



AP 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. Employees must submit a request for leave in writing to the Superintendent or the Secretary-Treasurer or the Principal according to the terms of the contract of employment. The appropriate administrator will address the request.
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. Leave of Absence with Pay under section 5.1 (a) (b) (c) (d) of the contract of employment shall be requested from the Principal and the Secretary-Treasurer, in writing, reviewed and responded to by the Principal and the Secretary-Treasurer.

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4. Medical Leave of Absence With Pay (not more than 15 working days) shall be requested, in writing, from the Principal and Secretary-Treasurer and granted by the Principal and Secretary-Treasurer, in writing, to an Employee according to the following criteria:
 - 4.1 the Employee has utilized all of the 20 sick days;
 - 4.2 a medical letter or note from the attending physician confirming a medical leave is warranted accompanies the request;
 - 4.3 The Employee must advise the Principal of the intent to return at least 3 working days prior to the return date;
 - 4.4 The Employee must 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.
 - 4.5 Upon utilization of the Medical Leave of Absence With Pay, and the employee is requiring a more extensive medical leave, the employee may apply for WCB, EI, Long Term Disability through the employer Benefit Plan, Short Term Leave of Absence without Pay, Long Term Leave of Absence without Pay.
5. Application for Short Term Special Leave of Absence without Pay (maximum 15 working days) must be made, in writing, to the Superintendent at least one (1) month prior to the start of the leave.
 - 5.1 The staff member is expected to return to the position at the end of the leave.
 - 5.2 The request is reviewed and granted by the Superintendent, in consultation with the Principal and Secretary-Treasurer.
 - 5.3 If the employee does not return to the position at the end of the leave, the Superintendent will terminate the Employee contract of employment effective immediately the day after the last date of the leave, unless the Employee provides the Superintendent with written documentation as to the reason for not returning and with an alternate date of return, prior to the last date of leave.
6. Application for Long Term Special Leave of Absence without Pay (maximum of eighteen (18) months for a maternity leave, one (1) year for all other leaves) must be made, in writing, to the Superintendent:
 - 6.1 at least two (2) months prior to the start of the leave if the leave falls within an academic year
 - 6.2 before May 15th of that academic year if the leave commences at the end of an academic year.
 - 6.3 The request is reviewed and granted by the Superintendent, in consultation with the Principal and Secretary-Treasurer.

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7. Written notice of intention to return from a Long Term Special Leave of Absence without Pay must be provided by the applicant to the Superintendent as follows:
 - 7.1 in the case where the leave commenced in the academic year, by the end on 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
 - 7.2 in the case where the leave commenced at the end of the academic year, before May 15th of the following year.
 - 7.3 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.
8. 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 employer's Benefit Plan.
9. 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.
10. The CAPE Charter Board will cover the employer portion of Benefit Plan premiums for the full period of the Long Term Special Leave of Absence without pay.

References:

CAPE contracts

Education Act

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