

*Salt Spring Island Fire Protection District*

**POLICY MANUAL**

Section	Employment
Policy Number	AE-2102-02
Policy Title	Excluded Staff Holidays, Sick Leave and other Leave

**1. Designated holidays**

Designated holidays for exempt employees shall be the following:

New Year's Day	British Columbia Day
Family Day	Labour Day
Good Friday	Thanksgiving Day
Victoria Day	Remembrance Day
Canada Day	Christmas Day
Boxing Day	

And any other statutory holiday proclaimed by the Federal or British Columbia Government shall be a designated holiday for employees.

Any other day designated as a statutory holiday for the Salt Spring Island Firefighters Association Local 4467 of the International Association of Firefighters.

When a designated holiday falls on a Saturday and is not proclaimed as being observed on some other day, the following Monday shall be deemed to be the holiday.

When a designated holiday falls on a Sunday and it is not proclaimed as being observed on some other day the following Monday or Tuesday where the previous section applies, shall be deemed to be the holiday.

Regular Full-time, Regular Part Time and Casual employees will be paid designated holiday pay in accordance with the *Employment Standards Act*.

If an employee who is eligible for designated holiday pay is required to work on a designated holiday, the employee shall be paid for that day in accordance with the *Employment Standards Act*.

## **2. Annual Vacation**

Paid annual vacation leave for regular full-time employees shall be as follows:

- a) Ten working days for those employees with at least twelve consecutive months of service with the District;
- b) Fifteen working days for those employees with five or more years of consecutive service with the District.

Paid annual vacation leave for regular employees shall be pro-rated for:

- a) Any partial year of service in the first and last calendar year of employment; and
- b) A period during which an employee is on a general leave of absence without pay, except as permitted by the *Employment Standards Act*.

A maximum of five days of unused vacation time may be carried over to the next calendar year.

## **3. Sick Leave**

Sick leave is the period of time during which excluded employees are permitted to be absent from work without loss of salary due to illness, disability or injury for which compensation is not payable under the *Workers' Compensation Act*.

Regular employees who have completed their probationary period or casual employees who have worked for at least six consecutive months in a position and who are scheduled to work at least twenty hours per week are eligible to accrue sick leave.

Sick leave shall accrue for eligible employees at the rate of 1.0 day for each calendar month of employment in which pay is received for at least twelve days of work that month.

Eligible part-time and casual employees shall earn sick leave on a pro-rated basis.

Eligible employees shall be entitled to accrue unused sick leave to a maximum equal to the qualifying period for long term disability insurance. There is no entitlement to be paid out for unused sick days.

Employees who are absent from work for three days or more due to illness must provide a note from a medical doctor explaining the reason for the absence.

#### **4. Leave of absence without pay**

Exempt employees who are absent from work due to illness, disability, or injury for which compensation is not payable under the Worker's Compensation Act, and who are not entitled to Sick Leave, or who have depleted their accumulated sick leave, or who have been absent for more than 90 calendar days but are not in receipt of long term disability benefits, may be placed on leave of absence without pay until the employee is medically fit to return to work.

##### Medical Information

Exempt employees claiming sick leave, or who are on a leave of absence without pay may be required by the District to provide verification from duly qualified practitioners on District-provided forms that they are unable to carry out their duties due to illness, disability or injury. Employees so required must provide such documentation to support their absence. Similarly, exempt employees who have been absent from work for medical reasons may be required to provide evidence of their fitness to return to work. If the exempt employee's physician opts to charge for the completion of the form, it shall be at the exempt employee's expense.

##### Health and Welfare Benefits

Within any one calendar year providing that an exempt employee is not on a continuing general leave that began in a previous calendar year excepted as permitted in the *Employment Standards Act*, the District shall pay premiums to continue an exempt employee's health and welfare benefits for the first four weeks of general leave. Exempt employees may continue to receive coverage during the period of additional leave granted provided the employee pays 100% of the

premium cost by providing post-dated cheques to the District at the beginning of the leave for each month for which the benefits will be continued.

## **5. Long Term Disability (LTD) Leave**

### **Pension**

Regular employees who are on LTD shall be considered employees for the purposes of pension, subject to and in accordance with the terms of the applicable pension plan.

### **Health and Welfare Benefit Continuation**

Exempt employees who are eligible for health and welfare benefits shall have the option of maintaining the health and welfare benefits provided that the employee pays the District 100% of the monthly premiums for such benefits.

### **Return to Work/Reinstatement**

An exempt employee who has recovered from a disability during or immediately upon the expiration of the first 24 months from the date on which they received compensation under the LTD Plan shall be reinstated by the District in their previous position or an equivalent position, provided the employee is able to perform the duties in a satisfactory and efficient manner and there is a position available.

### **Position Frustration**

If an exempt employee is not fit to return to work upon the expiration of the first 24 months of LTD and there is no reasonable prospect for a return to work within a reasonable time, the employee's employment with the District will be deemed frustrated and the employment relationship may be terminated by the District.

## **6. Maternity and Parental Leave**

The provision of the Employment Standards Act with respect to Pregnancy Leave, Adoption Leave and Parental Leave shall apply except where expressly augmented by this policy.

### **Health and Welfare Benefits**

The District shall pay the premiums to continue a regular employee's health and welfare benefits during the basic Maternity and parental leaves granted.

## Accrual of Vacation and Sick Leave

Regular employees shall accrue vacation entitlement and sick leave during the basic maternity and parental leaves granted. Vacation entitlement accrued and not taken during the calendar year when earned may be carried over in accordance with the provisions of the *Employment Standards Act*.

## 7. Bereavement Leave

### Definition – Immediate Family

“*Immediate family*” is defined as an exempt employee’s father, mother, spouse, same-sex partner, brother, sister, child, guardian, grandparent, grandchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, or other person who lives with the employee as a member of the employee’s family.

### Death in Immediate Family

In the case of bereavement in the immediate family and with approval from the immediate supervisor, leave with pay shall be granted to a regular employee to a maximum of five (5) working days. Additional time off may be granted as leave without pay or vacation leave. A portion of the bereavement leave may be used to attend a funeral or memorial service which is scheduled at a time not proximate to the death.

## 8. Family responsibility leave

A regular employee is entitled to up to 5 days of paid leave during each employment year in accordance with the provisions of the *Employment Standards Act*.

## 9. Compassionate Care Leave of Absence

A regular employee is entitled to Compassionate Care Leave of Absence in accordance with the provisions of the *Employment Standards Act*.

## Health and Welfare Benefit Coverage

The exempt employee's Health and Welfare benefit coverage will continue for the duration of the compassionate care leave and the premium payment shall be on the same basis as if the employee were not on leave.

## **10. Jury Duty or Court Attendance**

### **Approved to Attend Without Loss of Pay**

An exempt employee required to serve as a juror in a court action, shall be approved to attend on the required day or days by their immediate supervisor without loss of pay.

### **Remit All Monies Paid**

Exempt employees who are required to attend pursuant to the above section shall remit to the District all monies paid to them except for travel and meal expenses not reimbursed by the District.

### **Attendance for the District's Business**

Where exempt employees are required to attend court or a hearing arising from the District's business, attendance shall be with pay, except where the action arises from decisions by the District related to the exempt employee's employment.

### **Attendance for Matters Unrelated to the District's Business**

Where an exempt employee requests leave to attend court for matters not related to the District's business or for a court proceeding where the employee is a party, the immediate supervisor may grant leave of absence without pay, or vacation leave.

## **11. General Leaves**

Exempt employees may apply to their immediate supervisor for a general leave of absence for other reasons not specified in District policies or the *Employment Standards Act*. Consideration shall be given to the District's operational requirements and satisfactory replacement arrangements being made. Applications for general leave up to one (1) month duration made other than by the Fire Chief or Corporate Administrator may be approved by the Fire Chief or Administrator as appropriate. Applications for General Leave made by the Fire Chief or Corporate Administrator must be approved by the Chair of the Board of Trustees. Applications for general leave of greater than one (1) month duration approved by

an employee’s supervisor must be also be approved by the Chair of the Board of Trustees.

### Health and Welfare Benefits

Within any one calendar year providing that an exempt employee is not on a continuing leave of absence without pay or continuing general leave that began in a previous calendar year, the District shall pay premiums to continue an exempt employee’s health and welfare benefits for the first four weeks of leave of absence without pay or general leave. Exempt employees may continue to receive coverage during the period of additional leave granted provided the employee pays 100% of the premium cost by providing post-dated cheques to the District at the beginning of the leave for each month for which the benefits will be continued.

### **BOARD DISCRETION**

The provisions set out in this policy are subject to revision from time to time at the discretion of the *Board of Trustees*.

### **APPROVALS**

Approval date:	2016-10-17	Approved by:	Board of Trustees
1. Amendment date:	2019-02-06	Approved by:	Board of Trustees
2. Amendment date:		Approved by:	
3. Amendment date:		Approved by:	