## PROTECTED LEAVES

[Organization Name] recognizes that qualified employees have the right to take job protected leave without any negative consequences to their employment. As such, [Organization Name] is committed to adhering to the guidelines established by labour standards under the *Alberta Employment Standards Code* with respect to any job-protected leaves.

PROTECTED LEAVES

1. Bereavement Leave
2. Maternity and Parental Leave
3. COVID-19 Leave
4. Personal and Family Responsibility Leave
5. Critical Illness Leave
6. Long-term Illness and Injury Leave
7. Compassionate Care Leave
8. Domestic Violence Leave
9. Death or Disappearance of Child Leave
10. Citizenship Ceremony Leave
11. Reservist Leave
12. Voting Leave
13. Jury Duty Leave

POLICY

The purpose of this policy is to outline the job-protected leaves employees have a right to take under the *Alberta Employment Standards Code* so that:

* Employees know their rights; and
* [Organization Name] manages employee leave in a fair and consistent manner.

[Organization Name] will consult the *Alberta Employment Standards Code* when an employee requests job protected leave and will adhere to all [rules and regulations](https://www.alberta.ca/job-protected-leaves.aspx) covered under the Code.

1. Bereavement Leave

Employees who have been employed for at least 90 days may take up to 3 days of unpaid leave in each calendar year, upon a family member’s death.

Employees are required to provide written notice as soon as possible of the need for the leave, indicating the start and end dates of the leave.

Employees who would have been parents, such as biological, adoptive, or surrogates, may take bereavement leave when a pregnancy ends other than in a live birth.

1. Maternity and Parental Leave

Eligible employees can take maternity and/or parental leave after a birth or adoption when they have been employed with our organization for at least 90 days. This is an unpaid leave. Maternity leave is up to 16 weeks whereas parental leave is up to 62 weeks of unpaid time off work. In the case of parental leave, parents may share the 62 weeks off.

Maternity leave may begin up to 13 weeks prior to the baby’s estimated due date. The employer may require the employee to begin leave up to 12 weeks prior to the due date if the pregnancy is affecting job performance. In this case, notification must be provided to the employee by the employer, in writing.

Birth mothers are entitled to the full maternity leave if the pregnancy does not end in a live birth within 16 weeks of the estimated delivery date.

Parental leave applies to birth parents and adoptive parents. It begins after a child is born or when an adoptive child comes into the care of the employee.

Employees who will be taking this type of leave are asked to provide notice in writing within 6 weeks of the day they will be taking the leave.

Employees on a leave are entitled to their same job back when they return to work, or one that is equivalent. 

1. COVID-19 Leave

Due to the current pandemic, there are job-protected leaves in place for employees who have been affected by Covid-19. Employees who are in quarantine can take 14 days of unpaid leave. It does not matter how long they have worked at [Organization Name]. In addition, they can take this leave more than once. [Organization Name] will consult the latest regulations for any leaves relating to Covid-19 as the situation is continually changing and will adhere to the regulations.

1. Personal and Family Responsibility Leave

Employees are entitled to up to five days of personal leave per calendar year for the employee’s own health issues or to meet family responsibilities in relation to a family member. Employees are asked to provide as much notice as possible if they will need to be away from work.

Unused leave days will not be carried forward to the next year. 

1. Critical Illness Leave

Eligible employees can take up to a 36-week unpaid, job-protected leave to provide care and support to a child or family member as long as they have worked at least 90 days with [Organization Name]. The critically ill person must be a member of the employee or their spouse, common-law or independent partner.

A medical certificate with the following information must be provided by a nurse practitioner or physician to support the need for the leave:

* that the child or adult is critically ill and requires the care or support of one or more family members,
* the start date of the period when care or support is needed,
* the end date of the period during which the child requires care or support, and
* if the leave started before the certificate was issued, the date the leave began (Source: Alberta.ca)

Wherever possible, we ask that two week’s notice be provided in writing when this leave is required, and that one week's notice will be provided in writing when the employee will be returning to work.

1. Long-term Illness and Injury Leave

Eligible employees can take up to 16 weeks of leave due to illness, injury, or quarantine if:

* they have been employed with us for at least 90 days
* they have provided the organization with a medical certificate which estimates how long the leave will be for

Employees are to provide written notice of their need for this leave as soon as possible. They must also keep the organization informed about changes to the length of the leave. We request one week’s written notice prior to returning to work as well. 

1. Compassionate Care Leave

Eligible employees can take up to 27 weeks of compassionate care leave to care for a gravely-ill family member, who has a significant risk of dying within 26 weeks.

Employees who require leave are asked to provide written notice at least two weeks in advance (or as soon as possible) plus a medical certificate from a medical practitioner that:

* a family member has a serious medical condition and a significant risk of dying within 26 weeks
* family member needs the care or support of one or more family members

The leave can end if any of the below occur:

* The 27 weeks have been used
* The family member either no longer needs care or has passed away

Note: The leave can be split into multiple installments, but each period must be at least one week in length.

1. Domestic Violence Leave

Eligible employees can take up to 10 days of unpaid, job-protected leave due to the effects of violence in the home. Employees who have worked for the organization for more than 90 days may take this leave “if an act of domestic violence occurs to:

* the employee
* the employee’s dependent child
* a protected adult living with the employee.”

The following information has been taken directly from the Government of Alberta:

“To be an act of domestic violence, the act must be caused by a person who:

* is or has been married to the employee
* is or has resided together in an intimate relationship
* is or has been an adult interdependent partner
* is or has been dating the employee
* is the biological or adoptive parent of a child with the employee
* is related to the employee by blood, marriage, adoption, or an adult interdependent relationship
* is residing with the employee and has care and custody over the employee by court order

The following are considered acts of domestic violence:

* any intentional or reckless action that causes injury or property damage while intimidating or harming a person
* any act or threat that intimidates a person by creating a reasonable fear for property damage or personal injury
* psychological or emotional abuse
* forced confinement
* sexual contact that is coerced by force or threat
* stalking

An employee may take domestic violence leave for the following purposes:

* to allow the employee, employee’s dependent child or a protected adult to seek medical attention for physical or psychological injury caused by domestic violence
* to obtain services from a victim services organization
* to allow the employee, employee’s dependent child or a protected adult to obtain psychological or other professional counselling
* to relocate (temporarily or permanently)
* to seek legal or law enforcement assistance, including time relating to legal proceedings.”

Employees who require this leave are to give notice as soon as it is possible to do so.

1. Death or Disappearance of Child Leave

Eligible employees can take leave for the disappearance or death of a child. This leave is up to 52 weeks if the child has disappeared or up to 104 weeks if the child has died as a probable result of a crime.

If the employee takes leave and the child is then found alive, the period of leave ends the earlier of:

* 14 days after the child is found, or
* 52 weeks after the day the child disappeared

If the employee takes leave due to the disappearance of a child who is subsequently found deceased as the result of a crime, the period of leave ends 104 weeks after the day the child disappeared (Source: Government of Alberta).

1. Citizenship Ceremony Leave

Employees who have been employed with us for at least 90 days may take up to a half-day of unpaid leave to attend their citizenship ceremony. We request as much advance notice as possible for the citizenship ceremony leave.

1. Reservist Leave

Eligible employees who are Reservists can take unpaid time off work for deployments and training. The eligibility for employees begins when they have worked for the organization for at least 12 weeks. This leave can be for as long as needed to attend annual reservist training or if needed in the case of international or domestic deployment.

We request that employees taking this leave provide written notice at least four weeks before the leave is to begin and 4 weeks before they plan to return to work. [Organization Name] may ask for proof of the deployment.

1. Voting Leave

Eligible employees are entitled to take three (3) hours off to vote during work hours during federal and provincial elections. The leave will be applicable where an employee’s hours of work prevent them from having three consecutive hours to vote. The hours will be paid. Note that voting is open for 12 hours.

1. Jury Duty Leave

As per the *Jury Act* of Alberta, employers must provide job-protected time away from work as necessary for employees to participate in jury duty. It is an offence under the *Jury Act* for employers to in any way penalize an employee due to that employee being summoned for jury service. This time is unpaid, unless otherwise provided. Employees may be requested to provide evidence of the need for them to participate in jury duty.

Reinstatement

[Organization Name] will not penalize any employee because the employee is or will be taking leave. Employees who take leave are entitled to return to either their same position or a comparable one, with the same wages and benefits. In any case where there was a reorganization of the workforce, employees will receive the same wages and benefits they would have received had they been working.

In the event of group wage increases, employees are also eligible for those upon their return to [Organization Name].