

# Effective December 1st, 2017

## INTENT

TRIUMF grants leaves to employees as per the following guidelines.

### PROCEDURES

#### 1. SHORT TERM PAID LEAVES

At some point, nearly everyone will need to take time away from work to deal with a personal or family illness. A short-term paid leave is defined as an absence of up to five (5) working days, and is normally of a compassionate nature. Normally such leave is granted with pay depending on the nature of the circumstances. The following reasons are sufficient to warrant consideration for short-term leave with pay:

##### **Bereavement:**

- In the case of a death in the employee's immediate family (as defined below) (maximum three (3) days; up to five (5) days if traveling out of province; up to ten (10) days may be granted if out of country); These days do not have to be consecutive, or start on the date of death.
- To attend a funeral of a non-immediate relative or friend (maximum 1 day);

##### **Family Responsibility (Maximum 5 (five) days per calendar year):**

May be requested to meet responsibilities relating to the care or health of any member of the employee's immediate family (as defined below), or, in the case of a child, can be requested for the care, health, or education of that child. (An additional 5 days may be granted in cases of critical illness or critical emergency in the employee's immediate family, or in out-of-province circumstances). **NOTE:** these days are prorated in the year of hire and have no cash value on termination.

"**Immediate family**", as defined by the BC Employment Standards Act:

- (a) the spouse, child, parent, guardian, sibling, grandchild or grandparent of an employee, including common-law spouses, in-laws, step-parents, and step-children, or same sex partners and their children;
- (b) any person who lives with an employee as a member of the employee's family

#### 2. EXAM OR STUDY LEAVE

To study/prepare for final exams for courses requested by TRIUMF, or to write the exam: Maximum 1 day per course.

### **3. COURT, JURY OR CITIZENSHIP**

TRIUMF will make up the difference between the amount received from the court and the employee's regular salary (less personal expenses for parking) if the employee is required by the court:

- a) to be available for jury selection or to be on jury duty; or
- b) by subpoena or summons, to attend as a witness in court

In the case of Jury duty, the employee must present a statement of monies received from the court upon return to work. The employee is expected to return to work the day his/her presence is not required in court.

An employee who must attend his/her own, or spouse's swearing in ceremony for Canadian citizenship will be granted up to a maximum of 1 day with pay

### **4. MATERNITY AND PARENTAL LEAVE**

- Birth mothers are entitled to up to 17 consecutive weeks of maternity leave. This may be extended by up to six consecutive weeks if you're unable to return to work for medical reasons related to the birth. You will be required to provide a healthcare certificate to support a request for a maternity leave extension. Maternity leave may begin at any time within the twelve (12) weeks prior to the expected birthing date. Prior to commencing the maternity leave, the birth mother must apply for Employment Insurance (EI) benefits, and may also apply for TRIUMF's Supplementary Maternity Benefits top-up as outlined below.
- Birth mothers are also entitled to 35 weeks of parental leave following maternity leave. A birth mother who does not take the initial maternity leave may take up to 37 weeks parental leave, provided it is taken consecutively, and within 1 year of the birth. Prior to commencing the parental leave, the birth mother must apply for Employment Insurance (EI) benefits, and may also apply for TRIUMF's Supplementary Parental Benefits top-up as outlined below.
- Birth fathers, adoptive parents or co-parents, are entitled to parental leave of 37 weeks, which must begin within 1 year after the day the child is born or comes into the custody, care and control of a parent for the first time. Prior to commencing the parental leave, the birth father, adoptive parent, or co-parent must apply for Employment Insurance (EI) benefits, and may also apply for TRIUMF's Supplementary Parental Benefits top-up as outlined below.
- The number of weeks of EI maternity or parental leave benefits as outlined above will not change even if you have multiple births (twins, triplets, etc.) or if you adopt more than one child at the same time.
- If you are already receiving EI maternity or parental leave benefits and your child becomes critically ill, you may apply to convert your EI claim to Parents of Critically Ill Children (PCIC) benefits as described below in Section 5. In this scenario your maternity or parental leave claim will be extended for every week the child is hospitalized and you are claiming PCIC benefits.
- Upon return to work, the employee will be reinstated to the same or equivalent position held prior to the commencement of maternity/parental leave at a salary no less than the salary upon commencement of the leave. Maternity and parental leave will not impact an employee's annual vacation allotment.

## 5. PARENTS OF CRITICALLY ILL CHILDREN LEAVE (PCIC) & CARE GIVER LEAVE

PCIC leave entitles a parent to a maximum of 35 weeks leave if you have to be absent from work to provide care and support to your critically ill or injured child, provided the child is under 18 at the time of the illness (including prematurely born babies). In order to qualify for this leave, the employee must submit a PCIC medical certificate, signed by a specialist medical doctor, (i.e. neonatologist) attesting that the child is critically ill and requires care and support. During the leave, the employee is required to apply for EI benefits, and may apply for TRIUMF's Supplementary EI top-up as outlined below. Likewise, a 15 week care giver leave may be applied for in the case of caring for a critically ill or injured adult.

## 6. COMPASSIONATE LEAVE

Compassionate leave entitles an employee to 26 weeks leave if they are required to be absent from work due to a need to provide care or support to a family member\* who is critically ill with a significant risk of death within 26 weeks. During the leave, the employee is required to apply for EI benefits, and may apply for TRIUMF's Supplementary EI top-up as outlined below. In order to qualify for this leave, the employee must present a doctor's note to show that the family member is ill and at risk of death within the ensuing 26 weeks. Compassionate leave, in accordance with the BC Employment Standards Act and EI, must be taken in blocks of 1 week or more.

<b>Who is considered a family member under the Compassionate Care benefit?</b>	
<b>Your family members</b>	<b>Family members of spouse or common-law partner</b>
Children	Children
Wife, husband, common-law partner	
Father, mother	Father, mother (married or common-law)
Father's wife, mother's husband	Father's wife, mother's husband
Common-law partner of the father or the mother	Common-law partner of the father or the mother of your spouse or common-law partner
Brothers, sisters, stepbrothers, stepsisters	Brothers, sisters, stepbrothers, stepsisters
Grandparents, stepgrandparents	Grandparents
Grandchildren, their spouses or common-law partners	Grandchildren
Sons-in-law, daughters-in-law (married or common-law)	Sons-in-law, daughters-in-law (married or common-law)
Father-in-law, mother-in-law (married or common-law)	
Brothers-in-law, sisters-in-law	
Uncles, aunts, their spouses or common-law partners	Uncles, aunts
Nephews, nieces, their spouses or common-law partners	Nephews, nieces
Current or former foster parents	Current or former foster parents
Current or former foster children, their spouses or common-law partners	
Current or former wards	Current or former wards
Current or former guardians, their spouses or common-law partners	

## **SUPPLEMENTARY TOP-UP BENEFITS**

### **Maternity Leave:**

Weeks 1 to 17: EI benefit topped up to 100 % of base salary

### **Parental Leave:**

Week 1: (EI Waiting Period): 100% of base salary

Weeks 2 - 17: EI benefit topped up to 95% of base salary

Weeks 18 – 35/37: EI benefit only. No top-up

### **PCIC and Care Giver Leave:**

Week 1: (EI Waiting Period): 100% of base salary

Weeks 2 - 15: EI benefit topped up to 80% of base salary

Weeks 18 – 35: EI benefit only. No top-up

### **Compassionate Care Leave:**

Weeks 1 to 8: EI benefit topped up to 80 % of base salary

Weeks 9 – 26: EI benefit only. No top-up

## **7. PROFESSIONAL RESEARCH AND/OR TEACHING LEAVE**

A professional employee may apply for up to a 12 month leave to conduct research or to teach a course of study. Such a leave must be supported by the employee's Associate Lab Director, and be for purposes directly relevant to the TRIUMF research program. Approvals for such a leave may be granted by the Director on a case by case basis, as will the determination of financial support, if any during the leave.

## **8. PERSONAL LEAVE WITHOUT PAY**

Where operational requirements permit, and in exceptional circumstances only, personal leave without pay may be granted for a period of time not to exceed six (6) months, and will be determined based on length of service as indicated below. A written application for personal leave must be submitted to the Department Head for consideration, and for final approval by the respective Associate Lab Director or Deputy Director, no later than two (2) months in advance of the anticipated leave date, except where emergency situations dictate otherwise. The application for unpaid leave must include:

- the reasons for your leave,
- when you would like to start your leave, and
- when you intend to return to work

**Leave Service Criteria:** *Upon completion of 3 years of continuous employment, eligibility for a leave without pay will be determined as follows: **Up to one month per year of service to a maximum of 6 months***

- When a leave has been granted, regardless of its length, service for future leaves will begin to accrue upon return to work, starting with up to one (1) month per year of service from the date of the previous leave.
- No unpaid leave of absence (except compassionate, maternity, parental or PCIC which are partially paid) shall be granted unless the employee's full vacation leave has been taken.
- When considering an application for unpaid leave, operational demands will be the primary consideration
- For grant funded employees, an unpaid leave approval is at the grant holder's discretion and is based on project demands and grant funding guidelines.

## **Group Benefits and Pension While on Leave**

### **For Compassionate, Maternity, Parental or Parents of Critically Ill Children leaves**

- Once your supplementary top-up benefit has ended, if you wish to keep some or all of your benefits, TRIUMF will continue to pay the employer portion of your benefit premiums provided you pay the employee portion of the premiums that are normally deducted from your paycheque. During your leave, TRIUMF will maintain your pension by contributing the employer portion, only if you continue to contribute the employee portion.

### **For Leaves Without Pay**

- If you wish to keep some or all of your benefits and also maintain your service in the pension plan, you are responsible for paying the full cost (employee plus employer portion) of the benefit premiums and pension contributions (based on the regular salary in effect at the time of leave).

### **Cancelling your benefits**

- You can also choose to cancel some or all of your benefits while on leave and reinstate when you return to work. In accordance with SunLife policy rules, if you decide to cancel your IRP/LTD coverage while on leave, you are not eligible to apply for a disability claim for any illness or injury that occurred while you are on leave. You are also unable to retroactively pay for coverage.

## **RESPONSIBILITIES**

1. It is the responsibility of the employee to make application for leave as per these procedures, and to record such leave on the leave form and submit to TRIUMF's payroll coordinator.
2. It is the responsibility of the employee to apply for EI benefits where EI benefits are available, and to request TRIUMF's supplementary EI benefit top-up in writing to the Human Resources Manager.
3. It is the responsibility of the manager to approve short-term paid leaves as per these procedures.
4. It is the responsibility of the ALD or Deputy Director or Director, to approve EI exempt and/or unpaid leaves as per these procedures.
5. It is the responsibility of the HR Manager to:
  - advise employees, supervisors, ALDS, and the Director as per these procedures
  - facilitate the processing of top-up payments with TRIUMF payroll
  - interpret this policy