earn vacation leave at a rate of: 6.73 hours bi-weekly if they are based on the 35-hour grid, or 7.69 hours bi-weekly if they are based on the 40-hour grid (175 hours for 35-hour, 200 hours for 40-hours)</p>
<p>8 years to 14 years of service Employees who have completed at least eight years of service, but less than fifteen years of continuous service will earn vacation leave at a rate of: 5.38 hours bi-weekly if they are based on the 35-hour grid, or 6.15 hours bi-weekly if they are based on the 40-hour grid) (140 hours for 35-hour, 160 hours for 40-hour)</p>	<p>16 or more years of service Management employees who have completed less than seven (7) years of continuous service will earn vacation leave at a rate of: 8.08 hours bi-weekly if they are based on the 35-hour grid, or 9.23 hours bi-weekly if they are based on the 40-hour grid (210 hours for 35-hour, 240 hours for 40-hours)</p>
<p>15 or more years of service</p>	

<p>Employees who have completed at least fifteen years of continuous service will earn vacation leave at a rate of:</p> <ul style="list-style-type: none"> 6.73 hours bi-weekly if they are based on the 35-hour grid, or 7.69 hours bi-weekly if they are based on the 40-hour grid) <p>(175 hours for 35-hour, 200 hours for 40-hour)</p>	
---	--

- b) Calculation of paid vacation leave for permanent and temporary part-time employees is based on the above schedule, prorated based on the number of hours worked.
- c) Employees who have a break in service of less than 90 days will maintain their continuous service and the applicable vacation accrual rates as outlines above.
- d) Employees who have a break in service of 90 days or longer will not maintain their continuous service. The same will apply for non-permanent hourly employees where no hours have been worked in 90 days or longer.
- e) Vacation Accrual Periods
 - Employees will earn vacation leave based on a bi-weekly pay period. If an employee's vacation accrual date falls within a bi-weekly pay period and the accrual rate changes that year, the accrual rate will increase for the entire bi-weekly pay period.
 - Employees will continue to accrue vacation leave during paid leaves. Top-ups are not eligible for vacation accrual (e.g. maternity leave and military reservist top-ups).
 - Employees who are on a job-protected leave will be treated as continuous service for the purposes of calculating vacation entitlement.
 - Employees will not accrue vacation leave during an unpaid leave of absence.
- f) Before taking vacation leave, employees must obtain authorization from their manager.
- g) Vacation leave may be taken as it is earned.
- h) Vacation leave may be granted:
 - In one continuous period.
 - As single days off.
 - As any other combination of time, as approved by their manager.
- i) Paid holidays during vacation time If one or more paid holidays fall during the employee's vacation leave, the statutory holiday will be recognized in place of the vacation day.
- j) Maximum accumulation

The number of days of vacation leave an employee may accumulate is limited to the number of days the employee can earn in 6 months of continuous service.

Employees will receive an automatic payout of any excess vacation leave over the maximum accumulation at the beginning of each December.

Examples of maximum accumulation

35 hour per week employee		40 hour per week employee	
Accrual Rate	Maximum accumulation	Accrual Rate	Maximum accumulation
2 weeks	35 hours	2 weeks	40 hours
3 weeks	52.5 hours	3 weeks	60 hours
4 weeks	70 hours	4 weeks	80 hours
5 weeks	87.5 hours	5 weeks	100 hours

k) Illness and vacation leave

If an employee becomes seriously ill (e.g., requiring hospitalization) while on annual vacation leave for more than three (3) consecutive paid vacation days, the applicable days may be deemed general illness by Management and the employee will have the applicable number of vacation days reinstated upon application and provision of an acceptable medical documentation.

l) Consecutive leaves

If an employee is authorized to take a leave of absence (other than illness leave) in conjunction with a period of vacation leave, any bank time must be taken prior to the vacation leave and before the authorized leave of absence. If vacation is requested before or after a maternity leave, it must be pre-authorized by the employee's Manager.

m) Vacation payouts

- Cash will NOT be paid in lieu of the first two (2) weeks' vacation earned for employees with up to five (5) years' service or the first three (3) weeks' vacation earned for employees with over five (5) years' service.
- At the request of the employee, and with authorization from the Manager, cash may be paid in lieu of vacation for vacation earned in excess of the minimum standards noted above.

Workers' Compensation

Employees of the Town of Onoway are provided with a legislated measure of income protection for work-related injuries or illness by the Workers' Compensation Board (WCB) – Alberta.

Employees can access information on the WCB website.

Employees who are injured on the job during working hours and are required to leave the job site for treatment, or who are sent home as a result of accident or injury, will not suffer loss of pay for that day's work, regardless of the time of injury.

Rescind The Following Policies

- 3.10 Vacations Motion 120/15, April 2, 2015.
- 3.12 Illness and Accident Motion 174/15, May 7, 2015.
- 3.13 Compassionate Leave Motion 175/15, May 7, 2015.
- 3.23 Maternity Leave Motion 225/15, June 4, 2015.