

## **PROCEDURE FOR POLICY 6.10 – Leaves**

### **1. General**

PMA Eligible staff members are encouraged to discuss their needs for paid and unpaid absences from the workplace with their supervisor as soon as possible. With the exception of Short Term Absences from the Workplace, all leaves must be approved by the supervisor, Dean/Budget Unit Head, or designate, and Human Resources.

### **2. Short Term Absences from the Workplace**

PMA Eligible staff members should advise their supervisor of the requirement, purpose and length of the leave as soon as possible. In situations when the employee's return cannot be determined, such as jury or witness duties, the staff member should keep his/her supervisor informed of the expected return date.

### **3. Career Development Leave**

A staff member may initiate a request for a Career Development Leave to the supervisor and Dean/Budget Unit Head or designate. The request must outline the timing of the leave, the period of the leave, the specific reason for the leave and the expected enhancements of skills or knowledge to the staff member. The staff member may request a performance dialogue and goal setting review prior to the leave.

Upon approval by the supervisor, Dean/ Budget Unit Head or designate, and Human Resources, all arrangements for the Career Development Leave will be confirmed in writing, with the staff member's signature to confirm agreement with the arrangements.

A Career Development Leave may be funded by a deferred salary leave agreement between the staff member and the University under the provisions of the Deferred Salary Arrangements as outlined in [Policy 6.10 - Leaves](#).

### **4. Deferred Salary Arrangement**

PMA Eligible staff members interested in funding their approved Career Development Leave of six months to one year through a deferred salary leave arrangement should contact Human Resources for assistance.

Once an unpaid Career Development Leave is approved according to this policy, a staff member may request a salary deferral over a one to five-year period. The deferred salary must be completely used during the leave and the staff member must return to the university for a work period at least as long as the Leave, as required by the Income Tax Act.

The decision on the percentage of salary deferred depends on the income required by the staff member during the years of salary deferral and during the Leave period. The percentage of nominal salary deferred will range from a minimum of 5 per cent to a maximum of 25 per cent, depending on the period of deferral and the period of the Leave.

## PROCEDURE FOR POLICY 6.10 - Leaves

During the years of deferral the contributions of the staff member and the university towards the staff member's benefits will be based on the staff member's total salary (i.e., the sum of the actual salary received and the deferred salary).

The salary deferred is retained by Western to be deposited into an interest-bearing bank account with a registered financial institution used by the university. The interest rate will be the maximum rate available.

During the year(s) of salary deferral, the staff member will receive salary according to Western's normal pay schedule. Income tax is payable on the actual salary received and also on the interest accrued on the deferred salary. During the Leave, income tax is payable on the accumulated deferred salary as it is received.

Leave cancellation shall occur on termination of employment, disability or death of the staff member. The deferred salary shall be paid to the staff member, or to the staff member's beneficiary or estate, subject to tax regulations.

Requests by the staff member to withdraw or postpone the Deferred Salary Arrangement for reasons other than those identified above, require written application to the Dean/ Budget Unit Head, at least six months before the scheduled leave is to begin. The request will be forwarded to Human Resources for approval.

Should the Dean/Budget Unit Head initiate a withdrawal or postponement of the Deferred Salary Arrangement for reasons other than those identified above, a written application to Human Resources must be provided at least six months before the scheduled leave is to begin. Government regulations require that if salary has been deferred for the maximum five year period, the Leave cannot be postponed.

### **5. Family Medical Leave**

Eligibility for Family Medical leave is defined by the Ontario *Employment Standards Act*.

Staff members must provide their supervisor with reasonable written notice before beginning the leave. If a staff member must begin the leave before being able to give any notice, he/she will be required to advise his/her supervisor as soon as possible after beginning the leave.

If the employee does not take the eight-week leave all at once, the employee is required to provide notice to the employer each time the employee begins a new part of the leave.

The university is entitled to ask a staff member for a copy of the certificate of the qualified health practitioner to provide proof of eligibility for a family medical leave. The staff member is required to provide the copy as soon as possible after the university requests it. The certificate must state that the family member has a serious medical condition with a significant risk of death occurring within a specified 26-week period.

**6. Personal Emergency Leave**

Eligibility for a Personal Emergency Leave is defined by the Ontario *Employment Standards Act*.

Staff members shall inform their supervisor before starting the Leave that he/she will be taking a personal emergency leave of absence. If a staff member must begin the leave before being able to give any notice, he/she must inform his/her supervisor as soon as possible. Notice does not have to be provided in writing, oral notice is sufficient.

The university is entitled to ask a staff member for evidence, reasonable in the circumstances, that he/she meets the eligibility requirements for a Personal Emergency Leave. The university may, in reasonable circumstances, require the staff member to provide a doctor's note that states the duration, or expected duration of the absence, the date the staff member was seen by a health care professional and whether the staff member was examined in person by the health care professional issuing the note. The university may require the staff member to disclose the name of the relative and his/her relationship to the staff member and to state the absence was required as a result of the relative's injury, illness or medical emergency.

**7. Political Candidacy Leave**

A full-time staff member who becomes a candidate for public office shall inform the supervisor and Dean/ Budget Unit Head. On the recommendation of the Dean/Budget Unit Head, Human Resources may grant a political candidacy leave as defined in [Policy 6.10 - Leaves](#).

Where a staff member continues to serve in public office after the expiry of his/her full-time leave, he/she shall be deemed to have resigned his/her university position.

**8. Reservist Leave**

Eligibility for reservist leave is defined by the Ontario *Employment Standards Act*.

Staff members must provide their supervisor with reasonable written notice before beginning the leave. If a staff member must begin the leave before being able to give any notice, he/she will be required to advise his/her supervisor as soon as possible after beginning the leave. Staff members are also required to provide reasonable written notice of the day on which they intend to return from the leave.

Staff members are required to advise their employers in writing of the date they intend to return to work but the employer is able to postpone the employee's return date for two weeks or one pay period, whichever is later.

If the university postpones the staff member's return to work, the university is required to pay its share of premiums for certain benefit plans related to the staff member's employment and allow the staff member to participate in such plans for the period the return date is postponed.

**9. Unpaid Leave of Absences**

A request for a leave of absence without pay must be submitted to the supervisor as soon as possible, but no later than one month in advance of the leave. All requests must state the period involved and the reasons for the request. Upon approval by the supervisor, Dean/Budget Unit Head or designate and Human Resources, a letter outlining the details of the leave shall be issued by the Dean/Budget Unit Head to the staff member for signature.

**10. Salary Increases**

With the exception of a staff member who is on an unpaid leave of absence, unpaid political candidacy or unpaid career development leave, staff members on other leaves as defined in this policy, will receive any merit based salary adjustment in full and according to PMA Policy.

**11. Vacation**

After an unpaid leave of greater than 14 days, a staff member's vacation entitlement will be adjusted to reflect the absence.

**12. Return to Work**

Staff members should make arrangements with their leader/supervisor on how communication will occur during leave.