

EXEMPT EMPLOYEES LEAVES OF ABSENCE (PERSONAL, DISCRETIONARY, OTHER)

Background

Leaves of absence granted must be consistent with the District's understanding of the Employment Standards Act, must be consistent with such policies in the broader public and private sectors and specifically in the K-12 Public Education Sector, and must be consistent with the District's required adherence to the employment policies and directions established by the Provincial Government through the Public Sector Employers' Council Secretariat and the Board's Employers' Association, the BC Public School Employers' Association.

Leaves of absence referred to in employment contracts as personal, discretionary or other are intended to assist exempt employees with those extenuating circumstances that life presents from time to time.

The District acknowledges its responsibility to its exempt employees, and to the taxpaying public, while acting as a responsible employer regarding the provision, the consistency of interpreting and the administration of leaves of absence referred to in personal services contracts as personal, discretionary or other.

Each decision regarding the granting of leaves of absence, whether with or without pay, shall be made on its individual merits and rests solely with the Superintendent and/or Secretary Treasurer.

Procedures

1. Requests for a leave of absence must be reviewed and approved by the Superintendent and/or Secretary Treasurer.
2. Leaves of absence may be with pay or without pay.
3. Exempt Employees are expected to request a leave of absence in writing using the Leave of Absence Request form ([Form 419-1](#)), providing as much advance notice as possible.
4. Leaves of Absence include but are not limited to: bereavement, compassionate care, family responsibilities, house hold emergencies, critical illness, injury, observance of a Religious Holiday, etc. and specifically include the leaves without pay provided for in the BC Employment Standards Act.
5. The definition of "immediate family" shall be consistent with the Employment Standards Act and its interpretation as set out in the Employment Standards Branch policy interpretation manual.

6. Any unused annual paid personal and/or discretionary days provided for in individual employment contracts and/or other terms and conditions of employment documents are not available to be carried forward or paid out in any circumstance.
7. Leaves of absences are not intended to be used for extending weekends, statutory holidays, vacation days or professional development events, family celebrations, etc.
8. The District has an obligation to ensure that provisions of employment contracts and other terms and conditions of employment documents providing paid time off are being administered properly and consistently both from the District's perspective and the Employee's perspective.
9. There is a financial cost to the District in terms of wages, benefits and lost productivity when leaves of absence are granted. The financial cost is greater when replacements are required.
10. Leaves of absence respecting the purpose of this Administrative Procedure will also respect the number of days warranted by the extenuating circumstances.
11. The Superintendent or Secretary Treasurer may request a medical certificate to support a request for medical leave of absence.
12. Consistent with the Employment Standards Act, the District is entitled to request reasonable proof, after the event, that the request for a leave was valid.

Reference: Sections 17, 18, 20, 22, 65, 85 School Act
Employment Standards Act

Approved: September 23, 2019
Revised: August 15, 2021