

**TOWN OF LOCKEPORT
POLICY STATEMENT**

Policy #GG-018

**PERSONAL LEAVE OF ABSENCE
WITHOUT PAY**

Effective Date: July 13, 2015

Revision Date:

Purpose

To establish a uniform policy on personal leave of absence without pay and to specify, as near as is possible, the conditions under which such leave will be granted.

Objectives

The objectives of the Personal Leave of Absence Without Pay Policy will be to:

1. Identify the types of leave allowed;
2. Define the eligibility requirements;
3. Outline the procedure for applying for leaves of absences;
4. Define the approval system and level of authority required; and
5. Outline the treatment of benefit premiums, vacation entitlement, sick leave benefits and seniority while on a personal leave of absence.

Policy

Personal leave of absence may be granted to maintain continuity of service. A leave of absence is granted on the assumption that the employee will be available to return to regular employment when the conditions necessitating the leave permit. In general, a leave of absence is considered a privilege. Requests that satisfy the criteria set out in this policy will not be unreasonably denied. The Town does, however, reserve the right to make the final decision as to if, and when a leave of absence is approved.

Types of Leave

The Town recognizes two types of leaves of absence; emergency and planned. All leaves of absence will be without pay.

A leave of absence may be granted where unusual or unavoidable circumstances require an employee to be absent from the workplace. As well, the Town will consider requests for a leave of absence for non-emergency situations; however, these will be given a lower priority over requests made for urgent reasons.

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Eligibility

Leave of absence without pay will only be considered if all vacation entitlement has been taken prior to the application.

Regular employees and Regular employee (Reduced Hours) who have completed twelve months of continuous service are eligible to be granted a planned leave of absence. A leave of absence for unusual or unavoidable circumstances may be granted within the first year of service.

Term employees, who have completed 24 months of continuous service are eligible to be granted a personal leave of absence.

Application Procedure

- a. Employees eligible for leave will complete the Application for Leave (see Appendix A) in accordance with the policy outlined herein. The request must state the leave required and the reason. The initiative and onus is on the employee to substantiate the reason for the leave. This application will be forwarded to the Clerk/Treasurer for consideration.
- b. The leave will be approved or denied as appropriate and the employee will be notified of the decision in writing.
- c. The employee's personnel file will be updated.

Leaves of absence create inequities in that all employees cannot be granted a comparable privilege. Requests for a leave of absence will be considered on an individual basis. The following will be taken into consideration for each request:

- The reason for the leave of absence;
- The department's current workload;
- Availability of suitable replacement staff;
- Cost to the Municipality; and
- Previous requests for leaves of absence.

A leave of absence may be granted at the discretion of the Clerk/Treasurer, in consultation with Council and the Department Head.

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Employee Benefits Entitlement

Benefit entitlement under the Employee Group Benefit Plan may continue for up to six months according to the requirements of the Group Benefits Policy #5200-004. The employee will be responsible for 100% of the premium costs for the duration of the approved personal leave of absence.

Seniority, Vacation and Sick Leave Benefits

An employee's anniversary date shall be moved forward by the amount of time that the employee was on a leave of absence. An employee shall not accumulate vacation or sick leave entitlements while on a Personal Leave of Absence.

- a. **Vacation Allowance:** For each month of absence (a month is defined as any portion of time in a calendar month which exceeds ten working days for which the employee receives pay), the vacation allowance will be reduced at the rate of one-twelfth of the vacation entitlement in the year in which leave was taken.
- b. **Insurance Premium Payments and Pension Contributions:** For each month of absence, the employee must pay, in advance, the full cost of insurance benefits, including the employer's share. Premium payments affected are, for example, group life insurance and medical insurance.
- c. **Sick Leave:** Sick pay cannot be drawn while on leave of absence without pay. Annual sick leave credit is reduced at the rate of one-half day for each five calendar days absent.
- d. **Statutory Holidays:** No pay is granted for any statutory holidays occurring during a leave of absence without pay, or occurring prior to resumption of normal duty. Pay for a statutory holiday applies only when an employee earns on the working days prior to and following the holiday.
- e. **Canada Pension:** Canada Pension contributions are paid on the basis of earnings. Since there are no earnings during a leave of absence without pay, there are no contributions.

Note: For the purpose of calculations above, each consecutive thirty calendar days leave of absence is considered to be one month. In the event more than one period of leave of absence is granted in a year, reductions in benefits as above shall be calculated on the total number of calendar days absent.

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Return to Work

Employees granted a leave of absence shall resume work on the first workday following the expiration date of the approved leave. In the event that the employee does not return to work or has not received approval to extend their leave of absence, he/she may be presumed to have resigned employment and may be subject to loss of all seniority and related employment benefits.

Town Clerk/Treasurer's Annotation For Official Policy Book

Date of Notice to Council Members
Of Intent to Consider (7 days minimum): July 6, 2015

Date of Passage of Current Policy: July 13, 2015

I certify that this Policy was adopted by Council as indicated above.

Gayce Y. Young
Town Clerk/Treasurer

July 14, 2015
Date