



POLICY – HR 11

RECOGNIZED LEAVE POLICY

APPROVAL DATE:	2013-04-29	CROSS-REFERENCE:	HR 02 Sick Leave (rescinded) and HR 04 Vacation (rescinded)
RESPONSIBILITY:	Administration		
APPROVER:	Council	APPENDICES:	
REVISION DATE (s):	2020-11-09; 2021-09-07	REVIEW DATE:	2023

POLICY STATEMENT

To establish the parameters under which Employees are authorized to take time off from work as well as their entitlements as it relates to the *Employment Standards Code* and the *Jury Act*.

OBJECTIVE

To outline which recognized leaves are paid and unpaid as it relates to vacation, personal days, bereavement, sick, holidays, maternity, and absence.

DEFINITIONS

CAO is the Chief Administrative Officer for the Village of Marwayne in the Province of Alberta.

Employee is a full-time permanent Employee of the Village of Marwayne in the Province of Alberta.

Employer is the Village of Marwayne in the Province of Alberta.

Village is the Village of Marwayne in the Province of Alberta.



Work Day is the number of hours of work per day designated to an Employee's present position.

GUIDING PRINCIPLES

This policy applies to all Village of Marwayne Employees and is subject to the terms set forth below:

- **Vacation**
 - The vacation year, as it pertains to Employee allotments in a twelve (12) month period, begins on the 1st day of January and concludes on the 31st day of December of the same calendar year.
 - **Entitlements**
 - For full-time permanent Employees of the Village of Marwayne, vacation is earned based on continuous years of service and may be taken as follows:
 - **After one (1) year** of continuous service, full-time permanent Employees are entitled to ten (10) working days vacation with pay;
 - **After two (2) years** of continuous service, full-time permanent Employees are entitled to fifteen (15) working days vacation with pay;
 - **After four (4) years** of continuous service, full-time permanent Employees are entitled to twenty (20) working days vacation with pay;
 - **After eight (8) years** of continuous service, full-time permanent Employees are entitled to twenty five (25) working days vacation with pay;
 - **After fifteen (15) years** of continuous service, full-time permanent Employees are entitled to thirty (30) working days vacation with pay; or
 - As negotiated by employment contract.
 - For part-time, seasonal or casual Employees, vacation pay shall be paid each pay period as outlined below:
 - **4%** for zero (0) to two (2) years of continuous service;
 - **6%** for three (3) to nine (9) years of continuous service; or



- **8%** for ten (10) or more years of continuous service.
- Seasonal, casual and part-time Employees shall be paid vacation pay on regular and eligible sick hours as per the *Employment Standards Code*.

- **Length and Dates**

- Employees are encouraged to take two (2) consecutive weeks' vacation. Exceptions may be made however with prior authorization by the CAO.
- If an agreement cannot be reached between the Employee and the Employer, as to when vacation is to be taken, the Employer shall determine when the vacation is to be taken. The Employer shall provide the Employee with two (2) weeks written notice of the date vacation time is to be taken in accordance with the *Employment Standards Code*.
- Vacation shall not be taken in increments larger than ten (10) working days without prior approval from the CAO, or in the case of the CAO, without prior approval from Council.
- Vacation entitlement must be used before January 1st of the following year. Only under special circumstances, as determined and approved by the CAO, will vacation days be eligible to be carried forward to the following year.
- An Employee may not take more vacation days than what has been earned.
- Vacation days must be taken in half-day or full day increments.
- Vacation shall be pro-rated for Employees granted a leave of absence in excess of thirty (30) days or who has been laid off.

- **Sick Leave**

- Permanent full-time Employees of the Village of Marwayne are entitled to sick leave with pay under the following conditions:
 - When an Employee's absence is made necessary for his or her own medical or dental treatment, or because of accident, sickness or disability;
 - Every absence from work and the reason therefore must be reported to the Village Office on the first day of absence;



- An employee who is absent through illness for more than three (3) days is required to provide a medical note, signed by his or her doctor which states the nature of his or her illness and in the case of a prolonged absence through illness, the Employee will be required to supply further medical evidence to the Village upon request. Failure to provide medical evidence within fourteen (14) working days of the illness will result in non-payment of sick leave for the days the Employee was absent;
- If an Employee is injured while on duty and is eligible to receive Worker's Compensation Board benefits, he or she will not be eligible for sick leave pay, nor will he or she receive pay for the period of such eligibility.
- When the above terms and conditions have been satisfied, sick leave shall be granted as follows:
 - **Permanent-full time Employees**
 - Sick leave is granted at one (1) day per month to a maximum of twelve (12) days in each year of employment. For the purpose of this policy, a work day shall be defined as the number of hours of work per day, designated to an employee's present position;
 - All employees shall have their sick leave pay administered in accordance with their regular hours per day x hourly rate = sick pay per day;
 - The period of leave with pay to be allowed is determined by the year of employment in which the employee's absence commences;
 - The unused portion of sick leave entitlement shall accumulate at the completion of each year of service to the credit of each employee to a maximum of sixty (60) working days; and
 - The unused portion of sick leave entitlement remaining at termination shall be lost to the employee and will not be paid out.



- **Permanent part-time Employees (20+ hours per week), Permanent Seasonal Employees and Temporary Term Employees**
 - Sick leave shall be granted at one (1) day per month to a maximum of twelve (12) days in each year of employment.
 - Sick leave shall be granted with pay using the formula designated to permanent full-time employees in the department the employee works;
 - The period of leave with pay to be allowed is determined by the year of employment in which the employee's absence commences; and
 - The unused portion of sick leave entitlement remaining at termination shall be lost to the employee and will not be paid out.

- **Part-time Employees, Casual Employees and Temporary Employees are not eligible for sick leave.**

- **Designated Holidays**
 - The following days have been designated as paid time off, as per the *Employment Standards Code*:
 - **New Years Day;**
 - **Family Day;**
 - **Good Friday;**
 - **Victoria Day;**
 - **Canada Day;**
 - **Labour Day;**
 - **Thanksgiving Day;**
 - **Remembrance Day; and**
 - **Christmas Day.**
 - The Village of Marwayne offers their Employees with three additional paid days off each calendar year, over and above the allotments under the *Employment Standards Code*.
 - **Easter Monday;**



- **Heritage Day;**
- **Boxing Day; and**
- **National Day for Truth and Reconciliation.**
- If a paid holiday falls on a Saturday or Sunday, the holiday is moved to the nearest Friday or Monday, as the case may be.
- The Village of Marwayne offers their Employees with three additional paid days off over the Christmas period. The dates of the six (6) paid holidays occurring during the Christmas period shall be determined in accordance with the day of the week upon which Christmas falls, according to the following schedule:
 - If Christmas Day is Sunday, the paid holiday days fall on December 26, 27, 28, 29, 30 and January 2;
 - If Christmas Day is Monday, the paid holiday days fall on December 25, 26, 27, 28, 29 and January 1;
 - If Christmas Day is Tuesday, the paid holiday days fall on December 25, 26, 27, 28, 31 and January 1;
 - If Christmas Day is Wednesday, the paid holiday days fall on December 25, 26, 27, 30, 31 and January 1;
 - If Christmas Day is Thursday, the paid holiday days fall on December 25, 26, 29, 30, 31 and January 1;
 - If Christmas Day is Friday, the paid holiday days fall on December 25, 28, 29, 30, 31 and January 1;
 - If Christmas Day is Saturday, the paid holiday days fall on December 24, 27, 28, 29, 30, 31; and
 - Employees may take a half day off with **no pay** on December 24.
- **Personal Days**
 - Personal days are intended to help Employees balance their personal and work lives and allows for Employees to take paid time off to:
 - Conduct personal business;
 - Attend medical and dental appointments; and
 - Meet family responsibilities.
 - Each permanent full-time Employee who has completed the probationary period is awarded one personal day on the completion of that quarter (i.e., the three month period of January,



February and March; April, May and June; July, August and September; October, November and December).

- A personal day shall be granted at such time or times as shall be mutually agreeable to by the Employee and the CAO.
- Personal days do not accumulate year to year. Personal Days not taken in any given calendar year are forfeited and are not paid out.

- **Maternity and/or Parental Leave**

- Employees are eligible for maternity and parental leave if they have been employed at least ninety (90) days with the Village.
- Eligible Employees can take time off work without pay for maternity or parental leave without risk of losing their job.
- Employees with less than ninety (90) days of employment may still be granted leave however the Village is not required under employment legislation to grant them leave.
- The Village of Marwayne shall not discriminate against, lay off, or terminate an Employee, or require them to resign, because of pregnancy or childbirth.
- The Village must grant maternity or parental leave to eligible Employees and give them their same, or equivalent, job back when they return to work.
- The Village isn't required to pay wages or benefits during leave, unless stated in an employment contract or collective agreement.
- Employees on maternity or parental leave are considered to be continuously employed, for the purposes of calculating years of service.
- Employees must provide six (6) weeks notice to the Village of Marwayne of their intention to take maternity leave so as to allow the municipality to make the necessary arrangements for accommodation and ensuring adequate staffing solutions.
- Submission of a request for maternity or parental leave shall be accompanied by the appropriate documentation, as required by the CAO.
- Employees may choose to continue their benefit package through AUMA and Sunlife Financial during their leave provided that the



Employee continues to pay the Employee portion of the monthly premium.

- If both parents work for the Village, the Village is not required to grant leave to both Employees at the same time.
 - Length of leave is as follows:
 - Birth mothers may take up to sixteen (16) consecutive weeks of unpaid maternity leave.
 - Leave can start any time within the thirteen (13) weeks leading up to the estimated due date and no later than the date of birth.
 - If pregnancy interferes with the Employee's job performance during the twelve (12) weeks before their due date, the Village may require that the Employee start maternity leave earlier by notifying the Employee in writing.
 - Birth mothers must take at least six (6) weeks off after birth for health reasons, unless:
 - The Village agrees to an early return to duties; and
 - The Employee provides a medical certificate stating that the return to work will not endanger their health.
 - Pregnancies that end other than in a live birth are subject to the rules and regulations of the *Employment Standards Code*.
 - Employees must give the Village four (4) weeks written notice before they are to return to work, or to advise that they will not be returning to work after their leave ends. Failure to provide notice may result in disciplinary action, up to and including, termination.
 - Annual vacation earned prior to leave must be taken within twelve (12) months after it was earned. If this time falls while the Employee is on leave, the Employee must take the remaining vacation time at the end of their leave, or get approval from the Village to take the vacation time at a later date.
- **Jury Duty**
 - The Village recognizes and respects the necessary civic duty of jury duty and shall make accommodations for Employees that have been selected to perform it.
 - Employees selected for jury duty must provide the CAO with as much advance notice as is possible.



- Advance notice shall be accompanied by a copy of the summons for jury duty.
 - The Village will ensure that staff required to report for jury duty are provided with time off to perform their civic duty.
 - Jury duty leave is unpaid.
 - Any Employee of the Village who is required to appear in a court of law as a plaintiff, defendant, or witness shall not be eligible for a paid leave of absence. In these instances, the employee may use vacation time, personal days or request an unpaid leave of absence.
- **Bereavement Leave**
 - Employees are eligible for bereavement leave when they have been employed with the Village for at least ninety (90) days.
 - Employees shall be granted bereavement leave as follows and in accordance with the *Employment Standards Code*:
 - Three (3) days with pay for immediate family;
 - For non-immediate family, or attendance at a funeral, Employees shall be granted time off as is required without pay.
- **Leave of Absence**
 - Leaves of absence are authorized only by Council and must be requested in writing at least thirty (30) days prior to the time requested for leave, which shall be without pay except in situations of an unforeseen or emergency nature, in which case the employee's request shall be made as soon as they become aware of the situation which prompted the request for a leave of absence.



ROLES & RESPONSIBILITIES

ROLE/TASK	TITLE (s) OF PERSON RESPONSIBLE
HANDLING INQUIRIES & COMMUNICATING POLICY	Chief Administrative Officer
MONITORING REVIEWS AND REVISIONS	Administrative Assistant

EXEMPTIONS

As the *Employment Standards Code* is amended from time to time, the provisions set forth therein, should they conflict with this policy, shall prevail.