

This Operating Procedure is to be read and interpreted with reference to [Board Policy 23](#) – Leaves of Absence. Where the Operating Procedure conflicts with the Collective Agreement, the terms of the Collective Agreement will apply.

The leaves of absence Operating Procedure addresses the following types of leaves:

1. [Sick Leave Benefit Plan](#)
 - a. [Medical Leave of Absence Operating Procedure, HRS 44.](#)
2. [Pregnancy / Parental / Adoption Leave](#)
3. [Family Responsibility Leave](#)
4. [Family Medical Leave](#)
5. [Family Caregiver Leave](#)
6. [Critical Illness Leave](#)
7. [Organ Donor Leave](#)
8. [Child Death Leave](#)
9. [Crime-Related or Child Disappearance Leave](#)
10. [Domestic or Sexual Violence Leave](#)
11. [Infectious Disease Emergency Leave](#)
12. [Other Paid Leaves](#)
13. [Other Unpaid Leaves \(including Personal Leave\)](#)
14. [Employee Funded Leave](#)
15. [Professional Development Leave](#)
16. [Leave to Assume Responsibilities with Outside Organizations](#)
17. [Miscellaneous Leaves](#)
18. [Exceptions to a Leave](#)

This Operating Procedure does not address the following:

- Vacation (refer to [Board Policy 21](#), [HRS 12](#) and your Collective Agreement)
- Statutory Holidays (refer to [HRS 11](#) and your Collective Agreement)
- Long-Term Disability (refer to [HRS 44](#) and your Collective Agreement) WSIB (refer [HRS 44](#), [EHS 3.1.3](#) and your Collective Agreement)

NOTE: If an employment contract (Collective Agreement / Conditions of Employment), provides a greater benefit than the standard under *Employment Standards Act, 2000* (ESA), then the terms of the contract shall apply instead of the ESA. If an employee takes a leave, whether paid or unpaid, under the employment contract, for which the employee would also be entitled to take leave under the ESA, the employee is deemed to have taken their statutory leave.

On occasion, the ESA may make provisions for other types of leaves of absence which are not included in this Operating Procedure. In those instances, employees shall have access to those leaves of absence.

For the purposes of this Operating Procedure, the school year is defined as September 1 to August 31.

Where do I start?

When you determine that a leave will be required you should start the leaves of absence application process as soon as possible. Advanced notice will assist your Principal / Supervisor in planning for your absence. As a minimum, it is recommended that you begin the application process at least three (3) weeks prior to the expected start date of the leave or by the specific deadline date required by some leaves.

Approval is required before the leave can begin. Travel arrangements should not be made until the leave is approved by your Principal / Supervisor and Human Resources Support Services. There may be unique circumstances under which an employee applying for a leave of absence may submit the request directly to Human Resources Support Services.

For unanticipated emergency situations, steps 1 and 2 below must be completed before the leave commences.

1. **Read the Leaves of Absence Policy ([Policy 23](#)) and this Operating Procedure** - Determine if your reason for requesting a leave meets the criteria of the Policy and Operating Procedure and which leave is best suited to your circumstances.
2. **Request verbal approval from your Principal / Supervisor** - If your Principal / Supervisor gives verbal approval for the requested leave, complete the required application form. Note: Any question regarding who the employee's immediate Supervisor for the purposes of Policy 23 and this Operating Procedure is should be raised with the appropriate Superintendent / Director / Controller.
3. **If verbal approval is not given by your Principal / Supervisor** - The Principal / Supervisor will provide you with a written rationale for not supporting the leave request.

With the exception of the medical leaves of absence, being absent from work without prior approval of your Principal / Supervisor is considered to be 'absent without leave' and may be subject to disciplinary action, up to and including termination.

TYPES OF LEAVES

1. Sick Leave Benefit Plan

What is it?

The Sick Leave Benefit Plan provides sick leave days and short term disability days for reasons of personal illness, personal injury, including personal medical appointments and personal dental appointments. For more information regarding the Sick Leave Benefit Plan please refer to your Collective Agreement / Conditions of Employment.

Who is eligible?

The Sick Leave Benefit Plan provides sick leave days and short term disability days to permanent employees and long-term occasional employees who meet the eligibility criteria outlined in the Collective Agreement / Conditions of Employment.

You can access your Sick Leave Benefit Plan eligibility and sick leave balance through the [Employee Self-Service Vista Portal](#) located under the Leave Accrual tab.

In accordance with ESA, casual employees with a minimum of two consecutive weeks of service, are eligible for up to three unpaid sick leave days due for personal illness, injury or medical emergency. The employee may be required to provide evidence reasonable in the circumstances to validate their entitlement to the leave. Should a casual employee require a medical leave of absence the employee may be eligible for Employment Insurance. For information regarding eligibility and how to apply you can go to [Employment Insurance](#).

Medical Documentation Requirements:

Employees will be required to provide satisfactory medical documentation for absences of five (5) consecutive working days or longer to ensure access to sick leave days and short-term disability days. For more information, please refer to the Medical Leave of Absence Operating Procedure [HRS 44](#).

2. Pregnancy / Parental / Adoption Leave

a) Pregnancy Leave

What is it?

In accordance with the ESA, pregnancy leave is a statutory leave that allows pregnant employees to take a leave of up to seventeen (17) weeks of time off work.

For more information about this statutory leave go to the [Employment Standards Guide](#).

Who is eligible?

A pregnant employee (permanent, long-term occasional or casual) is eligible for pregnancy leave provided that they have been employed with the Board for at least thirteen (13) weeks before the baby's estimated date of delivery ("due date"). There is no service requirement between pregnancy leaves.

When can the leave begin?

The earliest the leave can begin is seventeen (17) weeks prior to the baby's estimated date of delivery. The latest a pregnancy leave can begin is on the baby's estimated date of delivery or the date the baby is born (whichever is earlier).

How do I apply?

Complete the [Pregnancy/Parental/Adoption Leave Form](#) and attach a certificate from a medical practitioner (medical doctor, midwife, or nurse practitioner) stating the baby's estimated date of delivery. Submit the leave form and medical certificate to your Principal / Supervisor no later than two (2) weeks prior to the day on which the leave will commence. The form then needs to be forwarded to Human Resources Support Services.

Is it paid?

Pregnancy leave is an unpaid leave, however, employees may be eligible for one or more of the following:

Employment Insurance (E.I.)

Pregnant employees and employees who have recently given birth may be eligible for Employment Insurance. For information regarding eligibility and how to apply go to the [Employment Insurance](#) information page.

Supplemental Employment Benefits (S.E.B.)

Permanent and long-term occasional employees on pregnancy leave may be eligible to receive 100% salary through a S.E.B. plan for a maximum period of eight (8) weeks following the birth of a child with no deduction from sick leave. Please refer to your Collective Agreement / Conditions of Employment for more information.

Will I receive Benefits?

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority during pregnancy leave up to the maximum of seventeen (17) weeks.

b) Parental Leave (including Adoption)

What is it?

In accordance with the ESA, parental leave is a statutory leave that allows new parents (including adoptive parents) to take a leave of up to sixty-one (61) weeks (for the birth

mother who takes pregnancy leave) or sixty-three (63) weeks (for all other new parents).

For more information about this statutory leave go to the [Employment Standards Guide](#).

Who is eligible?

An employee (permanent, long-term occasional or casual) who is a new parent is eligible for parental leave provided that they have been employed with the Board for at least thirteen (13) weeks before commencing the parental leave.

When can the leave begin?

Parental leave for the birth mother who takes pregnancy leave must occur immediately after the pregnancy leave ends unless the child has not come into her care for the first time. Other parents as defined by the ESA can commence the Parental Leave up to seventy-eight (78) weeks after the child is born, or in the case of adoption, coming into the home.

How do I apply?

Complete the [Pregnancy/Parental/Adoption Leave Form](#) and attach proof of the baby's date of birth or proof of custody (for adoption). Submit the leave form and proof of birth / custody to your Principal / Supervisor no later than two (2) weeks prior to the day on which the leave will commence. The form then needs to be forwarded to Human Resources Support Services.

Is it paid?

Parental leave is an unpaid leave however, employees may be eligible for one or more of the following:

Employment Insurance (E.I.)

New parents (including adoptive parents) may be eligible for Employment Insurance. For more information about this statutory leave go to the [Employment Standards Guide](#).

Will I receive Benefits?

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority during parental leave up to a the maximum of sixty-one (61) weeks (for the birth mother who takes pregnancy leave) or sixty-three (63) weeks (for all other new parents).

Can I extend my parental leave?

Employees with more than one (1) year of service with the Board are eligible to apply for extensions to parental leave (to a maximum of three (3) years including the statutory parental and pregnancy leave) in accordance with the appropriate Collective Agreement / Conditions of Employment.

3. Family Responsibility

This Operating Procedure is to be read and interpreted with reference to [Policy 23](#) – Leaves of Absence. Where the Operating Procedure is in conflict with the Collective Agreement, the terms of the Collective Agreement will apply.

What is it?

Employees are entitled to up to five (5) paid family responsibility leave days per school year (from September 1st to August 31st) to attend to urgent family responsibilities.

Urgent family responsibilities are events which:

- are unplanned **OR** out of employees' control; **AND**
- involve the possibility of serious negative consequences, including physical or emotional harm, if it is not attended to; **AND**
- cannot reasonably be attended to outside of normal working hours.

Family members for which family responsibility leave days can be used include:

- spouse (includes both married and unmarried couples, of the same or opposite genders)
- parent, step-parent, foster parent, child, step-child, foster child, grandparent, stepgrandparent, grandchild or step-grandchild of the employee or the employee's spouse
- spouse of the employee's child
- brother or sister of the employee
- relative of the employee who is dependent on the employee for care or assistance

Important Information:

- Days will be pro-rated for part-time employees
- Examples of family responsibility leave days would include:
 - a medical emergency for a family member who has been rushed to the hospital;
 - a child who is ill at home, coverage for the first day or two, so alternate arrangements can be made;
 - a family emergency that needs to be attended to and no one else is available;
 - taking a family member to a specialist appointment in circumstances where the employee has no control in the timing of the appointment

- Family responsibility leave is not to be used for celebratory events, leisure, travel which is unrelated to an urgent family responsibility, or personal business not related to an urgent family responsibility

Who is eligible?

Permanent employees are eligible for family responsibility leave days. In accordance with ESA, long-term occasional and casual employees *with* a minimum of two consecutive weeks of service, are eligible for unpaid family responsibility leave days. Please refer to your Collective Agreement / Conditions of Employment / ESA for more information.

If an employment contract (Collective Agreement / Condition of Employment), provides a greater benefit than the ESA, then the terms of the contract shall apply instead of the ESA. If an employee takes a leave, whether paid or unpaid, under the employment contract, for which the employee would also be entitled to take leave under the ESA, the employee is deemed to have taken their statutory leave.

How do I apply?

Employee must request approval from the Principal / Supervisor. If approved, the employee must enter the appropriate absence code in the absence management system and the Principal / Supervisor will validate the code. For school staff only, please use the [Request for Approval of Absence Form](#). The Principal / Supervisor approves the use of the family responsibility leave days. There may be times that an employee is unable to reach their Principal / Supervisor before they actually take the leave. (i.e. in cases of emergencies). In those cases, the employee will need to follow up with the Principal / Supervisor after the leave has been taken to get approval finalized.

Is it paid?

Permanent employees are eligible for up to five (5) paid (prorated for part-time employees) family responsibility leave days per school year (from September 1st to August 31st).

Employees in long-term occasional assignments may be eligible for up to five (5) paid/unpaid family responsibility leave days per school year (prorated for duration of assignment from September 1st to August 31st). Please refer to the appropriate Collective Agreement / Conditions of Employment.

Casual employees are eligible up to three (3) unpaid family responsibility leave days unless there is a greater benefit in the employment contract (Collective Agreement / Conditions of Employment).

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority when using a family responsibility leave day.

4. Family Medical Leave

What is it?

In accordance with the ESA, family medical leave is a statutory leave that allows employees to take a leave of up to twenty-eight (28) weeks in a fifty-two (52) week period for the purpose of providing care and support to a specified family member who has a serious medical condition with a significant risk of death occurring within a period of twenty-six (26) weeks.

Care and support include but is not limited to: providing psychological or emotional support; arranging for care by a third party; or directly providing or participating in the care of the family member.

Important Information:

- The twenty-eight (28) weeks of family medical leave do not have to be taken consecutively.
- A “week” is defined as a period of seven (7) consecutive days, from Sunday to Saturday.
- The fifty-two (52) week period starts on the first day of the week in which the twenty-six (26) period specified in the medical certificate begins.
- If you are on a family medical leave and stop providing care or support before the end of the week, you are entitled to stay on leave for the rest of the week. You can return to work before the end of the week only if your employer lets you return. You will be considered to have used up one (1) week of the twenty-eight (28) week entitlement even if you return to work before the end of the week.

For more information about this statutory leave go to the [Employment Standards Guide](#).

Who is eligible?

All Board employees (permanent, long-term occasional and casual) are eligible to apply for a family medical leave.

The specified family members for whom a family medical leave may be taken for are:

- the employee's spouse (including same-sex spouse)
- a parent, step-parent or foster parent of the employee or the employee's spouse
- a child, step-child or foster child of the employee or the employee's spouse
- a brother, step-brother, sister, or step-sister of the employee
- a grandparent or step-grandparent of the employee or of the employee's spouse
- a grandchild or step-grandchild of the employee or of the employee's spouse
- a brother-in-law, step-brother-in-law, sister-in-law or step-sister-in-law of the employee
- a son-in-law or daughter-in-law of the employee or of the employee's spouse
- an uncle or aunt of the employee or of the employee's spouse
- a nephew or niece of the employee or of the employee's spouse
- the spouse of the employee's grandchild, uncle, aunt, nephew or niece

- family medical leave may also be taken for a person who considers the employee to be like a family member. Employees wishing to take a family medical leave for a person in this category must provide a completed copy of the [Compassionate Care Benefits Attestation form](#), available from [Employment and Social Development Canada](#), whether or not they are making an application for EI Compassionate Care Benefits or are required to complete the form to obtain such benefits.

When can the leave begin?

The earliest that a family medical leave can begin is the first day of the week in which the twenty-six (26) week period identified on the medical certificate begins.

How do I apply?

Complete the [Leave of Absence Form](#) and have a qualified health practitioner (attending physician or nurse practitioner) complete the [Medical Certificate](#) portion of the application. Submit the completed leave application to your Principal / Supervisor and the appropriate Superintendent / Controller / Director for signature. The application then needs to be forwarded to Human Resources Support Services.

Is it paid?

Family medical leave is an unpaid leave, however employees may be eligible for one or more of the following:

Employment Insurance (E.I.)

Employees taking a family medical leave may be eligible for Employment Insurance. For information regarding eligibility and how to apply you can go to the [Employment Insurance](#) information page.

Supplemental Employment Benefits (S.E.B.)

Permanent and long-term occasional employees taking a family medical leave may be eligible to receive 100% salary through a S.E.B. plan for a maximum period of eight (8) weeks. Please refer to your Collective Agreement / Conditions of Employment for more information.

Will I receive Benefits?

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority during a family medical leave.

5. Family Caregiver Leave

What is it?

In accordance with the ESA, family caregiver leave is a statutory leave that allows employees to take a leave of up to eight (8) weeks per calendar year per specified family member. The purpose of the leave is to provide care or support to a specified family member who has a serious medical condition, as confirmed in a certificate issued by a qualified medical practitioner, which may include a condition that is chronic or episodic.

Care and support include but is not limited to providing psychological or emotional support; arranging for care by a third party; or directly providing or participating in the care of the family member.

Important Information:

- The eight (8) weeks of family caregiver leave do not have to be taken consecutively.
- A “week” is defined as running from Sunday to Saturday.
- The employee may take leave for a period of less than a full week (for example single days at the beginning, middle or end of a week) however if an employee chooses to do so, they are considered to have used up one (1) week of their eight (8) week entitlement. If the employee is on leave for two (2) or more periods within the same week (for example, on leave on Monday and Thursday of the same week), only one (1) week of the eight (8) week entitlement is used up.
- If the employee does not take the eight (8) week leave all at once they are required to provide notice with respect to each part of the leave.
- The employee is entitled to be on leave only when the employee is providing care or support to a specified family member.

For more information about this statutory leave go to the [Employment Standards Guide](#).

Who is eligible?

All Board employees (permanent, long-term occasional and casual) are eligible to apply for a family caregiver leave.

The specified family members for whom a family caregiver leave may be taken for are:

- the employee’s spouse (including same-sex spouse)
- a parent, step-parent or foster parent of the employee or the employee’s spouse
- a child, step-child or foster child of the employee or the employee’s spouse
- a grandparent or step-grandparent of the employee or the employee’s spouse

- a grandchild or step-grandchild of the employee or the employee's spouse
- a spouse of a child of the employee
- a brother or sister of the employee
- a relative of the employee who is dependent on the employee for care or assistance

How do I apply?

Complete the [Leave of Absence Form](#) and have a qualified health practitioner (attending physician, nurse practitioner, registered nurse or psychologist) complete the [Medical Certificate](#). Submit the completed leave application to your Principal / Supervisor and the appropriate Superintendent, Controller or Director for signature. The application then needs to be forwarded to Human Resources Support Services.

Is it paid?

Family caregiver leave is an unpaid leave, however employees may be eligible for the following:

Employment Insurance (E.I.)

Employees taking a family caregiver leave may be eligible for Employment Insurance. For information regarding eligibility and how to apply you can go to the [Employment Insurance](#) information page.

Will I receive Benefits?

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority during a family caregiver leave.

6. Critical Illness Leave

What is it?

In accordance with the ESA, an employee who has been employed for at least six (6) consecutive months is eligible for a critical illness leave to provide care and support to a critically ill minor child up to thirty-seven (37) weeks or adult family member up to seventeen (17) weeks within a fifty-two (52) week period. The purpose of the leave is to provide care or support to a specified family member whose baseline state of health has significantly changed, and their life is at risk as a result of an illness or injury within a fifty-two (52) week period. This leave is not the same as the Family Responsibility Leave.

Important Information:

- The weeks in which critical illness leave is taken can be consecutive or separate.
- A “week” is defined as running from Sunday to Saturday.
- The employee may take leave for a period of less than a full week (for example single days at the beginning, middle or end of a week) however if an employee chooses to do so, they are considered to have used up one (1) week of their eight (8) week entitlement. If the employee is on leave for two (2) or more periods within the same week (for example, on leave on Monday and Thursday of the same week), only one (1) week of the eight (8) week entitlement is used up.
- The employee is entitled to be on leave only when the employee is providing care or support to the critically ill minor or adult.
- A “minor child” means a child, step-child, foster child or child who is under legal guardianship, and who is under eighteen (18) years of age.

For more information about this statutory leave go to the [Employment Standards Guide](#).

Who is eligible?

All Board employees (permanent, long-term occasional and casual) who have been employed for at least six (6) consecutive months are eligible to apply for a critical illness leave.

The specified family members for whom a critical illness leave may be taken for are:

- the employee’s spouse (including same-sex spouse)
- a parent, step-parent or foster parent of the employee or of the employee's spouse
- a child, step-child or foster child of the employee or of the employee's spouse
- a brother, step-brother, sister or step-sister of the employee
- a grandparent or step-grandparent of the employee or of the employee's spouse
- a grandchild or step-grandchild of the employee or of the employee's spouse
- brother-in-law, step-brother-in-law, sister-in-law or step-sister-in-law of the employee
- a son-in-law or daughter-in-law of the employee or of the employee's spouse
- an uncle or aunt of the employee or of the employee's spouse
- a nephew or niece of the employee or of the employee's spouse
- the spouse of the employee's grandchild, uncle, aunt, nephew or niece
- a person who considers the employee to be like a family member. An employee wishing to take a family medical leave for a person in this category must provide a completed copy of the [Compassionate Care Benefits Attestation Form](#) from [Employment and Social Development Canada](#).

How do I apply?

Complete the [Leave of Absence Form](#) and have a qualified health practitioner (attending physician, registered nurse or psychologist) complete the [Medical Certificate](#). Submit the completed leave application to your Principal / Supervisor and the appropriate Superintendent / Controller / Director for signature. The application then needs to be forwarded to Human Resources Support Services.

The Medical Certificate portion of the application issued by a qualified health practitioner must state:

1. that the minor child is a critically ill minor child, or the adult is a critically ill adult who requires the care or support of one or more family members, and
2. the period during which the minor child or adult requires the care or support.

Is it paid?

Critical illness leave is an unpaid leave, however employees may be eligible for one or more of the following:

Employment Insurance (E.I.)

Employees taking a critical illness leave may be eligible for Employment Insurance. For information regarding eligibility and how to apply you can go to the [Employment Insurance](#) information page.

Supplemental Employment Benefits (S.E.B.)

Permanent and long-term occasional employees taking a critical illness leave may be eligible to receive 100% salary through a S.E.B. plan for a maximum period of eight (8) weeks. Please refer to your Collective Agreement or Conditions of Employment for more information.

Will I receive Benefits?

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority during a critical illness leave.

7. Organ Donor Leave

What is it?

In accordance with the ESA, an employee who has been employed for at least thirteen (13) weeks is eligible for an organ donor leave up to thirteen (13) weeks for the purpose of undergoing surgery to donate all or part of the following organs to another person: kidney, liver, lung, pancreas and small bowel. In some cases, organ donor leave can be extended for up to an additional thirteen (13) weeks.

For more information about this statutory leave go to the [Employment Standards Guide](#).

Who is eligible?

All Board employees (permanent, long-term occasional and casual) who have been employed for at least thirteen (13) weeks and who are donating an organ (kidney, liver, lung, pancreas and small bowel) to another person are eligible to apply for an organ donor leave.

When can the leave begin?

Organ donor leave begins on the date of the surgery unless the medical practitioner specifies an earlier date on the medical certificate. The leave may be extended up to an additional thirteen (13) weeks if the medical practitioner issues a certificate stating that the employee is not yet able to perform the duties of their position because of the organ donation, and will not be able to do so for a specified period of time. Where the leave is extended, the maximum amount of time allowed for organ donor leave is twenty-six (26) weeks in total.

How do I apply?

Complete the [Leave of Absence Form](#) and have a qualified medical practitioner (attending physician) complete the [Medical Certificate](#). Submit the completed leave application to your Principal / Supervisor and the appropriate Superintendent / Controller / Director for signature. The application then needs to be forwarded to Human Resources Support Services.

Is it paid?

Organ donor leave is an unpaid leave, however employees may be eligible to use sick leave credits.

Will I receive Benefits?

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority during an organ donor leave.

8. Child Death Leave

What is it?

In accordance with the ESA, an employee who has been employed for at least six (6) consecutive months is eligible for a child death leave up to one hundred and four (104) weeks if a child of the employee dies. An employee is not entitled to this leave if the child

died as a result of a crime and the employee is charged with the crime, or if it is probable, considering that the child was a party to the crime.

A child means a child, step-child, child under legal guardianship of the employee or foster child who is under eighteen (18) years of age.

For more information about this statutory leave go to the [Employment Standards Guide](#).

Who is eligible?

All Board employees (permanent, long-term occasional and casual) who have been employed for at least six (6) consecutive months and whose child has died are eligible to apply for a child death leave.

When can the leave begin?

Child death leave must be taken within one hundred and five (105) week period that begins in the week the child died. This leave must be taken in a single period. The total amount of child death leave taken by one or more employees for the same death (or deaths that are the result of the same event) is one hundred and four (104) weeks. The employees can take the leave at the same time or at different times. The sharing requirement applies whether or not the employees work for the same employer.

How do I apply?

Complete the [Leave of Absence Form](#) and submit the completed form to your Principal / Supervisor and the appropriate Superintendent / Controller / Director for signature. The application then needs to be forwarded to Human Resources Support Services. The employee may be required to provide reasonable evidence to take a child death leave.

Is it paid?

Child death leave is an unpaid leave, however employees may be eligible for the Federal Income Support for Parents of Murdered or Missing Children grant. For information about this grant, visit [Canadian Benefit for Parents of Young Victims of Crime](#).

Will I receive Benefits?

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority during a child death leave.

9. Crime-Related Child Disappearance Leave

What is it?

In accordance with the ESA, an employee who has been employed for at least six (6) consecutive months is eligible for a crime-related child disappearance leave up to one hundred and four (104) weeks. An employee is not entitled to this leave if the employee is charged with the crime, or if it is probable, considering that the child was a party to the crime.

A child means a child, step-child, child under legal guardianship of the employee or foster child who is under eighteen (18) years of age.

For more information about this statutory leave go to the [Employment Standards Guide](#).

Who is eligible?

All Board employees (permanent, long-term occasional and casual) who have been employed for at least six (6) consecutive months and whose child has disappeared are eligible to apply for a crime-related child disappearance leave.

When can the leave begin?

Crime-related child disappearance leave must be taken within one hundred and five (105) week period that begins in the week the child disappeared. This leave must be taken in a single period. If an employee takes this leave and the circumstances change and it no longer seems probable that the child disappeared as a result of a crime, the employee's entitlement to a leave ends on the day on which it no longer seems probable.

If an employee takes a leave relating to the disappearance of their child, and the child is found within the one hundred and four (104) week period that begins in the week the child disappears, the employee is entitled to remain on leave for fourteen (14) days after the day the child is found, if the child is found alive.

If the child is found dead, the employee, is entitled to remain on leave until the end of the week in which the child is found. However, the employee has a separate entitlement to child death leave of up to 104 weeks.

The total amount of crime-related child disappearance leave taken by one or more employees for the same disappearance (or disappearances that are the result of the same event) is one hundred and four (104) weeks. The employees can take the leave at the same time or at different times. The sharing requirement applies whether or not the employees work for the same employer.

How do I apply?

Complete the [Leave of Absence Form](#) and submit the completed form to your Principal / Supervisor and the appropriate Superintendent / Controller / Director for signature. The leave form then needs to be forwarded to Human Resources Support Services. The employee may be required to provide reasonable evidence to take a crime-related child disappearance leave.

Is it paid?

Crime-related child disappearance leave is an unpaid leave, however employees may be eligible for the Federal Income Support for Parents of Murdered or Missing Children grant. For information about this grant, visit [Canadian Benefit for Parents of Young Victims of Crime](#).

Will I receive Benefits?

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority during a crime-related child disappearance leave.

10. Domestic or Sexual Violence Leave

What is it?

In accordance with the ESA, an employee who has been employed for at least thirteen (13) weeks is eligible for up to ten (10) days and fifteen (15) weeks in a calendar year for purposes when an employee or an employee's child has experienced or been threatened with domestic or sexual violence.

For more information about this statutory leave go to the [Employment Standards Guide](#).

Who is eligible?

All Board employees (permanent, long-term occasional and casual) who have been employed for at least thirteen (13) consecutive weeks are eligible to take domestic or sexual violence leave provided that the employee or the employee's child has experienced or been threatened with domestic or sexual violence, and the leave is taken for any of the following purposes:

- To seek medical attention for the employee or the child of the employee because of a physical or psychological injury or disability caused by the domestic or sexual violence.
- To access services from a victim services organization for the employee or the child of the employee.
- To have psychological or other professional counselling for the employee or the child of the employee.

- To move temporarily or permanently.
- To seek legal or law enforcement assistance, including making a police report or getting ready for or participating in a family court, civil or criminal trial related to or resulting from the domestic or sexual violence.
- Any other prescribed purposes.

A child means a child, step-child, child under legal guardianship of the employee or foster child who is under eighteen (18) years of age.

An employee is not entitled to this leave if the employee committed the domestic or sexual violence.

When can the leave begin?

- Employees are entitled to up to ten (10) full days of domestic or sexual violence leave every **calendar** year.
- There is no pro-rating of the ten (10) day entitlement for part time employees.
- An employee who begins work part way through a calendar year is still entitled to ten (10) days during the remainder of that year.
- Employees cannot carry over unused domestic or sexual violence leave days to the next calendar year. The ten (10) days of domestic or sexual violence leave do not have to be taken consecutively.
- Employees can take domestic or sexual violence leave in part days, full days, or in periods of more than one day.
- Employees are also entitled to take up to fifteen (15) weeks of domestic or sexual violence leave every **calendar** year.
- The fifteen (15) weeks can be taken consecutively or separately.
- A week is defined as running from Sunday to Saturday.
- The employee may take leave for a period of less than a full week (for example single days at the beginning, middle or end of a week) however if an employee chooses to do so, they are considered to have used up one (1) week of their fifteen (15) week entitlement. If the employee is on leave for two (2) or more periods within the same week (for example, on leave on Monday and Thursday of the same week), only one (1) week of the fifteen (15) week entitlement is used up.

How do I apply?

Complete the [Leave of Absence Form](#) and submit the completed form to your Principal / Supervisor and the appropriate Superintendent / Controller / Director for signature. The leave form then needs to be forwarded to Human Resources Support Services. The employee may be required to provide reasonable evidence to take a domestic or sexual violence leave. Employees have the option of submitting the Leave of Absence Form directly to Human Resources.

Is it paid?

Employees may be eligible for the first five (5) days of leave taken in a calendar year to be paid. Any days taken beyond the five (5) days are unpaid. ***Will I receive Benefits?***

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority during a crime-related child disappearance leave.

11. Infectious Disease Emergency Leave

What is it?

In accordance with the ESA, infectious disease emergency leave is a statutory leave that allows employees to take an unspecified period of time off work if they are not performing the duties of their position because of specified reasons related to a designated infectious disease as outlined in the ESA.

For more information about this statutory leave go to the [Employment Standards Guide](#).

Who is eligible?

All Board employees (permanent, long-term occasional and casual) are eligible to apply for an infectious disease emergency leave.

How do I apply?

Complete the online [Leave of Absence Form](#) which will be submitted to their Principal / Supervisor for approval. Once approved the employee must enter the appropriate absence code in the absence management system and the Principal / Supervisor will validate the code. The application then needs to be forwarded to Human Resources Support Services.

Is it paid?

Infectious disease emergency leave is an unpaid leave, however employees may be eligible for the following:

Employment Insurance (E.I.) or other federal government financial supports

Employees taking an infectious disease emergency leave may be eligible for Employment Insurance or other federal government financial supports. For information regarding eligibility and how to apply you can go to the [Canada's COVID-19 Economic Response Plan](#) website.

Will I receive Benefits?

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

Employees will continue to earn credit towards length of employment, length of service, and seniority while on an infectious disease emergency leave.

12. Other Paid Leaves

What is it?

Employees can request a paid leave day(s) for the reasons listed in the chart below.

Who is eligible?

Permanent employees are eligible for the paid leaves listed in the chart below. Long-term occasional employees ***may be*** eligible for the paid leaves listed in the chart below. Please refer to your Collective Agreement or Conditions of Employment for more information.

How do I apply?

Employees can request a paid leave day(s) for the reasons listed in the chart below. For school staff, complete the online [Request for Approval of Absence Form](#) which will be submitted to their Principal / Supervisor for approval. These requests should be received by the Principal/ with as much advance notice as possible, and at least 48 hours where practicable. Once approved the employee must enter the appropriate absence code in the absence management system and the Principal / Supervisor will validate the code.

Paid Leaves Chart:

Important Information:

- The maximum number of days allowed for each type of leave, from September 1st to August 31st
- The times specified are the maximum permitted
- These maximums apply to each occurrence or to the period from September to August, if specified as per school year

REASON	DESCRIPTION	UP TO A MAXIMUM	ABSENCE CODE
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Death/ Funeral	Death of a spouse/partner, (step)father, (step)mother, (step)child, brother, sister, mother/father-in-law, total dependent, ward (legal guardianship)	3 days	5
Death/ Funeral	Death of son/daughter-in-law, brother/sister-in-law, grandparents or grandchild	2 days	3
Funeral	Relative not mentioned above or friend	1 day	2
Compassionate Leave	Usually granted at the time of death to finalize arrangements or travel out of town for funeral. Granted in addition to the 2 or 3 days for death or funeral.	5 days	98
Serious illness	Usually granted for presence during serious illness or surgery of a family member named in the first section above	1 day	16
Birth	Parent at birth of child (granted to a spouse/partner if not taking a parental leave)	2 days	17
Adoption	At time of coming into the adoptive home (granted to a spouse/partner not taking a parental leave)	2 days	17

Paid Creed Observance Days	<p>Under the Ontario Human Rights Code, Creed includes, but is not necessarily limited to “religious creed” or “religion”. A creed:</p> <ul style="list-style-type: none"> • Is sincerely, freely and deeply held • Is integrally linked to a person’s selfdefinition and spiritual fulfilment • Is a particular, comprehensive and overarching system of belief that governs one’s conduct and practices • Addresses ultimate questions of human existence, including ideas about life, purpose, death, and the existence or non-existence of a creator and/or a higher or different order of existence 	3 days per school year	1
	<ul style="list-style-type: none"> • Has some “nexus” or connection to an organization or community that professes a shared system of belief. <p>For more information please refer to the Ontario Human Rights Creed Commission Accommodation Checklist.</p>		
Exam	Examination (education) for self	1 day	51
Citizenship	Canadian Citizenship Ceremony for self	1 day	51
Graduation	Beyond secondary for self, spouse/partner, child or parent	1 day	51
Quarantine	Certified by Medical Officer of Health	Required amount of time	10
Court*	<p>a. if NOT a party to the action; summoned as a witness</p> <p>b. if a party to the action due to position with the Peel Board</p>	Period required by court	12

Jury Duty*	If called to serve as a juror	Period required by court	12
Inclement Weather	If location is closed and staff have been instructed not to come to work, or if the supervisor feels that the employee made every effort possible but was unable to get to work.	Period required (usually one day)	80
Military Service*	Application must be accompanied by letter from a Commanding Officer confirming the employee will be on military duty and stating the expected start and end date of the military duty. Only available during time of war or state of emergency.	2 weeks paid, unlimited unpaid	N/A Employee s will be placed on a paid/ unpaid leave

*Note: Any remuneration received by the employee while on this type of leave must be paid over to the Peel District School Board.

13. Other Unpaid Leaves (including Personal Leave)

What is it?

Employees can request an unpaid leave day(s) or unpaid leave for the reasons listed in the chart below.

Who is eligible?

Permanent employees are eligible for the unpaid leaves listed in the chart below. Long-term occasional employees **may be** eligible for some of the unpaid leaves listed in the chart below. Please refer to your Collective Agreement / Conditions of Employment for more information.

In accordance with the ESA, casual employees with a minimum of two consecutive weeks of service, are eligible up to two days **unpaid** bereavement leave for a specified family member. The employee may be required to provide evidence reasonable in the circumstances to validate their entitlement to the leave.

- spouse (includes both married and unmarried couples, of the same or opposite genders)
- parent, step-parent, foster parent, child, step-child, foster child, grandparent, stepgrandparent, grandchild or step-grandchild of the employee or the employee's spouse
- spouse of the employee's child
- brother or sister of the employee
- relative of the employee who is dependent on the employee for care or assistance

Unpaid Leaves Chart:

Important Information:

- The maximum number of days allowed for each type of leave, from September 1st to August 31st
- The times specified are the maximum permitted
- These maximums apply to each occurrence **or** to the period from September to August, if specified as per year
- Employees have the option of consulting with their pension provider to determine impact of unpaid leaves on pensionable earnings

REASON	DESCRIPTION	IMPORTANT INFORMATION	ABSENCE CODE
Bereavement Leave for Casual Employees	A maximum of two (2) days without pay per <u>calendar year</u>	Death of a spouse/partner, (step)father, (step)mother, (step)child, brother, sister, mother/father-in-law, total dependent, ward (legal guardianship)	8
Personal Discretionary Days	A maximum of two (2) days without pay per school year	This leave is not to be used to extend vacation, school break absences or long weekends.	8

Creed Observance Days	In addition to the three (3) paid Creed Observance Days, up to six (6) additional days unpaid Creed Observance Days may also be accessed per school year.	<p>Under the Ontario Human Rights Code, Creed includes, but is not necessarily limited to “religious creed” or “religion”. A creed:</p> <ul style="list-style-type: none"> • Is sincerely, freely and deeply held • Is integrally linked to a person’s self-definition and spiritual fulfilment • Is a particular, comprehensive and overarching system of belief that governs one’s conduct and practices • Addresses ultimate questions of human existence, including ideas about life, purpose, death, and the existence or non-existence of a creator and/or a higher or different order of existence <p>Has some “nexus” or connection to an organization or community that professes a shared system of belief.</p> <p>For more information please refer to the Ontario Human Rights Creed Commission Accommodation Checklist.</p>	52
Transportation Problems	For absences due to inclement weather when the schools are open or for an unavoidable absence after a holiday period which is due to transportation problems	For the period required (typically one day)	11

Personal Leave Without Pay	To apply complete the Leave of Absence Form and submit the completed form to your Principal / Supervisor and the appropriate Superintendent / Controller / Director for signature. The leave form then needs to be forwarded to Human Resources Support Services.	For leaves of more than three (3) months, an employee must have five (5) years' service with the Peel District School Board There must be an interval of five (5) years between leaves Requests that are in conflict with the interests of the Peel District School Board or public education will not be approved.	N/A Employees will be placed on an unpaid leave
Military Training*	To apply complete the Leave of Absence Form and submit the completed form to your Principal / Supervisor and the appropriate Superintendent / Controller / Director for signature. The leave form then needs to be forwarded to Human Resources Support Services. Application must be accompanied by a letter from the Commanding Officer stating that the training is essential and not an option for reservists. Contingent on the availability of replacement staff.	Maximum of two (2) unpaid weeks	N/A Employees will be placed on an unpaid leave

14. Employee Funded Leave

What is it?

An Employee Funded Leave is a leave that has been developed to afford staff the opportunity to take one (1) year/semester leave of absence and, through deferral of salary, finance the leave. Two plans are available: Deferred Salary Plan and Salary Holdback Plan.

Important Information:

- Collective Agreements may specify the criteria and timelines

- **For Academic employees only:** The deadline date for applying for an employee funded leave is January 31st in the school year preceding the start of deductions
- Payments into the plan will commence with the first pay of the next school year

Who is eligible?

Permanent employees (Academic and Business) are eligible to take an employee funded leave.

How do I apply?

See the appropriate Employee Funded Leave Information Package (links below) and complete the appropriate Employee Funded Leave Application, obtain the necessary signatures and send it to Human Resources Support Services. Applications from teachers will be reviewed by the Appropriate Teacher Funded Leave Committee where one exists. Applications from business staff will be reviewed by the appropriate Human Resources Partner – Employee Relations and processed if the leave is supported by the employee's Supervisor.

[Employee Funded Leave Package](#)

Is it paid?

The employee funds the leave by paying into the plan for a set number of years in advance of taking the one (1) year leave.

Will I receive Benefits?

Continuation of benefits for the duration of your leave may be available through your benefits trust insurance carrier.

How does it impact my employment with the Board?

No loss of seniority will result during the leave year and continuity of service will not be broken as a result of the leave. Sick leave and vacation credits will not accumulate during the period of the leave under either plan. Unless otherwise provided in the Collective Agreement, the current balance at the time of the leave will not be affected.

15. Professional Development Leave

What is it?

Short Term Professional Development Leave (STPDL) funds are available to permanent members of the following employee groups - Elementary Teachers, Secondary Teachers, Administrative Staff Group, Professional Student Services Personnel, OPSEU (formerly Educational Resource Facilitators of Peel), CUPE 1628 (Secretarial, Clerical and Library

Technicians), CUPE 2544 (Custodial, Maintenance and Food Services), OPSEU 283 (Adult Non Credit Programs) and OPSEU 292 (LTSS and MSSA) to support professional development.

How do I apply?

Complete the Short-term Professional Development Leave application. Application and approval are through the STPDL committee of the applicable employee group.

Please refer to the applicable Collective Agreement / Conditions of Employment which contain further information.

16. Leave to Assume Responsibilities with Outside Organizations

What is it?

Employees can request a leave to assume responsibility with outside organizations for the reasons listed in the chart below. Depending on the type of leave it may be paid or unpaid.

Leaves to Assume Responsibility with Outside Organizations Chart:

REASON	DESCRIPTION / IMPORTANT INFORMATION
Secondment, Exchanges - International and Provincial/Department of National Defence (DND)	<ul style="list-style-type: none">• Application to seek an exchange outside of Ontario or Application for Teacher Exchange with Another Board in Ontario or DND must be made by October 15th or a secondment must be made by December 15th of the school year preceding the leave.• Approval to seek a secondment/exchange/ with another Board in Ontario is made by the Superintendent of Human Resources Support Services.• The Board of Trustees provides approval of the leave to DND or outside of Ontario.• Applicants must comply with all the terms of the secondment/exchange /DND.
Leave To Take Federation / Union Office	<ul style="list-style-type: none">• The Federation / Union requests in writing the loan of the employee through the Superintendent of Human Resources Support Services. • Approval is by the Superintendent of Human Resources Support Services.• It is recommended that a maximum of six (6) years during an employee's career may be approved to assume Federation / Union duties subject to the provisions of the applicable Collective Agreement; unless an exception to the leave is applied for and granted.

Leave For Campaigning	<ul style="list-style-type: none"> • Unpaid leaves of absence for permanent employees to campaign or serve in public office shall be granted as follows: • <u>Federal/Provincial</u> - a maximum of twenty (20) consecutive working days in any one school year. • <u>Municipal/School Board</u> - a maximum of fifteen (15) consecutive working days in any one school year.
Leave for Election to Public Office	<ul style="list-style-type: none"> • Elected to Public Office: • <u>Federal/Provincial</u> - No partial leaves will be approved. A maximum of six (6) years may be approved. All leaves will commence and terminate at a time when it is least disruptive to the school and students, and where possible at a natural break in the school year. • <u>Municipal/School Boards</u> - Employees will have the choice of one of the following options (a, b or c): <ul style="list-style-type: none"> a. full-time leave without pay up to a maximum of six (6) years, or b. leaves of absence without pay to a maximum of five (5) working days (or ten half-days) per school year to perform the functions of their offices, or c. partial leaves to a maximum of 50% of an employee's contract time with the approval of the Superintendent of Human Resources Support Services. <p>Note: The Education Act prohibits employees from serving on the Board of Trustees for the Board which is their employer.</p>

17. Miscellaneous Leaves

What is it?

The total miscellaneous leaves for any one year shall not exceed five (5) days except in extenuating circumstances.

Who is eligible?

Permanent employees are eligible.

How do I apply?

Complete the [Leave of Absence Form](#) and attach a letter from the organization detailing the activity to be pursued while on leave. Forward the form to the Principal / Supervisor and appropriate Superintendent / Director / Controller for signature. The form will be forwarded to Human Resources Support Services.

Is it paid?

The following miscellaneous leaves are paid:

- Ministry of Education Curriculum Committees (if the Ministry covers costs)

- Programs for Exchange Teachers (costs will be borne by the Central Board Office if the program has been approved by the Central Board Office)
- Speaking Engagements (if the outside organization covers replacement costs)

The following leaves are unpaid, except in exceptional circumstances:

- Attendance at approved conventions or meetings of recognized community service organizations
- Leaves to participate in a Provincial, National or International event

18. Exceptions to a Leave

What is it?

Decisions to grant an exception to the Leaves of Absence Policy are made by the Superintendent of Human Resources Support Services in consultation with the Superintendent / Director / Controller. This process may be used for leave requests not covered by the policy and to request an extension to a leave beyond the allowed time frame.

The employee must be at work until the approval to the exception is granted (unless the employee is requesting an extension while on an approved leave). Failure to do so may result in disciplinary action.

1. Complete the employee section of the [Leave of Absence Form](#)
2. Attach a letter to the form outlining in detail:
 - the reasons for requesting the exception to the leaves of absence policy and operating procedure;
 - the time period requested for the leave, up to a maximum of one (1) school year
 - a description of the activity(s) to be pursued during the leave; and
 - how the learning gained from the activity(s) will improve your ability to perform your job with the Peel District School Board
3. Submit the form and letter to your Principal / Supervisor. The Principal / Supervisor will adjudicate the application on the following criteria:
 - if the request for leave will significantly impact student learning or the operation of the department
 - if coverage for the employee is available (where required).
4. The Principal / Supervisor will indicate whether or not the request is supported.

If the Principal / Supervisor supports the request, the form will be sent to the appropriate Superintendent / Director / Controller for consideration. If the Superintendent / Director / Controller supports the request, it will be forwarded to the Superintendent of Human Resources Support Services for consideration.

If the Principal / Supervisor does not approve the request, the form is returned to the employee with an explanation of the reason for the denial. The Principal / Supervisor may choose to attach a letter of explanation to the form, prior to returning it to the employee. The employee may appeal to the appropriate Superintendent / Director / Controller for reconsideration of the decision of the Principal / Supervisor. If the Superintendent / Director / Controller supports the request, it will be forwarded to the Superintendent of Human Resources Support Services for consideration.

IMPORTANT INFORMATION:

After using the procedure outlined above, an employee wishing to appeal a decision made regarding a leave of absence may exercise the options afforded by the applicable Collective Agreement through their Federation / Union.

Non-unionized employees may appeal to the Superintendent of Human Resources Support Services or, in the case of decisions made by that Superintendent, to the Associate Director.

REFERENCES

[Board Policy 21](#)

[Board Policy 23](#)

[Board Policy 35](#)

[HRS 12](#)

[HRS 11](#)

[HRS 44](#)

[EHS 3.1.3](#)

Collective Agreement for individual employee groups

[Leave of Absence Form](#)

[Application to seek an exchange outside of Ontario](#)

[Application for Teacher Exchange with another Board in Ontario](#)

[Employee Funded Leave Package](#)

[Request for Approval of Absence Form](#)

[Medical Certificate](#)

[Pregnancy/Parental/Adoption Leave Form](#)

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