

Policy Title:	Applies to:	Reference #
Compassionate Care Leave	All Employees	120-HR-15
Approved by:	Dates:	Total # of Pages
Human Resources Department Workplace Health and Safety Branch	Effective:	01-08-2004
	Last Review:	01-01-2017
	Next Review:	01-01-2020
Authority:		
People and Organizational Culture		

1.0 Purpose

As per the federal government’s policy direction, to provide City of Regina employees the ability to take a leave of absence, without pay, in order to be absent from work to care for or support a gravely ill family member when there is a significant risk of death within 26 weeks.

2.0 Scope

All employees who meet the eligibility terms on or after January 3, 2016 (Canada Labour Code).

3.0 Definitions

Eligible Employees

Any employee who is, or will be, absent from work to care for or support a gravely ill family member where there is a significant risk of death within 26 weeks. The employee must be currently employed by the City of Regina for a total of at least 20 weeks in the 52 weeks immediately preceding the day on which the request for a leave of absence, without pay, is to commence.

Please note that this leave of absence would be without pay, and will allow the employee to apply for Employment Insurance benefits during the term of the leave, as stipulated by the federal government.

For those employees who want to take leave but have worked less than 20 weeks in the past 52 weeks, contact the People and Organizational Culture Department (P&OC) to determine entitlement.

Family Member

For the purposes of this leave, a family member is defined as:

- the child of the employee or the employee's spouse or common-law partner
- the employee's husband/wife or common-law partner
- the employee's mother/father
- the employee's in-laws including an employee's father's wife/mother's husband or their common-law partner
- where **Common-law Partner** means a person who has been living in a conjugal relationship with that person for at least one year.

28 Week Leave Period

Eligible employees are entitled to a maximum of 28 weeks compassionate care leave within a 52 week leave period. Employees are eligible for 26 weeks of benefits after observing a two week waiting period. This leave period starts with the earlier of:

- the date the doctor signed the medical certificate
- the date the doctor examines the gravely ill family member, or
- the date the family member became gravely ill, if this can be determined by the doctor.

The 28 week leave period ends when:

- all 28 weeks of leave have been used
- the gravely ill family member dies or no longer requires care or support, or
- the 28 week leave period expires.

4.0 Roles & Responsibilities

Employees

- Wherever, and whenever possible, provide adequate notice to supervisor regarding the requirement for a leave of absence, without pay under the federal government's Compassionate Care Policy.

- Complete and submit the necessary documents within the required time frames.

Department Heads

- Notify P&OC of upcoming leaves as well as any concerns or coverage requirements that will be needed during the leave.
- Ensure all employees requesting leave are made aware of their rights and responsibilities as established by this policy.

People and Organizational Culture

- Make available the intent and guidelines of this policy to employees.
- Provide advice and assistance to managers on the application of this policy
- Ensure that the terms and conditions of the respective Collective Bargaining Agreement are adhered to.

5.0 Reference Material

Labour Relations and Workplace Safety Regina,
Sk.
Phone: 306-787-0355

Human Resources Development Canada
(306) 780-7568
(www.hrdc-drhc.gc.ca)

6.0 Guidelines

See Appendix A

7.0 Revision History

Date	Description of Change	(Re)Approval Required (y/n)
01-08-2004	Initial Release.	Yes
01-01-2017	Revisions aligning with Saskatchewan Labour Standards June 9, 2016	Yes

“Appendix A”

Guidelines

Application for Leave

Prior to the commencement of a leave of absence, without pay, written notice must be provided to the Employer, as per the collective bargaining agreement, where applicable. This notice will include the date leave will begin and the expected date of return. A maximum of eight (28) weeks of leave within the 52 week leave period is permitted. This can be taken in single or multiple blocks of time within a 52-week period providing no block is shorter than one week in duration.

When apply for the leave, the employee must also provide a copy of the **Medical Certificate for Employment Insurance Compassionate Care Benefits**, as required and outlined by Human Resources Development Canada.

Entitlement of Employees on Leave

Plan Contributions for Employees on Leave

Employees on leave are entitled to continue participating in the certain benefit plans while on leave. To remain a participant in these plans, the employee must pay the necessary contributions for the leave period.

Contact Payroll for further details on eligibility and contribution requirements.

Position, Salary and Seniority

An employee who has taken a leave of absence, without pay, for compassionate care purposes will, upon return from the leave, retain their position and salary. Seniority will be handled as per the applicable collective bargaining agreement.

For the purposes of rights of recall for casual employees, being on leave does not constitute a break in service, and seniority and rights of recall continue to accrue while the employee is on leave for the time they would normally be entitled to if they had not taken the leave.

Upon reinstatement, the employee shall return to their previous position.