

## **Article 27 – Leaves of Absence**

### **27.01 Unpaid Leave of Absence**

- a) A Teaching Faculty Member may take an unpaid leave of absence, up to a maximum of twelve (12) months, with approval of the Dean of the Faculty. Leaves in excess of four (4) months also must be approved by the Provost.
- b) In considering the leave request, the Dean will take into consideration the impact on the operations of the Faculty.
- c) While on an unpaid leave of absence a Teaching Faculty Member receives no salary or benefits. However, while on an unpaid leave of absence a Teaching Faculty Member has the option of paying both, the employee and Employer premiums for major medical, dental, life insurance and accidental death and dismemberment insurance coverage.
- d) While on an unpaid leave of absence Employer and employee pension contributions will cease and the Teaching Faculty Member will not be eligible for short term disability benefits or long term disability benefits.
- e) In all cases, the Employer expects the Teaching Faculty Member will return to the University at the end of the leave.

### **27.02 Political Leave**

A public elective office shall include Member of Parliament, Member of a Provincial Parliament, municipal (including Regional) councilor, Mayor of a municipality, member of a Board of Education or other office filled by a vote conducted under the Ontario Municipal Elections Act.

#### **a) Campaign**

A Teaching Faculty Member seeking public office may make application for a leave of absence without pay during the campaign for election on the following basis:

- i. for federal elections; leave for the equivalent of no more than fifty (50) Calendar Days and no less than twenty-eight (28) Calendar Days;

- ii. for provincial elections; leave for the equivalent of no more than seventy-four (74) Calendar Days and no less than fourteen (14) Calendar Days;
- iii. for municipal elections; normally a leave is not required for campaigning but during the last three (3) weeks prior to polling day some flexibility may be sought in the performance of regular duties.

b) Election

If a Teaching Faculty Member is elected, he/she shall, while serving in the office to which elected, be entitled to a leave of absence on the following basis:

- i. Candidates elected to serve in the House of Commons or the Ontario Legislature will normally be granted leave without pay for the life of that Parliament, up to and including polling day for the subsequent Parliament;
- ii. If the Teaching Faculty Member is re-elected to serve in successive Parliaments, he/she will be required to apply for a further leave, which will be granted, unless the total number of consecutive years of leave would exceed six (6);
- iii. Candidates elected to municipal office normally will not require a leave of absence as the performance of duties can be considered a form of Service. However, any elected official whose civic duties infringe upon his/her University responsibilities should seek an appropriate adjustment of University responsibilities.

- c) Should a Teaching Faculty Member continue to serve in public office after the expiry of an Employer granted leave, the Teaching Faculty Member shall be deemed to have resigned his/her University post. Such a resignation does not preclude the possibility of a reappointment by the Employer under conditions satisfactory to all concerned.
- d) If, in the assessment of the Dean, the Teaching Faculty Member's performance is being adversely affected by civic duties then the Dean will discuss the matter with the Teaching Faculty Member and make appropriate adjustments to the Teaching Faculty Member's workload. If the Teaching Faculty Member's

resultant workload is less than a full workload, the Teaching Faculty Member's pay will be reduced on a pro rata basis.

- e) A Teaching Faculty Member shall be able to return to the University at the same rank and at the same salary rate, adjusted to reflect any Across-the-Board increases that have been implemented during the leave.

#### 27.03 Professional Development Leave of Absence

A Teaching Faculty Member who has attained the Senior Lecturer level may apply to his/her Dean for approval for Professional Development Leave. The decision for granting such a leave request and the terms for such a leave are determined by the Dean.

#### 27.04 Maternity, Adoption and Parental Leave

##### Maternity Leave

- a) Under the Employment Standards Act (ESA), the natural (birth) mother is eligible for an unsalaried leave of up to fifty-two (52) weeks, comprised of a two week waiting period, fifteen (15) weeks maternity leave and thirty-five (35) weeks parental leave.
- b) While on maternity leave a Teaching Faculty Member shall be covered by the pension plan based on the pension plan text and the benefit plans as set out in Article 25.

#### 27.05 Parental and Adoption Leave

- a) The natural father, or in the case of adoption, either adoptive parent, is entitled to an unsalaried leave of up to thirty-seven (37) weeks, comprised of a two (2) week waiting period and thirty-five (35) weeks leave.
- b) The maximum amount of leave under 27.05 a) is reduced by the number of weeks of Parental or Adoption leave taken by the Teaching Faculty Member's partner.
- c) A natural father whose partner has taken a maternity leave including a two (2) week waiting period may take a Parental Leave of up to thirty-five (35) weeks with no two (2) week waiting period.

- d) While on parental or adoption leave a Teaching Faculty Member shall be covered by the pension plan based on the pension plan text and the benefit plans as set out in Article 25.

#### 27.06 Supplemental Unemployment Benefit (SUB)

- a) Upon submission of proof of coverage under Employment Insurance (EI) benefits for Maternity, Parental or Adoption Leave, the Employer will pay the difference between the EI benefit and ninety-three percent (93%) of the Teaching Faculty Member's annual base salary for those weeks for which the EI benefit applies. The Employer will pay ninety-three percent (93%) of the Teaching Faculty Member's annual base salary for the two (2) week waiting period required for an EI eligible leave.
- b) Proof of EI coverage is not available until after the Maternity, Parental or Adoption Leave has commenced and hence the Employer SUB payments will be retroactive. Proof of EI coverage must be provided within one calendar month of commencing the leave.

#### 27.07 Bereavement Leave

- a) A Teaching Faculty Member shall be entitled to a leave of absence with pay in the event of the death of a member of his/her family.

For an "immediate family" member, five (5) Days of paid leave at the Teaching Faculty Member's regular rate of pay will be provided. Immediate family is defined as the Teaching Faculty Member's spouse, common law spouse, same-sex partner, son, daughter, children of the Teaching Faculty Member's spouse, children of a common law spouse, children of same-sex partner, step-children, ward, brother, sister, father, mother, and step parent(s).

For an "extended family" member, three (3) Days of paid leave at the Teaching Faculty Member's regular rate of pay will be provided. Extended family is defined as the Teaching Faculty Member's father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchild, grandmother and grandfather, grandparents of the Teaching Faculty Member's spouse, common-law spouse, or same-sex partner, parents of step-mother and step-father.

- b) If bereavement leave is required in the event of the death of a person significant to the Teaching Faculty Member and not specifically named in the definitions listed above, or additional bereavement leave is required in circumstances covered by the definitions listed above, it may be granted up to a maximum of two (2) Days, with the approval of the Teaching Faculty Member's Dean.
- c) Where bereavement leave requires extensive travel, at the discretion of the Dean, the Teaching Faculty Member may be given up to two (2) additional Days of paid leave for travel purposes as may be reasonably required.
- d) Bereavement leave may be taken at the time of the bereavement and/or in a non-consecutive manner in the event of a later memorial service. A Teaching Faculty Member is expected to give his/her Dean adequate notice in the event of a later memorial service.
- e) Additional bereavement leave may be approved by a Teaching Faculty Member's Dean and may include the use of vacation, or any other paid time owing to the Teaching Faculty Member, or, if none is available, unpaid time.
- f) A Teaching Faculty Member shall notify his/her Dean in the event of requiring a bereavement leave.

#### 27.08 Compassionate Leave

At the discretion of the Dean, a paid leave of up to three (3) weeks may be granted in compassionate circumstances. No reasonable requests will be denied.

#### 27.09 Compassionate Care and Family Medical Leave

- a) The Employer shall grant compassionate care leave, as requested by the Teaching Faculty Member, in accordance with the Employment Insurance Act and Employment Standards.
- b) The Employer will pay a supplementary employment benefit as set out in Article 27.06.

#### 27.10 Court Leave

- a) Upon written request, a Teaching Faculty Member shall be granted leave without loss of pay when summoned to serve for jury duty or jury selection, or when

subpoenaed as witness to court proceedings to which the Teaching Faculty Member is not a party.

- b) Upon return to work, the Teaching Faculty Member shall provide the Employer with written confirmation of the date(s) and time(s) on which he/she served.
- c) The Teaching Faculty Member will provide his/her Dean with as much notice as possible of such court proceedings so that alternative coverage can be arranged.