

**Procedures 6.06**

**Category: Personnel and Employee Relations**

**Staff Leaves and Absences**

**BACKGROUND & RATIONALE**

The CAPE Charter Board recognizes that any time during a working year, unexpected illness, family responsibilities, civic duty or other factors may require an employee to be absent from his/her work assignment.

**PROCEDURE**

1. Where relevant, employees must ensure that the CAPE Charter Board is fully informed, in writing, of their request for leave and furthermore, to obtain its approval where applicable.
2. The following is a short list of some of the types of leaves covered in the Contract of Employment:
  - 2.1 Leave: Without Pay
    - 2.1.1 Short Term Special Leave of Absence without pay Article 5.2 (a) (i) - maximum 15 days;
    - 2.1.2 Long Term Special Leave of Absence without pay Article 5.2 (a) (ii) - maximum one year.
  - 2.2 Leave: With Pay
    - 2.2.1 Civic or Legal Duties Article 5.1 (a) (i) ex: serving on a jury or as a witness;
    - 2.2.2 Sick Leave Article 4.1 - two (2) fully paid sick days per month;
    - 2.2.3 Personal Leave Article 5.1 (c) (i) - four (4) days per academic year upon written request;
    - 2.2.4 Critical Illness Leave: Article 5.1 (a) (i) - five (5) working days for critical illness;
    - 2.2.5 Compassionate Leave: Article 5.1 (a) (ii) - three (3) working days for the death in town & five (5) working days for the death out of town;
    - 2.2.6 Paternity Leave Article 5.1 (b) (iii) - two (2) day's leave;
    - 2.2.7 Medical Leave of Absence With Pay Article 5.1 (d) - 10 days leave
3. Application for Short Term Special Leave of Absence without Pay must be made, in writing, to the CAPE Charter Board at least one (1) month prior to the start of the leave. The staff member is expected to return to the position at the end of the leave.
4. Application for Long Term Special Leave of Absence without Pay must be made, in writing, to the CAPE Charter Board:

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- 4.1 at least two (2) months prior to the start of the leave if the leave falls within an academic year
- 4.2 before May 15<sup>th</sup> of that academic year if the leave commences at the end of an academic year.
5. Written notice of intention to return from a Long Term Special Leave of Absence without Pay must be provided by the applicant to the CAPE Charter Board as follows:
  - 5.1 in the case where the leave commenced in the academic year, by the end of the work day 30 days before the last day of the leave (ex: end of leave October 31st, return to work date November 1st, notice of return must be provided by end of work day October 1st); and
  - 5.2 in the case where the leave commenced at the end of the academic year, before May 15<sup>th</sup> of the following year.
  - 5.3 In the event that such a notice is not received by the CAPE Charter Board by the stated deadlines, the Charter Board will terminate the contract of employment effective immediately the day after the last date to provide the notice of intent as stated in 5.1 has lapsed.
6. A staff member on a Long Term Special Leave of Absence without Pay must advise the Secretary-Treasurer of his/her intent to continue or discontinue the SunLife Benefit Plan.
7. A staff member on a Long Term Special Leave of Absence without Pay wanting to continue the Benefit Plan must arrange a payment plan for the employee portion of the plan with the Secretary-Treasurer.
8. The CAPE Charter Board will cover the employer portion of SunLife Benefit Plan premiums for the full period of the Long Term Special Leave of Absence without pay.
9. The Employee will adhere to the following criteria when applying for a Medical Leave of Absence With Pay:
  - 9.1 firstly, utilize all of the sick days as provided in this contract;
  - 9.2 secondly, apply in writing to the Charter Board or the Superintendent;
  - 9.3 provide a medical letter or note from the attending physician;
  - 9.4 advise the administration of the intent to return at least 3 working days prior to the return date;
  - 9.5 prior to resuming one's duties, provide a medical note that states that the employee is cleared to return to work and the conditions/adaptations to the work assignment or environment for the return, if any.

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10. Upon utilization of the Medical Leave of Absence With Pay, and if the Employee is requiring a more extensive medical leave, the Employee may apply for one the following:
- 10.1 WCB
  - 10.2 EI
  - 10.3 Long Term Disability through the SunLife Benefit Plan
  - 10.4 the Short Term Leave of Absence without Pay
  - 10.5 the Long Term Leave of Absence without Pay.

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**References:**

*CAPE Policy 6.06*

*CAPE contracts*

*School Act, Sections 36, 60*

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