

POLICY 8.14 – Compassionate Leave, Jury/Witness Duty and Citizenship

Policy Category: Personnel – Select Administrative Group Employees (SAGE)

Subject: Compassionate Leave, Jury/Witness Duty and Citizenship

Approving Authority: Board of Governors

Responsible Officer: Associate Vice-President (Human Resources)

Responsible Office: Human Resources

Related Procedures:

Related University Policies:

Effective Date: May 4, 2017

[Amalgamates the pre-existing MAPP 8.20 – Compassionate Leave and MAPP 8.21 – Jury and Witness Duty and Citizenship]

Supersedes: (NEW)

I. PURPOSE

This policy provides the details of compassionate leave available to Select Administrative Group Employees (SAGE) members, and outlines Western's commitments to SAGE members while they are fulfilling certain civic obligations. This Policy will be interpreted and applied in accordance with all applicable legislation including, but not limited to, the *Employment Standards Act, 2000* (the "ESA").

II. DEFINITIONS

For the purpose of this Policy, "immediate family" shall mean the SAGE member's spouse (including common-law partners of the opposite or same sex), parent, step-parent, mother in-law, father in-law, grandparent, grandchild, brother, brother in-law, sister, sister in-law, son, son in-law, daughter, daughter in-law or step-child.

II. POLICY

Compassionate Leave

- 1.00 Western will not place any unreasonable limit on compassionate leave required by a SAGE member when a death occurs in his/her immediate family. The member's Supervisor and/or Budget Unit Head (or designate) will determine the appropriate duration of the leave after consultation with the member. Consideration of the need to make arrangements for and/or to attend the funeral or memorial service will be the basis upon which the duration of the absence will be assessed. The Supervisor and/or Budget Unit Head (or designate) will, in his/her sole discretion, determine the portion of such compassionate leave for which the member will receive his/her regular pay. Such compassionate leave shall be included in a

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member's entitlement pursuant to the ESA.

- 2.00 The appropriate Supervisor and/or Budget Unit Head (or designate) may, in his/her discretion, allow other leaves of absence up to a maximum of three (3) working days with or without pay for other compassionate grounds, such as to attend funerals of a friend or distant relative, or to attend to urgent/critical health needs of the member's immediate family. Such discretionary compassionate leave shall be included in a member's entitlement pursuant to the ESA, as applicable.
- 3.00 Leaves for the care of a SAGE member's sick child(ren) or other relatives (outside of immediate family) shall be without pay unless mutually agreeable arrangements are made for the member to make up the time or utilize accrued vacation entitlement. Leave to care for sick children of the member or other relatives shall be included in his/her entitlement pursuant to the ESA.
- 4.00 A SAGE member should request a compassionate leave as soon as possible, as well as provide the basis for the request.

Jury/Witness Duty and Citizenship

- 5.00 Except for any legal proceeding between a SAGE member and Western, Western shall assist SAGE members in meeting their civic obligations by granting said members leave without loss of regular pay or reduction of benefits when summoned for jury duty, or subpoenaed as a witness in court proceedings to which the employee is not a party.
- 6.00 The SAGE member must present a copy of the summons or subpoena to the Supervisor and/or Budget Unit Head (or designate) which indicates the period of jury duty or witness service required. To qualify for leave without loss of regular pay during periods described in Clause 5.00, the member must provide evidence of the period of jury or witness duty that he/she served.
- 7.00 A SAGE member becoming a Canadian citizen shall be entitled to one-half (½) day off with pay in order to attend citizenship proceedings.