

PART A (Operating), PART B (Trust), & PART C (ESL) Support Staff

GUIDELINES FOR ADMINISTERING SPECIAL LEAVE PROVISIONS

BACKGROUND:

This document is intended to be a “common sense” guideline only. It is an attempt to clarify the Collective Agreement language that allows employees leave to attend to family illness situations or other non-medical urgent/emergency situations. The guidelines provided here are also not intended to restrict management’s right to employ discretion.

The following outlines the specific provision of the Collective Agreement, provides a general definition of the terms in question and provides examples of situations where special leave **would be** appropriate and examples of situations where it **would not be** appropriate. The list of examples is not meant to be exhaustive, but rather illustrative of the types of situations employees may find themselves in.

A) SPECIAL LEAVE – COMPASSIONATE:

Part A – Article 17.03(c) | Part B – Article 10.03(c) | Part C – Article 14.03(c)

Leave with pay up to two working days will be allowed for **sudden** or **serious illness** within the **immediate family** (spouse, child, mother or father):

- to make arrangements for the care of the person who is ill;
- to make arrangements for the care of the children of the person who is ill;
- to care for the person who is ill; or
- to care for the children of the person who is ill.

Definitions:

- **Sudden** – illness or injury that occurs unexpectedly or with very little notice.
- **Serious** – illness or injury necessitating immediate/urgent treatment and/or emergency care/hospital admission. Serious can also include circumstances where adult supervision of the family member is directed by the family member’s medical professional.

Please note:

- For **each** instance where Compassionate Leave is utilized, it can be used to the maximum length **only**.
- If the illness situation continues, the employee will need to make other time off arrangements (e.g.: vacation; time in lieu; leave without pay; or an *approved* arrangement to make up the time upon return to work).
- Compassionate Leave is **not** to be used for routine, recurring or specialist medical appointments for family members.

Examples:

1/ Employee’s child went to bed feeling well on Monday night and wakes up Tuesday morning with flu-like symptoms – e.g. a high temperature and throwing up.

- ✓ *Compassionate Leave **would** apply in this instance – it is an illness that occurred suddenly and the employee needs to care for the child.*

2/ A couple has a 2 year old child and the mom is an employee. Late on Monday evening dad develops stomach flu symptoms and spends the majority of the evening and into the morning throwing up. In this condition, he is unable to care for the child.

- ✓ *Compassionate Leave **would** apply for the mom in this instance since normally the dad would care for the baby. It is an illness that occurred suddenly and the wife needs to care for the child of the person who is ill.*

3/ Child is at school and during morning recess is injured such that he is cut and bleeding profusely.

- ✓ *In this situation, Compassionate Leave **would** apply as the situation is both sudden and serious and requires the employee to seek immediate medical attention for the child.*

4/ The same child referenced above needs to go back to the doctor's office in 10 days to have the stitches removed.

- ✗ *Compassionate Leave **would not** apply, however, Family Medical Appointment leave **would** apply (Article 17.04). This is a scheduled appointment and the conditions requiring the parent to be absent from work are neither sudden nor serious. If the employee requires time off during the work day to do this, Family Medical Appointment leave (17.04)would apply.*

5/ Employee has to take a parent to chemotherapy appointments over a three-month period. The appointments occur every two weeks and the parent requires adult supervision at the direction of a medical professional for a 24-hour period following the treatments because of possible negative side effects of the treatment.

- ✓ *Compassionate Leave **would** apply in this instance as the situation is one whereby the parent's physician has specified that care of the parent is required following the treatment for a specific period of time.*

6/ Employee's child is scheduled for dental surgery (having wisdom teeth out under anaesthesia). The conditions under which this surgery is performed specify that the child must be picked up by an adult who must also remain with the child for a 24-hour period to observe the child's condition.

- ✓ *Compassionate Leave **would** apply in this instance as the situation is one whereby the child requires adult supervision at the direction of a medical professional.*

B) FAMILY MEDICAL APPOINTMENTS

Part A – Article 17.04, Part B – 10.04, Part C 14.04

Leave of up to one working day will be allowed for attending a medical appointment for an immediate family member.

Definitions

Immediate Family Member - spouse, child, mother or father

Examples:

1. Employee's father has a doctor's appointment and employee intends to accompany him.
 - Family Medical Appointment leave **would** apply in this instance.

2. Employee's grandparent requires accompaniment to a dental appointment.
 - Family Medical Appointment leave **would not** apply in this instance as the relative is not an immediate family member (as defined above).

C) SPECIAL LEAVE – EMERGENCY / DISASTER CONDITIONS
Part A – Article 17.05 | Part B – Article 10.05 | Part C – Article 14.04

Leave with pay for up to one working day will be allowed for **emergencies** or **disasters** demanding the immediate personal attention of the employee **or** preventing the employee from attending his/her place of employment.

Definition:

- **Emergency/Disaster (Non-Medical Circumstances)** – An **urgent**, usually unforeseen, event preventing employee from attending the workplace and/or demanding **immediate** attention. The event / situation which requires the employee to be absent from work at a particular point in time is beyond the control of the employee.

Examples:

1/ An employee is involved in a car accident on the way to work. The car is not driveable and the employee must immediately deal with the aftermath of the accident.

- ✓ *Emergency/Disaster Leave **would** apply in this circumstance. The event is beyond the control of the employee. S/he has no choice but to deal with the situation immediately following the accident.*

2/ The employee from the above example needs to obtain quotes for car repairs and requests the next day off to do this.

- ✗ *Emergency/Disaster Leave **would not** apply in this circumstance. Arranging a time to obtain quotes is within the control of the employee. Therefore, an alternate form of time off would be used in this instance.*

3/ An employee wakes up one morning in the middle of January when the temperature is -30 Celsius to discover his/her furnace has quit working. The employee must make immediate arrangements for furnace repair and requires time off to make those arrangements and be at home for the repairs.

- ✓ *Emergency/Disaster Leave **would** apply in this circumstance. The furnace breakdown is beyond the employee's control and in addition, the employee's immediate personal attention is required to deal with the situation given the time of year and the potential damage to property that could occur if the matter is not dealt with promptly.*

4/ An employee's air conditioner quits working in early July and the weather conditions are relatively warm. The employee wants time off work to arrange to have the air conditioner repaired.

- ✗ *Emergency/Disaster Leave **would not** apply in this circumstance. While the air conditioner breakdown is beyond the employee's control, immediate repair is not indicated. The employee can make arrangements for the repairs to be done at another time.*

5/ An employee is contacted at work by his/her child's school and requested to pick the child up because the school has been forced to close for whatever reason.

- ✓ *Emergency/Disaster Leave **would** apply in this situation – the employee has no control over the situation that requires him/her to leave work. The child must be picked up.*

6/ An employee calls in to say that s/he slept in because the power went off in the middle of the night and his/her alarm didn't go off. The employee advises that s/he needs to drive his/her child to school because s/he missed the school bus.

- ✗ *Emergency/Disaster Leave **would not** apply in this instance. While the power failure was outside the employee's control, getting the child to school can be accomplished by other means (e.g. taxi) within the employee's control.*

D) SPECIAL LEAVE – EMERGENCY / DISASTER CONDITIONS – INCLEMENT WEATHER
Part A – Article 17.05 | Part B – Article 10.05 | Part C – Article 14.04

When **roads are closed** by municipal police or RCMP ~or~ when the **University is closed by announcement of the Provost**, support staff **do not** need to attend at work for the period of the closure.

For **Auxiliary and Regular** employees:

- *the time is recorded as an **Emergency Day**. The employee is on paid leave, providing his/her maximum allotment of 10 days Special Leave per fiscal year has **not** already been exceeded*
- *in order for the Emergency Day to apply, the road closure must be such that it prevents the employee from travelling to work (e.g.: Emergency Day may apply to employees living in one sector of the city but not another).*

For **Casual** employees:

- *the employee is **not** paid for this period, unless arrangements have been made for the employee to work from home.*

When there is a **road advisory or warning** affecting the commute from the employee's home to the worksite, the supervisor and the manager can make alternate arrangements.

- *Emergency Leave is **not an option** in this circumstance.*
- *Managers and employees are encouraged to find a solution that is most reasonable given the circumstances. Options for consideration include:*
 - *working from home, or*
 - *making up the time in some other way, or*
 - *applying banked time, or*
 - *using leave without pay, or*
 - *using vacation time.*
- *It is up to the employee to make the request for alternate arrangements **as soon as possible**, and certainly **prior** to the commencement of the shift. The request is subject to the approval of the manager.*