



Type:	Human Resources
Authority:	Board
Related Documents:	<ul style="list-style-type: none"> • Employment Standards Act, S.O. 2000, Part XIV • POL-207-Responsibilities-to-the-Employee-Employer-Relationship

Policy Statement

The Grey Bruce Hospice Inc. (GBH) shall establish leaves request to further support employees in various times of need and/or life cycles. GBH shall adhere to the Employment Standards Act, S.O. 2000 and subsequent Acts pertaining to providing leaves.

316.01 General Provisions Concerning Leaves

1. During any leave described below, an employee continues to participate in each type of benefit plan that is related to his or her employment unless he or she elects in writing not to do so.
 - 1.1. The GBH shall continue to make the employer's contributions for any plan participated in prior to the Leave unless the employee gives the employer a written notice that the employee does not intend to pay the employee's contributions, if any.
 - 1.2. Continuous participation in plans does not apply in respect of an employee during a Board designated leave (e.g. educational) lasting in excess of one week, in an unpaid leave, or under Reservist Leave, unless otherwise prescribed.
2. If an employee is on leave on the day by which his or her vacation must be completed, the uncompleted part of the vacation shall be completed immediately after the leave expires or, if the employer and employee agree to a later date, beginning on that later date.
3. The period of an employee's leave under this Part shall be included in calculating any of the following for the purpose of determining his or her rights under an employment contract:
 - 3.1. The length of his or her employment, whether or not it is active employment.
 - 3.2. The employee's seniority.
4. The period of an employee's leave shall not be included in determining the completion of a probationary period under an employment contract.
5. Upon the conclusion of an employee's leave, the employer shall reinstate the employee to the position the employee most recently held with the employer, if it still exists, or to a comparable position, if it does not.
6. In the case the employee is unable to return to the same level of duties, HR shall either:
 - 6.1. Work with the employee to create an accommodation plan, if suitable;
 - 6.2. Assist the employee to determine if an extended leave is required.
7. Despite a request to return to work early by an employee, for all Board Designated leave, the Executive Director has the right to reject a request to return early if a term employment has been made to fill the leave.

8. Employees of GBH continue to earn seniority and credit for length of service and length of employment while on any leave which is job protected by the Employment Standards Act. Board Designated leaves will not be considered in years of service.
9. When an employee is returning to an equivalent role and function, GBH shall pay a reinstated employee at a rate that is equal to the greater of the rate that the employee:
 - 1.1. Most recently earned with the employer; and
 - 1.2. Would be earning had he or she worked throughout the leave.
2. Upon returning to work, HR will require an interview and the completion of a Return to Work form by the employee, and potentially from a physician involved with any medical leave.

316.02 Sick Leave

1. Employees qualify for paid and unpaid sick leave if you or your dependent:
 - 1.1. Is temporarily sick or injured;
 - 1.2. Is attending a scheduled medical appointment and
 - 1.2.1. this appointment has been pre-approved with scheduling; or
 - 1.3. is an emergent or necessary medical appointment for you or your dependent. .
2. Full-time employees shall have a maximum of eighty (80) hours () paid sick time available per calendar year. Should an employee request a Domestic or Sexual Violence leave, the job protected paid days may be taken from the paid sick days.
3. Part-time (not casual) workers will receive prorated sick time hours equivalent to the maximum 80 hours. Allotted time will be made at the beginning of the calendar year and be based on contracted hours. Part-time hours will be reallocated if a contract is amended:
 - 3.1. Up to full time status will be prorated based on a combination of prorated part-time and full-time sick hours;
 - 3.2. Down to casual status will be a loss of all allotted paid sick time, as casuals do not qualify.
4. The following chart is a full-year allocation of available sick hour allotment for typical hours worked in a pay period for each of the three areas of employment with GBH.

Regular	Admin Staff (8 hr day)	Kitchen Staff (10 hr day)	Clinical Staff (12 hr day)	Custodial Staff (4 hr day)
1 shift	8 hours annually	10 hours annually	12 hours annually	3 hours annually
2 shifts	16 hours annually	20 hours annually	24 hours annually	6 hours annually
3 shifts	24 hours annually	30 hours annually	36 hours annually	9 hours annually
4 shifts	32 hours annually	40 hours annually	48 hours annually	12 hours annually
5 shifts	40 hours annually	50 hours annually	60 hours annually	15 hours annually
6 shifts	48 hours annually	60 hours annually	72 hours annually	18 hours annually
7 shifts	56 hours annually	70 hours annually	80 hours annually*	21 hours annually
8 shifts	64 hours annually	80 hours annually	---	24 hours annually
9 shifts	72 hours annually	---	---	27 hours annually
10 shifts	80 hours annually	---	---	30 hours annually

5. * PSW's are scheduled as a regular shift for the 7th shift in a pay period. This is outside of any Averaging Agreement additional shift opportunities. RN/RPN are regularly scheduled only for 6 shifts in a pay period and may elect to add additional shifts, if participating in an Averaging Agreement. Any absence that exceeds three (3) consecutive workdays may require a medical certificate or equivalent evidence. A doctor's certificate may also be required to confirm any illness when sick leaves are taken:
 - 5.1. On days immediately preceding or immediately following a statutory or recognized holiday,
 - 5.2. Immediately following scheduled and approved vacation time.
6. Sick leave shall be recorded by HR and included on pay stubs.
7. Sick leave allotment not used within the year are not accrued, not carried over from year to year, and will not be paid out.

316.03 Bereavement Leave

1. Paid bereavement leave is Board designated and is not a requirement of the Employment Standards Act.
2. Bereavement Leave days must be taken beginning in the days immediately following the death, and cannot be accrued for later use unless otherwise approved by the Executive Director. Leave may be taken on any of the employee's regularly scheduled working days that occur on the three days immediately following the day of the death, unless otherwise approved by the Executive Director. The direct supervisor may request proof of death in order to authorize bereavement leave.
3. An employee qualifies for paid bereavement leave if:
 - 3.1. They have completed a minimum of three (3) months of continuous employment with the GBH;
 - 3.2. The leave is due to the death of an immediate family member defined as: spouse/partner; parents/legal guardian and grandparents (and in-law); children and grandchildren (and in-law); brothers and sisters (and in-law); aunts; uncles, first-cousins; or those who act as such.
4. When a member of the employee's immediate family dies, the employee is entitled to:
 - 4.1. A maximum of (3) paid days in the event of death of a parent, brother, sister, grandparent or grandchild.
 - 4.2. An additional two (2) paid days will be granted in the event of the death of a spouse/partner, child or grandchild.
 - 4.3. Should travel out of town be required due to the death of a family member, an additional 2 days leave with pay shall be granted.
 - 4.4. One (1) day bereavement unpaid leave will be granted if the funeral is not for a member of the immediate family.
 - 4.5. Family members identified above include step, in-law, and those individuals who act as such.

316.04 Education Leave

1. Education Leave may be granted when the Executive Director believes the training will ultimately support GBH.
2. The Executive Director shall endeavour to schedule employees so as to accommodate for personal education and training needs.

3. In the event that examinations or other educational activities are scheduled at different times than regular classes, the employee should give a minimum of two (2) week's notice of schedule changes. If a schedule change can be arranged, the employee shall not lose hours. However, if no schedule adjustment can be made, the employee may use banked hours or shall receive the required time off without pay. Confirmation of scheduling conflicts may be required.
4. After five (5) years of continuous employment (or a minimum of 5,000 hours), an employee may qualify for extended leave of up to one year without pay for education and training, if approved by the Executive Director.
 - 1.1. Extended leave, must be requested in writing at least three (3) months prior to the anticipated start of the education program. The Executive Director shall consider the request and will provide a letter of response within two weeks of receipt of the request. All decisions are final.
 - 1.2. The employee must give written confirmation forty-five (45) days prior to the scheduled return to GBH. Failure to make notification in writing forty-five (45) days prior to return may result in the loss of the position or a delay in the date upon which the employee may return to work.
 - 1.3. Although Education Leave is not protected by legislation, the employer shall make every effort to provide the same or equivalent position to the employee.

316.05 Worker's Compensation Leave

1. The employer shall endeavour to reinstate the employee in accordance with all WSIB rules and regulations.
2. A position shall be held for an employee for a period of two (2) years.
3. After a period of two (2) years on Worker's Compensation Leave, the Executive Director may request a physician statement of ability to return to work or the inability to conduct specific work or tasks assigned.
 - 3.1. When appropriate, AODA and the duty to Accommodate shall take precedence over Workers' Compensation.
 - 3.2. All AODA compliance requirements will be addressed prior to making a determination regarding further hold or termination of an employee's position.
1. After a period of two (2) years on extended sick leave, or long-term disability, the employee's position may no longer be held following the second anniversary of their leave.

316.06 Pregnancy Leave

1. An employee who is pregnant is entitled to a job-protected unpaid pregnancy leave of absence provided they have been employed with GBH for at least 13 weeks.
1. An employee on pregnancy leave receives six (6) weeks leave after the actual delivery date. A shorter period may be granted only with physician approval and the completion of a Return to Work form.
2. An employee wishing to take pregnancy leave shall give the employer written notice at least four (4) weeks before the date the leave is expected to begin.
 - 2.1. An employee who has given notice to begin pregnancy leave may begin the leave on an earlier or later date,

- 2.1.1. If an updated written request is made;
 - 2.1.2. If for medical reasons the employee is unable to complete the required workload.
3. An employee may begin pregnancy leave no earlier than:
 - 3.1. The day that is 17 weeks before her due date; or
 - 3.2. The date of which a medical practitioner removes the employee from work.
4. The latest an employee may begin a pregnancy leave is:
 - 4.1. The due date; or
 - 4.2. The date she gives birth.
5. Pregnancy leave ends 17 weeks after the pregnancy leave began.
6. An employee on leave may request to return to work at an earlier date when notice is given no less than four (4) weeks prior to the anticipated return.
7. An employee on leave who chooses to terminate their employment while on leave may do so with notice.
8. Following a pregnancy leave, the mother may continue on to a parental leave.

316.07 Parental Leave

1. An employee is entitled to a leave of absence for Parental Leave without pay following the birth or placement for adoption of a child, or on the date upon which a child comes into the legal custody, care and control of the employee for the first time.
2. An employee parental leave ends:
 - 2.1. 61 weeks after it begins if pregnancy leave was also taken;
 - 2.2. 63 weeks after it begins if the employee did not take a pregnancy leave.
1. An employee may begin parental leave no later than 78 weeks after the day a child is born, is placed for adoption, or comes into the employee's custody, care and control for the child.
2. It is recommended that the employee determine eligibility and apply for financial benefits available through Canada Employment Insurance. [Government of Canada](#)
3. The employee shall work directly with the Benefits Officer, if a qualified recipient, to arrange for continuation of benefits or cancellation of benefits prior to their leave.
4. An employee on leave may request to return to work at an earlier date when notice is given no less than four (4) weeks prior to the anticipated return.
5. An employee who takes parental leave and chooses to terminate their employment while on leave may not terminate employment without providing four (4) weeks notice.

316.08 Domestic or Sexual Violence Leave

1. An employee is entitled to a leave of absence if the employee or child of the employee experiences domestic or sexual violence, or the threat of domestic or sexual violence. Leave may be taken:
 - 1.1. To seek medical attention both physical or psychological or for a disability caused by the domestic or sexual violence;
 - 1.2. To obtain victim services;
 - 1.3. To obtain psychological or other professional counselling;
 - 1.4. To temporarily or permanently relocate;

- 1.5. To seek legal or law enforcement assistance, including preparing for any criminal or civil proceedings resulting from the violence.
2. Leave may not be taken if the domestic or sexual violence was committed by the employee.
3. The GBH has the right to require an employee to provide evidence of the job-protected qualification to the leave.
4. Calendar year entitlements shall be no less than those identified in the ESA and include both paid and unpaid leave.

316.09 Religious Leave

1. GBH shall accommodate requests for leave for religious reasons.
2. It is the employee's responsibility to request religious leave, prior to the release of the monthly schedules.
3. All leaves are unpaid and will be approved based on scheduling needs of GBH. Such review will also consider timing of the request and if multiple requests are received for the same day.
4. Employees may utilize any available vacation time they have accrued and are encouraged to speak with the Executive Director in advance to best plan for retained vacation time.
5. Any request for altered schedule should be requested directly to the Executive Director so as to avoid any undue pressure placed on other staff to commit to a "swap" of shifts.

316.10 Other Leaves

1. All employees have the right to *Time Off to Vote in Elections*. Employees shall be scheduled on election days so that they have at least four (4) consecutive hours to vote during the polling time. In the event that an extended work day is scheduled which shall not allow for voting (federal, provincial, or municipal), the employee shall be given a paid leave in order to vote which shall not exceed four (4) hours. The employee should return to work as soon as they have completed their polling, regardless of the maximum allowance of leave. This scheduling includes the day of and advanced polls for elections.
 2. A paid leave of absence to *Appear as Court Witness or as Juror* shall be awarded without loss of benefits to any employee serving as a juror to a maximum of five (5) days or under subpoena to attend court or inquest as a witness for a maximum of three (3) days. No time shall be awarded for a criminal case in which the employee is the defendant. For any days which the employee has been paid by the GBH, any compensation received from the court for lost wages must be submitted back to the GBH.
 3. GBH recognizes all forms of leave identified within the ESA including but not limited to:
 - *Family Medical Leave*
 - *Family Caregiver Leave*
 - *Organ Donation*
 - *Critically Illness Leave*
 - *Crime-Related Child Disappearance Leave*
 - *Child Death Leave*
- 3.1. Leave of absence without pay:

- *Emergency Leave/Declared Emergencies Leave*
 - *Reservist Leave*
4. *Leave Without Pay* may be granted for employees at the discretion of the Executive Director but may not exceed six (6) months. Conditions of return shall be spelled out, if leave is approved, in a contract between the GBH and the employee.
 5. No employee may request or be granted a leave in order to hold office (federal, provincial, or municipal).
 6. No employee may request or be granted a leave in order to take on a permanent or temporary position outside of GBH.

316.11 Return to Work Program

1. When an employee has been on leave due to an Injury or Disability Leave, a Return to Work Program must be put in place prior to their return.
2. HR shall be responsible for drafting this program, assisted by the employee. The program may be informed by medical advice and HR reserves the right to request a medical statement:
 - 2.1. Clearing the employee to return to work;
 - 2.2. Identifying if there are limitations (physical or other) on the employee or their duties; and
 - 2.3. Identifying if there are restrictions on hours of work.
3. Although the Return to Work Program shall be completed prior to the employees actual return to work, there may be a need to revisit the program during the first weeks of return to determine if additional phases to the program are needed, or if additional plans such as an Accommodation Plan, are required.

316.12 Review Cycle

The Human Resources policies will be reviewed every three years, or as required by legislation, or legislated updates and changes.

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