

**HR16****Leave of Absence for Personal Reasons**

Classification:	Human Resources
Responsible Authority:	Senior Manager, Total Compensation
Executive Sponsor:	Vice President, Human Resources
Approval Authority:	Algonquin College Executive Team
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**PURPOSE**

To state the circumstances under which the College may grant an employee a leave of absence for personal reasons, with or without pay.

**SCOPE**

This policy applies to all full time and part time employees of Algonquin College.

**DEFINITIONS**

<b>Word/Term</b>	<b>Definition</b>
Extenuating Personal Circumstances	Personal matters such as sudden critical illness or accident involving members of the immediate family
Senior Administrator	Dean of a School, the Director of a service department, the Vice President
Supervisor	Any employee who supervises staff

**POLICY****1. GENERAL**

- 1.1 The College may grant employees a leave of absence for personal reasons, with or without pay. The granting of such leave will be processed according to the guidelines below. In the event there are issues with the application of these guidelines, the supervisor will seek the advice and guidance of Human Resources.
- 1.2 As soon as it is known, employees are to notify their immediate supervisor of their intent to request a leave of absence.

## **2. LEAVE WITH PAY**

At the discretion of the College, leave of absence, with pay, may be granted for bereavement, religious leave, extenuating personal circumstances and jury duty/subpoenas.

Requests for leave of absence for leaves under this section will not be unreasonably denied.

### **2.1. Bereavement**

Bereavement leaves for close family members are defined in the Collective Agreements and in the Terms and Conditions of Employment for Administrative Employees. A bereavement leave will generally be granted for three (3) working days. An additional two (2) working days may be granted to accommodate extensive travel in the case of a close family member.

### **2.2. Religious Leave**

The College will accommodate, whenever possible, absences for the purpose of religious observance. Requests for a leave of absence for religious observance will be assessed in light of the impact the absence will cause to students, the delivery of academic programs, the interruption of services and the operational requirements of the College. The approval of a leave of absence for religious observance will be based on the days identified by the Ontario Public Service's List of Religious Holy Days.

2.2.1. The College will provide the following options so that employees have the opportunity to participate in religious observances and avoid loss of pay:

2.2.2. The College may approve a leave of absence of up to (2) paid scheduled days per calendar year for religious observance. However, individuals may seek accommodation for additional religious days. Flexible scheduling or compassionate leave days would be given consideration, in partnership with the supervisor and Human Resources.

2.2.3. Requests are to be submitted in writing to the immediate supervisor, with a minimum of sixty (60) calendar days' notice prior to the religious observance. The request must state the name of the religious observance, the religious affiliation and the date(s) being requested.

### **2.3. Extenuating Personal Circumstances**

Extenuating personal circumstances, sometimes referred to as Compassionate Leave, are situations such as sudden critical illness or accident involving members of the immediate family (spouse/partner, children). By their very nature, these cannot be predicted. At the discretion of the supervisor, the employee may take up to three (3) days of personal leave with pay. Any further days to be considered for personal leave must be discussed with Human Resources. Exclusions: Compassionate leave does not generally include leave related to unavailability of child care.

Unionized employees who have the Family Care Day entitlements under their collective agreements are to follow those terms and conditions and cannot double up on leave entitlements.

- 2.3.1. Leave of absence due to extenuating personal circumstances will be granted, where possible, in a manner designed to ensure minimum impact to students, the delivery of academic programs, the interruption of services and the operational requirements of the College.
- 2.3.2. Leave of absence with pay due to extenuating personal circumstances may be granted at the discretion of the immediate supervisor on behalf of the College. Such requests shall not be unreasonably denied. The employee has the right to have their situation examined fully before a determination is made whether or not to grant the request.
- 2.3.3. The employee requesting a leave of absence due to extenuating personal circumstances shall give reasonable notice to the immediate supervisor, where possible.
- 2.3.4. The employee must ensure that they have given the supervisor all of the relevant information regarding the leave request. The supervisor is required to give due consideration to all of the relevant facts regarding the request prior to approving or denying the request.
- 2.3.5 In the event the employee has not returned to work from leave on the expected return date, , the supervisor is to contact the absent employee prior to the end of the day to request an update on their circumstances and inform the Benefits Officer.

#### **2.4. Jury Duty/Subpoenas**

The College will provide leave with pay for jury duty, when served with a subpoena as a crown witness or a witness in another procedure which requires attendance as a matter of civic duty subject to the College receiving the jury duty or witness fees paid to the employee.

- 2.4.1. The employee will report to the College for work during those regular hours of work that the employee is not required to attend court.

### **3. LEAVE WITHOUT PAY**

#### **3.1. Duration**

- 3.1.1 The College may approve a leave without pay for a period as short as one (1) day and normally not to exceed 12 months.

#### **3.2. Approval**

- 3.2.1 On the recommendations of the immediate supervisor, the Manager/Chair may approve leave without pay for up to four (4) months. A leave without pay beyond four (4) months requires the approval of the Dean/Director, Vice President and President.

### 3.3. Criteria

3.3.1 In assessing a request for an unpaid leave, the College will consider, among other relevant factors, the following:

- a) Length of service with the College;
- b) Urgency of the circumstances requiring an absence from work;
- c) Relationship of the leave to personal and College objectives;
- d) Impact to service delivery and/or impact to team members of the remaining team.

### 3.4. Benefits and Pension

3.4.1 Individuals on an unpaid leave of absence have the option of maintaining benefit coverage provided they pay both the employee's and employer's share of the premiums.

## 4. EXCLUSIONS

4.1 This policy does not apply to sick leave, family care leave, professional development, exchanges with other institutions, secondments, maternity leave, parental leave and leave under the Deferred Leave Plan.

4.2 The College also provides leaves in accordance with its legal obligations under the Employment Standards Act. These leaves will be managed in accordance with the legislative guidelines as opposed to this policy. Such leaves include organ donor leave, military reservist leave, personal emergency leave, family caregiver leave, family medical leave, critically ill child care leave, crime-related child death/disappearance leave and other leaves that may be prescribed in the legislation and amended from time to time by the Province of Ontario.

## 5. GENERAL

5.1 All leaves are to be entered in the College's Workday system by employees and supervisors. Workday will be used as the official system of record for leave management.

5.2 This policy is not intended to add to or detract from the entitlement to leave under applicable Collective Agreements.

## PROCEDURE

<u>Action</u>	<u>Responsibility</u>
<b>1. Bereavement Leave</b>	
1.1 Prior to and/or upon commencement of the leave, notification must be provided in writing to the immediate supervisor of the need to take a leave of absence for bereavement.	Employee
1.2 Determine the length of the bereavement leave.	Employee
1.3 Implement a plan to minimize the impact on the College operations	Immediate Supervisor

**2. Religious Leave**

- 2.1 Submit a written request to the immediate supervisor for a leave of absence for a religious observance sixty (60) calendar days prior to the religious observance. The request is to state the name of the observance, the date being requested and the religious affiliation. Employee
- 2.2 Verify the religious day(s) requested appear on the Ontario Public Services List of Religious Holy Days Immediate Supervisor
- 2.3 Meet with the employee to review:  
a) the impact the absence will have on the college operations  
b) the options available to the employee to avoid loss of pay Immediate Supervisor
- 2.4 Approve the request for a leave of absence for religious observance and confirm in writing the approval to the employee, and the option selected by the employee to avoid loss of pay. Immediate Supervisor
- 2.5 If the request for leave of absence for religious observance is denied, consult with Human Resources and write to the employee informing him/her of the decision and the reasons for the refusal. Immediate Supervisor
- 2.6 Notify the Benefits Officer/Human Resources, of the agreement reached with the employee and the steps taken to have coverage of the College operations Immediate Supervisor

**3. Extenuating Personal Circumstances**

- 3.1 The employee is to notify the immediate supervisor within two hours of the start of their shift if unable to attend work due to extenuating personal circumstance. They are to provide as much detail as is known at the time and provide the anticipated return to work date. Employee
- 3.2 Implement a plan to minimize the impact on the College operations during the absence of the employee. Immediate Supervisor
- 3.3 If the employee has not returned to work on the expected return date, contact the absent employee to receive an update on his/her circumstances and inform the Benefits Officer, Human Resources. Immediate Supervisor

**4. Jury Duty/Subpoenas**

- 4.1 Notify the immediate supervisor of having been selected for jury duty or having been called as a witness, as soon as it is known. Employee
- 4.2 Implement a plan to minimize the impact on the College operations during the absence of the employee. Immediate Supervisor

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|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| 4.3                         | Upon return to the college provide copies of all documentation (i.e. jury duty fees, witness fees, etc.) to Human Resources to ensure proper processing of pay.                                                                                                                                                             | Employee             |
| <b>5. Leave without Pay</b> |                                                                                                                                                                                                                                                                                                                             |                      |
| 5.1                         | Submit the completed Leave Without Pay request form to the immediate supervisor indicating the reasons and the length of time for the leave.                                                                                                                                                                                | Employee             |
| 5.2                         | Assess the request for an unpaid leave, based on the following criteria:<br>a) The impact the leave will have on the operations of the College<br>b) Length of service with the College<br>c) Urgency of the circumstance requiring an absence from work<br>d) Relationship of the leave to personal and College objectives | Employee             |
| 5.3                         | If the request for leave is supported, and is less than four (4) months in duration, approve the request and notify the employee. Submit the approved request form to the Benefits Officer, Human Resources.                                                                                                                | Immediate Supervisor |
| 5.4                         | If the request is not supported, regardless of duration, notify the employee giving the reasons for the refusal.                                                                                                                                                                                                            | Immediate Supervisor |
| 5.5                         | If the leave without pay request is greater than four (4) months, give written support and recommended approval to the Dean/Director/VP, along with the rationale and supporting documentation                                                                                                                              | Dean/Director/VP     |
| 5.5.1                       | If the leave without pay request is approved by senior management, forward the request and rationale to the President for approval and final signature.                                                                                                                                                                     | President's Office   |
| 5.5.2                       | If the leave without pay request is approved, notify the appropriate Dean/Director/VP and forward the approved request form to the Benefits Officer, Human Resources.                                                                                                                                                       | President's Office   |
| 5.5.3                       | If the leave without pay request is not supported, notify the appropriate Dean/Director/VP who will inform the employee the request has been denied.                                                                                                                                                                        | President's Office   |

## **SUPPORTING DOCUMENTATION**

Appendix 1 [HR 16 Leave Without Pay Request Form](#)

## **RELATED POLICIES**

HR 02 Professional Development Leave

HR 15 Return to Work with Modified Work

HR 23 Sick leave/Short Term Disability Policy

## **RELATED MATERIALS**

Collective Agreements and Ontario Public Service List of Religious Holidays

<http://thecouncil.on.ca/articles/150>

Employment Standards Act, Ontario, 2000

<https://www.ontario.ca/document/your-guide-employment-standards-act>

**LEAVE WITHOUT PAY REQUEST FORM**

**(Up to a maximum of 12 months may be requested)**

Employee Name: \_\_\_\_\_ Employee Number: \_\_\_\_\_

Supervisor: \_\_\_\_\_ Department: \_\_\_\_\_

Start Date: \_\_\_\_\_ Finish Date: \_\_\_\_\_

Reason for request:

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please action the Leave without Pay Request for the employee noted above:**

Manager's signature required for leaves up to and including 4 months:

Manager/Chair's Name: \_\_\_\_\_

Manager/Chair's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Dean's and President's Signature required for leaves greater than 4 months:

*(For Dean's and President's signature, the department is responsible to forward application.)*

Dean/Director's Name: \_\_\_\_\_

Dean/Director's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

President's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***The employee is to arrange an appointment with a Human Resources Officer to discuss benefit and pension options prior to going on approved leave.***

***Please return signed form to Human Resources, Room C426 or via email at  
ACPenBen@algonquincollege.com.***