A. Recommendations

THAT Council receive Staff Report FAF.19.197, entitled “Inclement Weather and Personal Emergency and Sick Leave Policies”; 

AND THAT Council approve the new corporate policy entitled “Inclement Weather Policy”, POL.COR.19.XX.

AND THAT Council approve the revised corporate policy entitled “Personal Emergency and Sick Leave”, POL.COR.13.25.

B. Overview

The purpose of this report is to provide Council with an updated Personal Emergency Leave and Sick Leave Policy and a corporate Inclement Weather Policy. The changes are coming forward at the request of staff and management.

C. Background

Traditionally, the Inclement Weather policy of the Town was an administrative policy reviewed once per term of council by the Senior Management Team. Because this policy incorporates the closure of Town facilities, the Senior Management Team believes that this policy is more appropriately categorized as a corporate policy.

In 2018, the Personal Emergency Leave and Sick Leave Policy was updated and approved by Council to incorporate legislative changes. In the winter of 2019 following an extreme weather event, the management team proposed to the senior management team that the policy be updated to include an allowance that all staff may take two days of personal emergency leave related to inclement weather events. The policy update does not include additional days off work. It simply changes the status of two days of the ten days allotted for personal emergency leave and sick leave. It allows staff to utilize a leave bank in the event they are unable to travel to work due to an extreme weather event.
D. Analysis

By updating and aligning the two policies related to time off work and inclement weather it will improve communication and administration of time off work related to extreme weather events. By providing clear guidelines to management and staff it improves our efficiencies and internal processes.

Allowing staff to take time off work during an extreme weather event reduces stress and improves the mental health of staff which will lead to improved staff engagement.

E. The Blue Mountains Strategic Plan

Goal #3: Support Healthy Lifestyles
Objective #1 Promote the Town as a Healthy Community

Goal #4: Promote a Culture of Organizational & Operational Excellence
Objective #1 To Be an Employer of Choice
Objective #2 Improve Internal Communications Across our Organization
Objective #5 Constantly Identify Opportunities to Improve Efficiencies and Effectiveness

F. Environmental Impacts

Not applicable

G. Financial Impact

There is no additional cost. Staff will utilize a bank of leave previously approved by Council.

H. In Consultation With

- Ruth Prince, Director Finance and IT Services
- Nathan Westendorp, Director Planning and Development Services
- Shawn Carey, Director Operations
- Shawn Everitt, Chief Administrative Officer
- Ryan Gibbons, Director Community Services

I. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. Comments regarding this report should be submitted to Jennifer Moreau, Human Resources Director, hr@thebluemountains.ca.
J. Attached

1. A.10.12 Inclement Weather Policy
2. POL.COR.13.25 Personal Emergency Leave and Sick Leave Policy Draft
3. POL.COR.19.XX Inclement Weather Policy Draft

Respectfully submitted,

______________________________
Jennifer Moreau
Director of Human Resources

For more information, please contact:
Jennifer Moreau
hr@thebluemountains.ca
519-599-3131 extension 244
TOWN OF THE BLUE MOUNTAINS

POLICY & PROCEDURES

Subject Title: Inclement Weather Policy

Administrative Policy (Approved by CAO) X By-law No.: 
Department Policy: (Approved by Mgr.) Name of Dept.: 
Date Approved: December 16, 2010 Staff Report:
Date Revised: January 10, 2017

Policy Statement
The Town of the Blue Mountains is committed to promoting and maintaining high levels of attendance in the workplace. It is acknowledged that there may be times when inclement weather will prevent an employee from making it to work.

Purpose
The purpose of this policy is to establish processes for employees to follow including a uniform procedure for the treatment of employee’s absences from work during periods of inclement weather.

The Blue Mountains values the safety of its employees and recognizes that some employees have greater distances to travel than others.

Application
This policy applies to all regular full time, part time and contract employees of the Town of The Blue Mountains. This policy establishes the procedure to follow in such circumstances.

Definitions
"Inclement weather" means severe weather conditions involving snow, rain, fog, wind and/or ice.

Procedures
On occasion, inclement weather may make it difficult and/or impossible for employees to get to work. In the instance of inclement weather, employees are reminded to:

• Make every reasonable attempt to get to work while maintaining regard for personal safety.
• Given the variability of severe weather, we expect you to take steps to be prepared in advance. This may mean allowing extra time in the morning to clear snow and in anticipation of traffic delays.

• In appropriate circumstances, you may wish to bring enough work home with you to enable you to work from home when there is a storm. If you are working from home, we expect you to monitor your voice mail / email throughout the day and initiate and return telephone calls as appropriate.

• Please notify your manager/supervisor of your absence or anticipated lateness as soon as possible.

In the event inclement weather conditions are present and it is necessary to close certain offices or services, the employees shall be advised and the Town will continue the effected employee’s wages based on a regular working day for the period involved. Notice of closures will be broadcast on the local radio stations, the Town web site, via email and /or by telephone call. It will be the responsibility of each member of staff to check for such notice.

If weather conditions worsen as a day progresses, The Blue Mountains may, in its discretion, close operations and send employees home. If that happens, those employees sent home will not suffer any loss in pay. Employees not working on that day (e.g., on vacation, sick leave or a scheduled day off) will record their time as originally planned.

In the event there is no authorized office/services closure, only those employees who report for work will be paid unless the employee makes alternate arrangements with their manager/supervisor. The employee may take this time as vacation, lieu time or time without pay. In appropriate circumstances, you may be allowed to make up the time by working extra hours as approved by your manager/supervisor.

Absences due to inclement weather of less than 1 hour are forgiven and the lost time is not required to be made up.

Exclusions
Essential services likes Roads & Drainage, Water & Wastewater and Fire Services will attempt to provide service levels as warranted by the situation

Review Cycle
This policy will be reviewed each term of Council by the Senior Management Team.

Troy Speck, CAO
Per: Shawn Everitt, Director Community Services / Acting CAO
Policy

POL.COR.13.25
Personal Emergency and Sick Leave

Policy Type: Corporate Policy (Approved by Council)
Date Revised: June 18, 2018
Department: Human Resources
Staff Report: FAF.18.84
By-Law No.: 2018-37

Policy Statement

The Town of The Blue Mountains is committed to promoting and maintaining high levels of attendance in the workplace. It is acknowledged that there may be times when an employee will need to be away from work either due to illness, urgent issue or a family member’s illness.

Purpose

The purpose of this policy is to establish processes for employees to follow in the event of an employee’s absences from work for sick days and personal emergency leave days (PEL).

Application

This policy applies to all employee who have worked greater than seven days. This policy establishes the procedure to follow in such circumstances that an employee is personally sick or requires personal emergency leave.

Definitions

**Personal Emergency Leave (PEL):** As per the Employment Standards Act of Ontario an employee who is entitled to personal emergency leave can take up to 10 days of leave each calendar year due to personal illness, injury or medical emergency or death, illness, injury, medical emergency or urgent matter relating to the following family members:

- spouse (includes both married and unmarried couples, of the same or opposite genders)
- parent, step-parent, foster parent, child, step-child, foster child, grandparent, step-grandparent, grandchild or step-grandchild of the employee or the employee's spouse
- spouse of the employee's child
- brother or sister of the employee
• relative of the employee who is dependent on the employee for care or assistance

**Sick leave**: Sick leave is defined as absence from work and performance of regular duties because of an employee's bona fide illness, non-work related injury, or quarantine through exposure to contagious disease.

**Inclement Weather**: means the existence of abnormal climatic conditions (i.e. blizzard, hail, snow, high winds or any combination thereof) by virtue of which it is not reasonable or safe to travel to or from work.

**Procedures**

1. The Town will grant each permanent full-time employee **nine (9)** PEL/Sick paid days and **one (1)** unpaid day per year for the purpose of illness, caring for ill family members, essential personal obligations and urgent issues.

2. Part-time, contract and seasonal employee members who have worked longer than seven days will be granted **two (2)** PEL/Sick paid days and **eight (8)** unpaid days per year for the purpose of illness, caring for ill family members, essential personal obligations, urgent issues.

3. If an employee requires a personal emergency/sick day, he/she shall provide their immediate supervisor with as much notice as possible. This notice may be provided in writing via e-mail or by phone call, either by the employee member or by a member of their family/household.

4. If all personal emergency leave/sick days are used within a year, any additional time required is subject to approval of the immediate supervisor and the employee will be required to utilize vacation or banked overtime prior to taking unpaid time.

5. Unused personal emergency leave/sick days shall not be carried forward from year to year.

6. **All staff may utilize two days per year of their personal emergency leave allotment if they are unable to attend work due to Inclement Weather. These days shall be taken in full and shall not be divided into partial days.**

7. Permanent full-time employees using seven continuous sick days can apply for Short Term Disability benefits.

8. Mandatory medical certificates for proof of illness will not be required for the Town’s paid personal emergency leave days/sick days. Proof of illness will be required under Short Term Benefits application. For extended illnesses, a Return to Work form may be required to ensure an employee is fit to return to work. The Town reserves the right to
require mandatory medical certificates for employees who require sick leave in excess of ten days per year.

9. Special circumstances may be approved by the CAO and Department Head in consultation with the Director of Human Resources.

### Annual Eligibility Table

<table>
<thead>
<tr>
<th>Employment Status</th>
<th>PEL/Sick Paid Annual Days</th>
<th>PEL/Sick Unpaid Annual Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent Full-time</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>Part-time, Seasonal, Contract, Student</td>
<td>2</td>
<td>8</td>
</tr>
</tbody>
</table>

### References and Related Policies

Government of Ontario Guide to the Employment Standards Act:


POL.COR.19.XX Inclement Weather Policy

### Consequences of Non-Compliance

Failure to adhere to the requirements outlined in this Policy may lead to progressive disciplinary action up to and including termination of employment.

### Review Cycle

This policy will be reviewed once per term of council or as required due to legislative change.
Policy

POL.COR.19.XX
Inclement Weather

Policy Statement

As a public employer, the Corporation of the Town of The Blue Mountains has an obligation to continue providing services for the public even when many other offices and enterprises have decided to close their doors due to Inclement Weather and other Emergency situations.

Accordingly, it is our policy to continue operations and to keep our offices and facilities open to the public every working day, unless it is impossible to do so due to a Disaster, severe Inclement Weather or state of Emergency.

Unless otherwise directed by the Corporation by way of the media, telephone and/or e-mail, all employees are expected to work at their assigned times and schedules regardless of weather conditions.

Town of The Blue Mountains offices and facilities may not be closed due to extreme weather conditions unless approved by the Chief Administrative Officer or designate.

It is recognized that severe weather conditions may prevent employees from reporting to work, cause employees to report late, or require employees at work to depart earlier than scheduled.

Purpose

The purpose of this policy is to establish processes for employees to follow including a uniform procedure for the treatment of employee's absences from work during periods of inclement weather.

The Blue Mountains values the safety of its employees and recognizes that some employees have greater distances to travel than others.
Inclement Weather

Application

This policy applies to all regular Full time, Part time and Contract employees and Volunteers of the Town of The Blue Mountains.

Definitions

For the purposes of this policy, the following definitions will apply:

**Inclement Weather** - means the existence of abnormal climatic conditions (i.e. blizzard, hail, snow, high winds or any combination thereof) by virtue of which it is not reasonable or safe to travel to or from work.

**Emergency** – A situation, or an impending situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property.

**Disaster** – A type of Emergency that could include an occurrence such as a tornado, storm, flood, high water, wind-driven water, earthquake, drought, blizzard, epidemic, famine, fire, explosion, building collapse, transportation wreck, or other situation that causes human suffering or creates human needs that the victims cannot alleviate without assistance.

**Full-Time, Contract and Permanent Part Time Employees** – Employees receiving remuneration, whether full-time, contract or permanent part-time, who occupy positions that are part of the ongoing staff complement of the municipality.

**Volunteer** – A person who performs or offers a service of his or her own free will, without monetary reimbursement, this includes co-op positions and unpaid internships.

Procedures

1. During an Inclement Weather event, unless otherwise directed, employees shall make every reasonable effort to attend work at the regularly scheduled time and location to ensure that Town facilities and services are open and general operations are functioning. Given the variability of severe weather, staff are expected to take steps to be prepared in advance. This may mean allowing extra time in the morning to clear snow and in anticipation of traffic delays.

2. If an employee chooses not to travel to work, or expects to be late or wishes to leave work early during Inclement Weather they shall:
   
   1. Observe standard protocols for reporting absences for the department;
   
   2. Staff who miss work for Inclement Weather may make-up for the lost-time missed from work by using allotted personal Emergency leave,
vacation, lieu, work additional time within the same pay period to make up the lost working hours (overtime does not apply to working extended hours to make-up lost time) or choose to take the time as unpaid.

3. During an Inclement Weather event, management may schedule staff in a manner that has regard to safety, travel distance, operational need and employee concerns. This may include alternative work locations, working from home (if applicable), modified start and end times etc. Managers will communicate directly with staff to arrange work modifications.

4. The decision to close any facility will be made by the Chief Administrative Officer (CAO) or designate, taking into consideration storm severity, available forecasts, transportation warnings, accessibility of facilities, and the overall safety of staff, customers and the public.

5. If a facility is closed as described above, employees will be paid for the normal working hours of the day following the closure of the facility, at their regular rate of pay. Facility closures will be posted to the Town website. All staff are expected to check the Town website on Inclement Weather days. Managers are responsible for ensuring their direct reporting staff are notified of closures via phone or text.

6. Absences due to Inclement Weather of less than one (1) hour are forgiven and the lost time is not required to be made up.

7. In the event a closure extends beyond the first day, the Emergency Management Plan and policies will prevail.

8. Under exceptional circumstances, and in accordance with the Employment Standards Act, S.O. 2000 (the Act) an employer may require an employee to work more than the maximum number of hours permitted under the Act, or to work during a period that is required to be free from performing work only as follows, but only so far as is necessary to avoid serious interference with the ordinary working of the employer’s establishments or operations:

   1. To deal with an Emergency.

   2. If something unforeseen occurs, to ensure the continued delivery of essential public services, regardless of who delivers those services.
3. If something unforeseen occurs, to ensure that continuous processes or seasonal operations are not interrupted.

4. To carry out urgent repair work to the employer’s plant or equipment.

Exclusions

Essential services like Roads & Drainage, Water & Wastewater and Fire Services will attempt to provide service levels as warranted by the situation. This policy does not apply to employees on approved leaves, previously scheduled vacation and/or sick leave.

References and Related Policies

POL.COR.13.25 Personal Emergency and Sick Leave Policy
POL.COR.13.25 Progressive Discipline Policy
Emergency Response Plan for the Town of The Blue Mountains

Consequences of Non-Compliance

Failure to adhere to the requirements outlined in this Policy may lead to progressive disciplinary action up to and including termination of employment.

Review Cycle

This policy will be reviewed once per term of council or as required due to legislative change.