



UNIVERSITY OF MANITOBA PROCEDURE

Procedure:	LEAVES OF ABSENCE
Parent Policy:	Leaves of Absence
Effective Date:	January 14, 2011
Revised Date:	April 25, 2012
Review Date:	January 14, 2021
Approving Body:	Administration: President and/or Vice-President (Administration)
Authority:	Policy: Leaves of Absence
Responsible Executive Officer:	President: Delegated to the Vice-President (Administration)
Delegate: (If applicable)	
Contact:	Executive Director of Human Resources
Application:	Employees: See List

Group:

1. Executive Group
2. Senior Administrative Academic Staff
3. Administrative Academic Staff
4. Geographic Full-time Academic Staff
5. Sessional Professional (Academic Staff)
6. Research Academic Staff
7. Other Academic Staff
8. Excluded Management, Administrative and Professional Support Staff
9. Medical/Dental Practitioners and Administrators
10. Nurses in Northern Manitoba
11. Student Support Staff
12. Out of Province Support Staff
13. Dental Clinical Staff Association (U.M.D.C.S.A.)

Part I Reason for Procedure(s)

To set out Procedures secondary to the Policy Leaves of Absence, for the provision of opportunities for an employee to apply for a temporary leave of absence from his/her position. These leaves of absence may be for maternity/parental leave, leaves for political purposes, secondments, compassionate care leave or leaves for other personal reasons.

Part II Procedure(s)

2.1 Maternity and Parental Leave

The provisions for maternity and parental leave are outlined in a separate document entitled "Procedures: Maternity and Parental Leave".

2.2 Short Term Temporary Leaves

The provisions for temporary leaves such as bereavement leave, family care leave, etc. are outlined in a separate document entitled "Procedures: Temporary Absence from Work".

2.3 Secondments

The provisions for secondments are outlined in a separate document entitled "Procedures: Secondments".

2.4 Leave for Political Purposes

A leave of absence for political purposes is intended to cover the period which follows:

- a) acceptance of a nomination for political office; and
- b) if elected, the term of political office.

2.4.1 In order to be eligible for a leave of absence for political purposes:

- a) a support staff employee must be a full-time employee in a continuing or sessional position and have completed his/her probationary or trial period in the position
- b) an academic staff member must have a full-time tenured, continuing, probationary, or contingent appointment.

2.4.2 Any staff member who has become a candidate for political office shall consult with his/her dean/director/unit head about the effects on his/her department, bearing in mind:

- a) a short-term absence during the campaign period;
- b) a possible long-term absence; and/or
- c) the possibility of continuing some University duties on a part-time basis.

2.4.2.1 The dean/director/unit head shall at all times ensure that student and other University interests are protected. It is anticipated that in most cases a mutually satisfactory arrangement will be reached within the general provisions indicated in 2.4.3 and 2.4.4 below.

2.4.3 If nominated for election to an initial term of office, the staff member shall be permitted leave during the campaign without salary reduction. The maximum periods of leave with salary continuance shall be:

- a) for election to the Federal Parliament: six (6) weeks;
- b) for election to the Provincial Legislature: four (4) weeks;
- c) for election as Mayor of Winnipeg: four (4) weeks; or
- d) for election to Municipal Council or School Board: two (2) weeks.

2.4.3.1 Arrangements may also be made for a shorter term of leave.

2.4.4 If elected, the staff member may request a full leave of absence without pay with the following exceptions:

- a) Provincial Legislature: the University may agree to a partial rather than a full leave without pay. However an appointment as Minister of the Crown shall require a full leave of absence without pay;
- b) Municipal Council: partial or full leave of absence without pay may be required depending upon the impact on University duties. Should the workload as a member of the Municipal Council subsequently increase so as to interfere with a staff member's ability to perform his/her duties, the University may, in its discretion, arrange a partial or full leave without pay;
- c) School Board: no leave arrangement will be necessary if the dean/director or unit head determines that School Board membership will not impact University duties. Should the workload as a member of the School Board subsequently increase so as to interfere with a staff member's ability to perform his/her duties, the University may, in its discretion, arrange a partial or full leave without pay.

2.4.4.1 Heads of departments, deans, associate deans, directors, and members of the Executive Group shall be asked to withdraw from their administrative appointment if elected to political office,

other than to a school board or municipal council in a rural municipality.

2.4.5 The leave of absence for political purposes will normally be granted for a term approximately equal to the expected term of office. Should any elected staff member wish to return to University duties before the term of leave has expired, he/she must give the dean/director/unit head appropriate notice of his/her intention to return and such notice shall not be less than six (6) months.

2.4.5.1 An academic staff member must return to the University at the beginning of an academic term.

2.4.5.2 A returning support staff member will be placed in his/her former position, if available, or in a similar position as soon as one becomes available. As much notice as possible should be given to enable arrangements to be made if a position is or becomes available.

2.4.6 Arrangements involving a full-time or part-time leave of absence without pay may be renewed beyond the term of the leave.

2.4.6.1 Any right to return from leave for political purposes shall expire after the greater of two (2) terms of elective office or ten (10) years from the date the full-time leave commenced. If, thereafter, he/she wishes to return to the University, his/her application shall be subject to the procedure used for an original appointment.

2.4.7 In the conduct of political activities, no staff member may use the facilities, equipment, supplies or other services of the University at any time, or engage any other University personnel in the conduct of political activities during their working hours.

2.5 **Compassionate Care Leave**

The purpose of compassionate care leave is to provide a release from duties and responsibilities to enable staff members to provide care or support to a member of their family who is gravely ill with a significant risk of death.

2.5.1 In order to qualify for compassionate care leave a staff member must:

- a) have completed thirty (30) calendar days of employment with the University;
- b) where possible, provide his/her dean/director or head of administrative unit notice of at least one (1) pay period, unless circumstances necessitate a shorter period;
- c) provide the dean/director or head of administrative unit as soon as possible a certificate from a physician who provides care to the eligible family

member and who is entitled to practice medicine under the laws of the jurisdiction in which the care is provided, stating that:

- i. an eligible family member of the employee has a serious medical condition with a significant risk of death within twenty-six (26) weeks from the day the certificate is issued, or if the leave started before the certificate was issued, the day the leave began; and
- ii. the family member requires the care and support of one or more family members.

2.5.2 An eligible family member means a family member as defined by the Employment Standards Code of Manitoba.

2.5.3 An eligible employee is entitled to a compassionate care leave of absence without pay of up to eight (8) weeks' duration in a twenty-six (26) week period. The leave of absence without pay must be taken in no more than two (2) periods. No period of leave of absence may be less than one (1) week's duration.

2.5.4 An eligible employee may end the compassionate care leave of absence earlier than the end of the date of the requested period of leave by giving the dean/director or head of administrative unit at least forty-eight (48) hours' notice of the expected date of return or such shorter period as may be agreed with the dean/director.

2.5.5 For the purposes of the application of other terms and conditions of employment, compassionate care leave shall be considered as a leave of absence without pay.

2.6 **Unpaid Leave for Reservists**

2.6.1 The following definitions apply in this section:

2.6.1.1 "Reserves" means the component of the Canadian Forces referred to in the Act National Defence (Canada) as the reserve force.

2.6.1.2 "service" means active duty or training in the Reserves.

2.6.2 An employee who:

- a) is a member of the Reserves;
- b) has been employed by the same employer in civilian employment for at least seven (7) consecutive months; and
- c) is required to be absent from work for the purpose of service;

is entitled, subject to the regulations, to an unpaid period of leave for the purpose of that service.

2.6.3 Length of leave - Subject to the regulations, the period of leave for the purpose of service is the period necessary to accommodate the period of service.

2.6.4 Notice of leave for service - An employee wishing to take a leave under this section must give the supervisor, in writing, as much notice as is reasonable and practicable in the circumstances. The supervisor may require the employee to provide reasonable verification of the necessity of the leave, including a certificate from an official with the Reserves stating:

- a) that the employee is a member of the Reserves and is required for service; and
- b) if possible, the expected start and end dates for the period of service.

2.6.5 Return to work after notice - An employee on a leave under this section must give the employer written notice of the expected date of return to work. The employer may defer the employee's return to work by up to two (2) weeks or one (1) pay period, whichever is longer, after receiving the notice.

2.7 Unpaid Leave for Organ Donation

2.7.1 For the purpose of this section, an employee donates an organ when he/she undergoes a surgical procedure that involves the removal of an organ or tissue from the employee for the purpose of it being transplanted into another individual.

2.7.2 An employee who has been employed by the University for at least thirty (30) days is entitled to unpaid leave of up to thirteen (13) weeks for the purpose donating an organ.

2.7.3 An employee who wishes to take a leave under this section must give his/her supervisor:

- a) in writing, as much notice as is reasonable and practicable in the circumstances; and
- b) a medical certificate stating the start date and end date of the period necessary for the employee to donate the organ and recover from the procedure.

2.7.4 The employee is entitled to take leave for the period set out in the medical certificate.

2.7.5 The employee is entitled to extend his/her leave if, in respect of the period certified under 2.7.3(b) coming to an end, the employee gives the employer a

medical certificate stating that the employee requires an additional specified period to recover from donating an organ.

2.7.6 A leave may be extended more than once, but the total extension period must not exceed thirteen (13) weeks for a total leave of absence of twenty-six (26) weeks.

2.7.7 An employee who wishes to extend a leave must give the supervisor written notice at least one (1) pay period before extending the leave, if reasonable and practicable in the circumstances.

2.7.8 An extended leave ends on the day specified in the most recent medical certificate given to the supervisor.

2.7.9 The employee may end the leave earlier than provided in 2.7.4 or 2.7.8 by giving the supervisor written notice at least one (1) pay period before the day he or she wishes to end the leave.

2.8 Unpaid Leave for Citizenship Ceremony

2.8.1 An employee who has been employed for at least thirty (30) days may take up to four (4) hours of unpaid leave to attend a citizenship ceremony to receive a certificate of citizenship, as provided for under the Citizenship Act (Canada) and regulations made under that Act.

2.8.2 Before taking a leave, the employee must give his/her supervisor at least fourteen (14) days' notice or, if it is not possible for the employee to give fourteen (14) days' notice, as much notice as is reasonable and practicable in the circumstances. If requested by the supervisor, the employee must provide evidence of his/ her entitlement to the leave.

2.9 Leaves for Other Personal Reasons

Employees are entitled to request a leave of absence for other reasons not identified in 2.1 - 2.9 and the requests are subject to the following:

- a) whenever possible the request for a leave of absence without pay must be made no less than ten (10) working days in advance of the date of the proposed absence without pay;
- b) normally a leave of absence without pay will not exceed one (1) year and the request will be assessed taking into account the needs of the department;
- c) normally the reason for the request will not be a factor in the decision on granting the request; and

- d) the dean/director or head of the administrative unit or delegate shall confirm all approved leaves of absence without pay in writing.

2.10 **General Provisions**

2.10.1 Leaves of absence without pay shall not be considered as time worked for the purpose of service or vacation accrual.

2.10.2 A disciplinary suspension without pay shall not be considered to be a leave of absence without pay.

2.11 **Staff Benefits During a Leave of Absence**

2.11.1 Staff Benefits and Pension Plan participation are subject to the provisions of the various benefit plans and the appropriate Pension Plan.

2.11.2 Leaves of absence without pay require the processing of appropriate payroll forms along with the employee's election regarding the maintenance and payment of staff benefits premiums and pension contributions. Failure to complete the required application and the necessary arrangements for payment of premiums and/or contributions shall result in the termination of the staff member's group benefit coverage during the leave of absence without pay. Retroactive processing of such a transaction is not permitted.

Part III Accountability

- 3.1 The University Secretary or the President is responsible for initiating a formal review of these Procedures.
- 3.2 The Executive Director of Human Resources is responsible for the communication, administration and interpretation of this Procedure.

Part IV Review

- 4.1 Formal Procedure reviews will be conducted every ten (10) years. The next scheduled review date for this Procedure is January 14, 2021.
- 4.2 In the interim, these Procedures may be revised or rescinded if:
 - a) the Approving Body deems necessary (or the President deems necessary where the approving body is the Administration);
 - b) the relevant Policy is revised or rescinded.

Part V
Effect on Previous Statements

5.1 This Procedure supersedes:

- a) all previous Board/Senate Procedures, and resolutions on the subject matter contained herein;
- b) all previous Administrative Procedures, and resolutions on the subject matter contained herein; or
- c) Procedure: Leaves of Absence (dated March 22, 2005).

Part VI
Cross References

Policy: Leaves of Absence

Policy: Maternity and Parental Leave

Procedures: Maternity and Parental Leave