

# Leaves of Absence without Pay (Non-Academic Exempt) Policy

**Category:** Human Resources

**Approval:** PVP

**Responsibility:** Associate Vice-President, Human Resources

**Date:** July 4, 1995, Last Revised January 2016

## Purpose/Reason for Policy:

The purpose of this policy is to describe the procedures for applying for unpaid leaves of absence available to all non-academic exempt employees of Trent University.

## Policy:

### 1. **Leaves Without Pay**

An employee may apply for a leave of absence without pay for personal reasons other than illness, providing that the employee makes a written request stating reasons for the leave to the Department/College Head and subject to the approval of the Associate Vice-President of Human Resources.

### 2. **Pregnancy Leave** (see also Policy on Paid Leaves of Absence: Maternity Leave Sub-Plan)

An employee is entitled to seventeen (17) week unpaid leave of absence for pregnancy provided the employee has a minimum of thirteen (13) weeks of continuous service prior to the expected date of delivery as indicated by her medical certificate. The employee is required to give two (2) weeks written notice of the date on which she intends to begin her leave. All employees may begin their leave at any time within seventeen (17) weeks before the expected date of delivery. The University may initiate the leave if it can be shown that the employee cannot manage her normal workload adequately or that conditions dangerous to her unborn child or herself might prevail.

If an employee is required to be absent for a period longer than seventeen (17) weeks as certified by a legally qualified medical practitioner, or if her work is materially affected by her pregnancy, and the University requires an extension of leave, any further leave period is covered under the University's sick leave policy.

The employee is entitled to not less than six (6) weeks post natal leave after the date of birth. The Employment Standards Act insures the right of the employee to return to the same or a comparable job without loss of seniority or benefits or drop in salary, if pregnancy leave of no longer than seventeen (17) weeks is taken.

During maternity leave, the cost of continuing membership in the University's benefits plans shall continue as if the employee were actively at work. In the case of benefits where costs are shared (i.e., pension, life insurance), if the employee is willing to pay her normal share of the cost, the University will contribute its portion of the costs.

At least four (4) weeks before the expiration of the pregnancy leave, an employee may apply to the Department of Human Resources for an additional leave of absence without pay for up to twenty five (25) weeks. This request for additional leave shall not be unreasonably denied subject to workload requirements.

During maternity leave, vacation credits continue to accrue in accordance with the Employment Standards Act.

### **3. Parental Leave**

Under the terms of the Employment Standards Act, all employees who are parents (both natural and adoptive) are entitled to thirty seven (37) weeks of unpaid parental leave, provided they have been employed for a minimum of thirteen (13) weeks prior to the estimated date of delivery or adoption of a child. For natural mothers, parental leave must commence at the end of maternity leave. For others, the leave must commence no later than fifty two (52) weeks after the date of birth or adoption.

Natural mothers are entitled to seventeen (17) weeks of maternity leave plus thirty five (35) weeks of parental leave. Adoptive mothers are entitled to thirty seven (37) weeks of parental leave. Fathers are entitled to thirty seven (37) weeks of parental leave.

Under the terms of the Employment Insurance Act, parental benefits are available to eligible parents (both natural and adoptive) for a total of thirty-five (35) weeks per family. The thirty-five (35) weeks can be used by one parent or split between the two. For individuals not previously in receipt of maternity benefits, there is a two-week waiting period during which parental benefits will not be paid.

During parental leave, the cost of continuing membership in the University's benefits plans shall continue as if the employee were actively at work. In the case of benefits where costs are shared (i.e., pension, life insurance), if the employee is willing to pay their normal share of the cost, the University will contribute its portion of the costs.

During parental leave, vacation credits continue to accrue in accordance with the Employment Standards Act.

### **4. Long Term Leave of Absence**

A long term leave of absence may be requested for academic or professional study reasons, and may extend from four (4) to eighteen (18) months. While approval for such leave shall not be unreasonably withheld, an employee should not expect to necessarily return to the same position at the end of this leave.

### **5. Short term Leave of Absence**

Short term leave of absence may be requested for personal reasons, and may extend up to four (4) months. Approval for such leave shall not be unreasonably withheld, subject to workload requirements. An employee may expect to return to the same position at the end of this leave.

### **6. Legislated Leaves**

Leaves legislated under the Ontario Employment Standards Act (e.g. Personal Emergency Leave, Critically Ill Child Leave) vary in terms of duration and notice requirements. Employees taking a legislated leave under the Ontario Employment Standards Act must inform their manager before starting the leave that he or she will be taking the leave of absence. If an employee has to begin a legislated leave before notifying the employer, the employee must inform the employer as soon as possible after starting it. Depending on the nature of the leave, notice does not always have to be given in writing and oral notice may be sufficient. Please see the Ontario Employment Standards Act and/or the Department of Human Resources for additional information.

**Contact Officer:**

Associate Vice-President, Human Resources

**Date for Next Review:**

January 2021

**Related Policies, Procedures & Guidelines**

a) N/A

**Policies Superseded by This Policy:**

a) N/A