FAMILY VISIONS INCORPORATED
POLICY AND PROCEDURE MANUAL

POLICY: **LEAVE OF ABSENCE** **(Out of Scope Employees)**		POLICY NO: HR:003
	DATE Issued: May 17, 2018	PREVIOUS POLICY NO/NAME: Leave of Absence (Non Union Employees) AD01-25
	DATE Reviewed: March 16, 2022	RELATED DOCUMENTS:
APPROVED BY: Board of Directors	DISTRIBUTION: Human Resources APPLICATION: Out of Scope Employees	

POLICY:
Family Visions Inc. recognizes that on occasion, there may be a need for staff to request time away from work to attend to specific personal needs including bereavement, compassionate, maternity, paternity, adoptive parent, domestic violence, jury duty, and educational needs. The purpose of this policy is to outline the criteria for these types of leave and the appropriate procedure for applying for those specific leaves of absence.

PROCEDURE:
Out of scope employees may be granted a leave of absence for legitimate reasons. All out of scope employees granted leaves of absence shall return to the same or comparable position to the one they held immediately prior to the leave.

Leaves of absence with or without pay may be granted for a period for a good and sufficient reason at the discretion of the Employer. Except in emergency circumstances, all requests for leave of absence must be made in writing to the Executive Director at least thirty (30) calendar days in advance, specifying the reason for requested leave and the proposed dates for

Failure to return to work upon expiration date of the leave will be interpreted as a request for termination of employment. Any adjustments to the return date must be re-submitted to the Executive Director/designate with a minimum of two weeks notice for consideration.

Benefits of the Agency will be suspended for the duration of any unpaid leave.

Bereavement Leave
An out of scope employee shall be entitled to bereavement leave of four (4) working days without loss of salary in the event of the death of a parent, parent-in-law, spouse (including common law, fiancé or partner), child, or grandchild.

An out of scope employee shall be entitled to bereavement leave of three (3) working days without loss of salary in the event of the death of a brother or sister.

An out of scope employee shall be entitled to bereavement leave of two (2) working days without loss of salary in the event of the death of the employee's grandparent, son-in-law, daughter-in-law, brother-in-law, sister-in-law, mother-in-law, father-in-law, aunt, uncle or grandchild.
An out of scope employee who is entitled to bereavement leave as above during vacation leave shall receive vacation credits equal to the number of days of bereavement leave granted. Additional travel time without pay may be granted at the discretion of the Employer.

Compassionate Care Leave
Out of scope employees shall be entitled to Compassionate Care Leave consistent with the provisions in The Employment Standards Code.

Maternity/Parental Leave
Out of scope employees will be eligible to receive maternity and/or parental leave without pay in accordance with the provisions of the Employment Standards Code as follows Maternity An out of scope employee who qualified for maternity leave may apply for such leave in accordance with Plan A as follows:

Plan A

1) In order to qualify for Plan A, a pregnant non-union employee must:
    a. Have completed seven (7) months of continuous employment for or with the Employer;
    b. Submit to the Employer an application in writing for leave under Plan A at least four (4) weeks before the day specified by her in the application as the day on which she intends to commence such leave; and
    c. Provide the Employer with a certificate from a duly qualified medical practitioner certifying that she is pregnant and specifying the estimated date of her delivery.
2) An out of scope employee who qualified is entitled to and shall be granted maternity leave without pay consisting of:
    a. A period not exceeding seventeen (17) weeks if delivery occurs on or before the date of delivery specified in the certificate mentioned in section 1 (c);
    b. A period of seventeen (17) weeks plus an additional period equal to the period between the date of delivery specified in the certificate mentioned in section 1 (c) and the actual date of delivery, if delivery occurs after the date mentioned in that certificate; and
    c. The Employer may vary the length of maternity leave upon proper certification by the attending physician. Where an out of scope employee intends to return to work immediately following her maternity/ parental leave she must give the Employer not less than six (6) weeks' notice in writing of the day she intends to return to work.

Paternity Leave
A male out of scope employee shall be granted two (2) days leave with pay to attend to needs directly related to the birth of his child. At the out of scope employee's option, such leave shall be granted on any two (2) days of the following: the birth of his child or within ten (10) calendar days following the birth of his child.

Adoptive Parent Leave
Adoptive Parent Leave will be allowed as per the Employment Standards Code. An out of scope employee shall be granted two (2) days leave with pay to attend to needs directly related to the adoption of the child. At the out of scope employee's option such leave shall be granted on the day of and the day following the adoption.

Employment Leave for Victims of Domestic Violence
The Employer agrees to recognize that out of scope employees sometimes face situations of violence or abuse in their personal life that may affect their attendance or performance at work. For that reason, the Employer agrees that once there is verification confirmed by a written note by a recognized professional (i.e. doctor, lawyer, registered counselor, intake worker from a women's shelter or other crisis service etc.), an out of scope employee who is in an abusive or violent situation will not be subject to discipline if the absence or performance can be linked to the abusive or violent situation.

Time necessary to facilitate a leave for victims of domestic violence shall be as per the Manitoba Employment Standards Code.

Jury or Witness Leave
Any out of scope employee who is summoned for jury duty or who receives a summons or subpoena to appear as a witness, in court of Law other than a proceeding occasioned by the out of scope employee's private affairs, shall be granted a leave of absence without loss of regular wages for the required period. All jury or witness fees received by the out of scope employee shall be remitted to the Employer. The out of scope employee will present proof of service and the amount of pay received.

A out of scope employee required to attend a court proceeding as a party to that proceeding, occasioned by the employee's private affairs, shall receive a leave of absence without pay for the required absence, or, in the alternative, the out of scope employee may use banked time in lieu of overtime, banked statutory holiday or vacation time.

Education Leave
The Employer, where possible, will attempt to accommodate scheduling requests for out of scope employees who have been accepted into an educational program and wish to maintain an employment relationship with the Employer. Upon written request, the Employer shall give due consideration to a out of scope employee's request for educational leave of absence without pay.

Where the Employer deems it necessary the Employer may require the out of scope employee to attend training. Where the Employer requires the out of scope to attend training, the out of scope employee will be paid for the hours spent in training to a maximum of eight (8) hours in a day payable at straight time, plus actual travel time paid at the out of scope employee's straight rate of pay to a maximum of five (5) hours per day. Travel time shall not count towards the out of scope employee's weekly hours of work. The Employer will pay tuition and travel expenses which shall include accommodation expense, transportation, and meals in accordance with the reimbursement rates as determined by the Department of Families.