

RAINY RIVER PUBLIC LIBRARY		
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MANDATORY	Topic: VACATIONS AND LEAVE	Page: 1 of 8
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This policy establishes the vacations and leave available to library staff.

1. In accordance with the *Employment Standards Act 2000, S.O. 2000, c.41*, staff earn a minimum of two weeks of vacation (pro-rated) every calendar year. This means employees receive minimum vacation equivalent to their normal, approved hours of work over a two-week period.
2. Vacation must be taken in the calendar year in which it was earned.
3. By law, all staff shall be paid vacation pay equivalent to four per cent of their gross wages in each pay period. After 9,100 hours worked, an employee is entitled to six per cent vacation pay.
4. Vacation should be requested no later than the pay period prior to the period in which the vacation falls.
5. Vacation entitlement for the CEO is approved by the Library Board. Vacation requests for all other staff are approved by the CEO and may be reviewed by the Library Board, if necessary. In all cases, continuity of service shall be considered in the granting of vacation.
6. In all cases, requests for leave must be made in writing.
7. By law, all employees are entitled to job-protected leave without pay in the following circumstances:
 - a) **Pregnancy and Parental Leave:** Pregnancy leave is up to 17 weeks of job-protected, unpaid time off work. To be eligible, your baby's expected birth date ("due date") must be at least 13 weeks after the date you started employment. For parental leave, a new parent (e.g., birth parent, adopting parent, person in a

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relationship with a parent of a child with plans to treat the child as their own) has the right to take job-protected, unpaid time off work once a child is born or first comes into your care.

To qualify, you must have been employed by your employer for at least 13 weeks before the start of the leave.

Birth mothers who take pregnancy leave are entitled to take up to 35 weeks of parental leave, usually beginning right after their pregnancy leave ends. Birth mothers who do not take pregnancy leave and all other new parents can take up to 37 weeks of parental leave, beginning no later than 52 weeks after the date the child was born or first came into their care.

Employees must inform the Library Board in writing two weeks before beginning a pregnancy or parental leave. Employees must also give four weeks' written notice to change the end date of your leave.

After starting pregnancy or parental leave, an employee must take it all at once and cannot split it.

b) Family Caregiver Leave: Family caregiver leave is unpaid, job-protected time off work to provide care or support to specified family members who have a serious medical condition. Family caregiver leave may be taken for any of the following family members:

- your spouse
- a parent, step-parent, foster parent, child, step-child, foster child, grandparent, step-grandparent, grandchild or step-grandchild of you or your spouse
- the spouse of your child

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- your brother or sister
- a relative who is dependent on you for care or assistance.

Employees are eligible to take family caregiver leave if an individual who is qualified to practice as a physician, registered nurse or psychologist issues a certificate stating that the family member has a serious medical condition, which may include a condition that is chronic or episodic. The medical certificate must name the individual and state that he or she has a serious medical condition. There is no requirement that the certificate specify what the medical condition is; but it must state that it is “serious.” It is for the patient’s qualified health practitioner to make an assessment as to whether his or her medical condition is “serious.”

If the medical certificate sets out a period during which the individual will have a serious medical condition, the certificate will support absences as family caregiver leave during that period. If no period is set out, the certificate will support absences as family caregiver leave from the date it is issued until the end of the calendar year in which it is issued.

The Library Board must be provided with a copy of the certificate.

c) Family Medical Leave: Family medical leave is unpaid, job-protected time off work to provide care or support to certain specified individuals who have a serious medical condition with a significant risk of dying within 26 weeks. Family medical leave may be taken for any of the following individuals:

- your spouse
- your parent, step-parent or foster parent
- your brother, step-brother, brother-in-law, step-brother-in-law, sister, step-sister, sister-in-law or step-sister-in-law

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- a child, step-child, foster child, son-in-law or daughter-in-law of you or your spouse
- a grandparent, step-grandparent, grandchild or step-grandchild of you or your spouse
- your father-in-law, step-father-in-law, mother-in-law or step-mother-in-law
- an uncle, aunt, nephew or niece of you or your spouse
- the spouse of your grandchild, uncle, aunt, nephew or niece
- your spouse's foster parent
- any other person who considers you to be like a family member

Family medical leave may be taken for up to eight weeks in a 26-week period with respect to each specified individual. The eight weeks of family medical leave do not have to be taken consecutively. If two or more employees in Ontario take the leave to care for the same person, the eight weeks must be shared.

To obtain family medical leave, an individual who is qualified to practice medicine must issue a certificate stating that the individual has a serious medical condition with a significant risk of death within 26 weeks. You must provide the Library Board with a copy of the certificate.

Employees must inform the Library Board in writing that you will be taking family medical leave as soon as possible, and preferably in advance.

d) Critically-Ill Child Care Leave: Critically ill child care leave is unpaid, job-protected time off work to provide care or support to a critically ill child. The employee must be employed by the Library Board for at least six consecutive months to be eligible for this leave.

A critically ill child is someone:

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- who is under 18 years of age, and
- who is your child, step-child, foster child or child under your legal guardianship, and
- whose baseline state of health has significantly changed and whose life is at risk as a result of an illness or injury.

Critically ill child care leave can be up to 37 weeks in a 52-week period.

If the child remains critically ill after the end of the 52-week period, employees may be eligible for additional leaves of up to 37 weeks in subsequent 52-week periods. The weeks of leave do not have to be taken consecutively.

The leave is available if an individual who is qualified to practice as a physician, registered nurse or psychologist:

- issues a certificate stating that your child is critically ill and requires the care or support of one or more parents, and
- sets out the period during which the child requires the care or support.

Employees must provide the Library Board with a copy of the certificate.

If an employee intends to take critically ill child care leave, the employee must inform the Library Board in writing that the leave will be taken, and provide a written plan indicating the weeks in which it will be taken. If it is not possible to do this in advance, the employee must inform the Library Board and provide the written plan as soon as possible. Leave dates can be changed if the employee asks in writing and receives written approval from the Library Board.

e) Organ Donor Leave: Organ donor leave is unpaid, job-protected leave for the purpose of undergoing surgery to donate an organ to a person. Organ donor leave

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can be taken to undergo surgery to donate all or part of one of the following organs to a person: kidney, liver, lung, pancreas, small bowel.

Generally, organ donor leave begins on the date of the surgery. It may begin on an earlier date, as specified in a certificate issued by a legally qualified medical practitioner.

The employee make take leave for up to 13 weeks. However, the leave may be extended for up to an additional 13 weeks, if the employee is not yet able to perform the duties of the job because of the organ donation. To extend the leave, the employee must get a certificate from a legally qualified medical practitioner stating that the employee is not yet able to perform the duties of the job because of the organ donation, and will be unable to do so for a specified period of time. The leave may be extended more than once, but the maximum leave period is 26 weeks.

The employee taking this leave must notify the Library Board in writing as soon as possible.

f) Crime-related child death or disappearance leave: Crime-related child death or disappearance leave is available to employees whose child dies or disappears and it is probable, considering the circumstances, that it resulted from a crime. The employee must have been employed by the Library Board for at least six consecutive months to be eligible for this leave. Employees are not entitled to the leave if they are charged with the crime or if it is probable, considering the circumstances, that the child was a party to the crime.

An employee may take a leave of up to 104 weeks with respect to the death of a child and up to 52 weeks with respect to the disappearance of a child. Employees must inform the Library Board in writing that they will take this leave, and provide

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a written plan indicating the weeks in which the leave will be taken. An employee must take the leave in a single period.

g) Reservist Leave: Employees who are military reservists and who are deployed to an international operation or to an operation within Canada that is or will be providing assistance in dealing with an emergency or its aftermath (including search and rescue operations) are entitled under the Employment Standards Act to unpaid leave for the time necessary to engage in that operation. In the case of an operation outside Canada, the leave would include pre and post-deployment activities (even if those activities take place within Canada) that are required by the Canadian Forces in connection with that operation.

To be eligible for reservist leave, the employee must have worked for the Library Board for at least six consecutive months. Reservists must provide the Library Board with reasonable advance written notice of the day on which they will begin and end the leave.

h) The Library Board notes that an employee may be entitled to more than one of these leaves for the same event. Each leave is separate and the right to each leave is independent of any right an employee may have to the other leave(s).

8. In the event of a death in the immediate family, employees are allowed a maximum of five consecutive calendar days, one of which must be the funeral day. If any of these days are scheduled work days, the employee will receive their regular pay. "Immediate family" is defined as:
 - a. Spouse, including same-sex partner
 - b. Parent, step-parent, foster parent of the employee or of the employee's spouse
 - c. Child, step-child of the employee or of the employee's spouse or same-sex partner

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- d. Grandparent, step-grandparent, grandchild or step-grandchild of the employee of the employee's spouse
 - e. The spouse of a child of the employee
 - f. The employee's siblings
 - g. A relative of the employee who is dependent on the employee for care or assistance
9. Staff are allowed sick days without pay by the approval of the CEO and/or Library Board. The employer recognizes that absence due to illness is a normal occurrence, and will do its best to support and accommodate employees. The Board may request confirmation of illness (in the form of a written note from a certified health care practitioner) for absences causing the employee to miss more than five consecutive, regularly-scheduled work days.
 10. As required by Ontario law, the Board shall grant a job-protected leave of absence to an employee who is summoned for jury duty. The Board is not obliged to pay the employee who is absent on jury duty.
 11. As required by Ontario and federal law, employees who are eligible to vote in a federal, provincial or municipal elections are entitled to three consecutive hours, while the polls are open, to vote. An employee shall be entitled to leave from work only if his or her shift does not permit more than three consecutive hours free of work during the polling period.
 12. Other leaves without pay shall be granted at the discretion of the CEO and/or the Library Board.
 13. Leave of absence granted under the terms of this policy will be considered as continued service by the employee.