

POLICY 6.10 - Leaves

Policy Category: Personnel
Subject: Leaves
Approving Authority: Board of Governors
Responsible Officer: Vice-President (Operations & Finance)
Responsible Office: Human Resources
Related Procedures: [Administrative Procedures for Leaves](#)

Related University Policies:

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(Incorporated Policy 6.6 - Absences from the Workplace, Policy 6.12 – Leave of Absence, Policy 6.13 – Career Development Leave, Policy 6.14 – Deferred Salary Leave and Policy 6.20 Political Candidacy Leave)

I. PURPOSE

This policy defines the paid and unpaid leave arrangements, excluding Pregnancy/Parental Leaves and Sick Leave and Long-Term Disability available to PMA Eligible staff at Western. It is in accordance with all applicable federal and provincial legislation including, but not limited to the Ontario *Employment Standards Act* and the *Income Tax Act*.

II. DEFINITIONS

Career Development Leave - An unpaid leave of absence to pursue studies related to the present responsibilities or the anticipated career path of the staff member.

Deferred Salary Arrangement - An approved leave of absence from six months to one year that is funded through an agreement between the staff member and Western that allows the staff member to defer salary over a one-to five-year period.

Family Medical Leave - An unpaid, job-protected leave of up to eight weeks in a 26-week period as outlined in the Ontario *Employment Standards Act*, to provide care or support to certain family members and people who are considered by the employee to be like a family member in respect of whom a qualified health practitioner has issued a certificate indicating that he or she has a serious medical condition with a significant risk of death occurring within a period of 26 weeks.

Personal Emergency Leave – Is an unpaid, job-protected leave of up to 10 days each calendar year as outlined in the Ontario *Employment Standards Act*, to be taken in the case of personal illness, injury or medical emergency and the death, illness, injury, medical emergency of, or urgent matters relating to, certain family members, including dependent relatives.

Reservist Leave - Is an unpaid, job-protected leave for employees who are Canadian Forces military reservists and who are deployed to an international operation overseas or certain operations within Canada as outlined in the Ontario *Employment Standards Act*.

III. POLICY

1. Paid Absences From the Workplace

There are no formal university-wide restrictions relative to short-term paid absences from the workplace for PMA Eligible Staff. Such absences are subject to the operating requirements of the unit. Examples of short-term paid absences may include compassionate reasons, death or loss of a family member, etc. While jury and witness duties are not always short-term, they are included under short-term paid absences.

2. Career Development Leave

A Career Development Leave of absence, for up to one year, may be granted to a staff member subject to the operational requirements of his/her Unit/Faculty. Career Development Leaves are unpaid unless funded through a deferred salary arrangement according to this policy.

3. Family Medical Leave

- (a) All PMA Eligible staff members are entitled to a family medical leave as outlined in the Ontario *Employment Standards Act*.
- (b) The eight weeks of a family medical leave are not required to be taken consecutively, however a partial week of leave is counted as a full week.
- (c) If two or more employees in Ontario take a family medical leave to provide care or support to a specific family member, the eight weeks of family medical leave must be shared.

4. Personal Emergency Leave

- (a) PMA Eligible staff are entitled to up to 10 full days of personal emergency leave as outlined in the Ontario *Employment Standards Act*, every calendar year. The 10 days do not have to be taken consecutively and can be taken in part or full days or in periods of more than one day. Subject to the discretion of the supervisor, part days can be counted as a full day of leave for the purposes of determining the 10 day entitlement, however, if a staff member works part of the day, he/she is paid for the time worked.
- (b) There is no pro-rating of the 10-day entitlement. A staff member who begins work part way through a calendar year is still entitled to 10 emergency days during the remainder of that year.
- (c) Unused personal emergency leave days cannot be carried over to the next calendar year.

5. Political Candidacy Leave

- (a) It is Western's intention to ensure that no impediments are placed in the way of staff members desiring to enter public service. PMA Eligible Staff are eligible for a leave of absence with full salary and benefits during an election campaign upon the following basis:
 - (i) for election to the Parliament of Canada or to a Provincial Legislature: leave for the equivalent of one month;
 - (ii) for election as Mayor of the City of London, or the equivalent office, or the Thames Valley District School Board or London District Catholic School Board: leave for the equivalent of twelve calendar days;
 - (iii) for election to a Municipal or Township Council: leave for the equivalent of twelve calendar days.
- (b) During a campaign for election to public office, a staff member shall speak and write as a private citizen and not as a representative of the University.
- (c) Where a staff member is elected, he/she shall be granted a leave of absence upon the following basis:
 - (i) Parliament of Canada or Provincial Legislature: a full-time leave of absence without salary and benefits for a period up to five years;
 - (ii) Mayor of the City of London, or the equivalent office: a full-time leave of absence without salary and benefits for a period of one term of office;
 - (iii) Municipal or Township Council, Thames Valley District School Board or London District Catholic School Board: a leave of absence for attendance at sittings of the Council or Board, a part-time leave of absence for Council or Board business, if his/her full responsibilities as a staff member cannot be maintained. Arrangements for a staff member to receive a reduced responsibility for this purpose may be renewed indefinitely as long as his/her reduced responsibilities as a staff member can be effectively maintained.

6. Reservist Leave

- (a) Staff members must have worked for the university for at least six consecutive months to be eligible for a reservist leave as outlined in the Ontario *Employment Standards Act*. In addition, the leave is only available to reservists who gave notice and were deployed on operations on or after December 3, 2007.
- (b) The length of the reservist leave lasts for the period necessary for the operation, and in the case of international operations, includes any period required by the Canadian Forces for pre and/or post deployment activities in connection with that operation.

7. Unpaid Leave of Absence

A leave of absence without salary and benefits, for up to one year, will be considered for a PMA Eligible staff member and is subject to the operating requirements of the unit.

8. Benefits and Entitlement Continuance

- (a) Earned paid vacation entitlement and service continue to accrue during a short-term absence, family medical, personal emergency or reservist leave.
- (b) Earned paid vacation entitlement and service will not accrue after the first fourteen calendar days of an unpaid career development leave, an unpaid political candidacy leave or an unpaid leave of absence.
- (c) During any period of an unpaid family medical or personal emergency leave, the university paid-portion of the staff member's group insurance benefits premiums and pension contributions will be continued on the same basis as provided for prior to the unpaid leave unless the employee gives Western written notice the employee does not intend to pay his/her contributions.
- (d) During any period of an unpaid career development leave, unpaid political candidacy leave, or reservist leave the university will not contribute towards the cost of any group insurance benefits premiums or pension contributions. The staff member may make arrangements with Human Resources to pay the full cost of his/her contributions or premiums as well as those of the university.
- (e) During any period of a leave funded through a deferred salary arrangement, the contributions of the staff member and Western towards the staff member's benefits will be based on the staff member's salary during the leave. The staff member will not be eligible for sick leave or long term disability coverage during any leave funded by a deferred salary arrangement.

9. Return to Work

Upon return to work, the staff member is to return to the same position if it still exists or to a comparable position if it does not. If no comparable position exists, the staff member will be treated in accordance with [Policy 6.15 – End of Employment Relationship](#).