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## POL.COR.23.04 Personal Unpaid Leaves of Absence Policy

**Policy Type:** Corporate Policy (Approved by Council)  
**Date Approved:** April 24, 2023  
**Department:** Administration  
**Staff Report:** FAF.23.051

### Policy Statement

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The Town of The Blue Mountains (Town) is committed to promoting and maintaining high levels of attendance in the workplace. However, it is acknowledged that there may be times when an employee may need additional time away from work. The Town may grant unpaid leaves of absence to an employee where good and sufficient cause exists. Approval is not guaranteed.

### Purpose

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The intent of this Policy is to provide guidelines for employees who would like an unpaid leave of absence. This Policy does not include job-protected leaves of absence, which are covered under the *Employment Standards Act, 2000*.

### Application

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This Policy applies to all Full-Time Permanent Non-Union Employees. Unionized Employees will follow their Collective Agreement for Unpaid Leaves of Absence.

### Definitions

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**Permanent Full-Time Employee:** an employee hired to work full-time (more than 35 hours per week) with no predetermined end date.

**Permanent Part-Time Employee:** an employee hired to work part-time (less than 35 hours per week) with no predetermined end date.

**Personal Unpaid Leave of Absence:** an authorized leave from the Town for up to eighteen months without pay or benefits.

**Seasonal Employee:** an employee hired for a specific season, i.e., Seasonal Roads Operators in winter or Seasonal Parks Labourers in summer. Upon the predetermined end date of the season, the Employee's employment is terminated.

**Temporary Full-Time Employee:** an employee hired to work full-time (35 hours or more per week) whose employment is terminated upon a predetermined end date or project completion.

**Temporary Part-Time Employee:** an employee hired to work on a part-time basis (less than 35 hours per week) whose employment is terminated upon a predetermined end date or project completion.

## Procedures

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### Personal Unpaid Leaves of Absences

The Town provides paid vacation days annually (entitlements are based on COR.POL.17.05 Vacation Policy accrual schedule) as well as nine (9) paid sick days (based on COR.POL.13.25 Personal Emergency and Sick Leave Policy). Once these paid days have been exhausted, employees may wish to take additional time off without pay.

Employees may request up to five (5) additional unpaid days a year, with the approval of the Supervisor/Manager, if the Employee's absence does not negatively affect the Town due to reasons such as the ability of the department/division to cover the Employee's work during the Leave of absence. Requests for unpaid leaves of up to five (5) days should be made at least two weeks prior to the date(s) requested.

Employees requesting Personal Unpaid Leave of Absence of more than five (5) days must provide a written request a minimum of two (2) weeks in advance of their requested Leave to their Supervisor/Manager and for approval by their Department Head, specifying the start and end date of the Leave.

Employees requesting Personal Unpaid Leave of Absence of more than three (3) months must provide a written request a minimum of four (4) weeks in advance of their requested Leave to their Supervisor/Manager and for approval by their Department Head, the Manager of Human Resources, and the Chief Administrative Officer, specifying the start and end date of the Leave.

Each Leave will be evaluated on a case-by-case basis, and the Town reserves the right to refuse unpaid leaves which are not legislatively required. The approval process will involve consideration of the following factors:

- a) Length of employment
- b) Number of previous leaves of absence
- c) The purpose of the Leave of absence

- d) The ability of the department/division to cover the Employee's work during the Leave of absence
- e) Potential impact to the organization
- f) Availability of qualified employees
- g) Any other relevant factors

In the case of requests for Personal Unpaid Leave of Absence from a Department Head and/or CAO, such requests shall be placed before Council in closed session.

### **Health and Wellness Benefits**

An employee who has been granted a Personal Unpaid Leave of Absence of thirty (30) days or more may continue to participate in the Town's group benefits plans, save and except short- and long-term disability coverage and out-of-country insurance, subject to the terms and conditions of such plans for the duration of the Leave. The Employee shall be responsible for the cost of the benefit premiums during their Personal Unpaid Leave of Absence.

Employees enrolled in optional life insurance will have the option to continue coverage during their Leave. If an employee chooses to cease coverage during Leave and wishes to continue coverage upon their return, the Employee will have to reapply. This will require an employee to medically qualify for this coverage with the Insurer.

Sick Bank entitlements will be prorated for employees on a leave of absence of thirty (30) days or longer.

### **Vacation**

Employees on a leave of absence for thirty (30) days or longer shall not accrue paid vacation while off on such a leave. Vacation entitlement will be prorated based on the Employee's return date.

### **OMERS Pension**

For the purposes of OMERS, any leave of absence is considered a break in service. If an employee wishes to maintain pension service credits during their Leave of absence, they must pay the employee and employer portion for the duration of the Leave. Employees should contact Human Resources for additional information on purchasing pension service credits.

### **Canada Pension Plan and Employment Insurance**

An Employee on a Personal Unpaid Leave of Absence does not contribute to the Canada Pension Plan or Employment Insurance, and the leave period is not counted as insurable employment. If this is of concern to an employee, they should check the implications of their particular situation by contacting Service Canada- Employment Insurance Program.

### **Pay Increases During Leave**

An employee who is away from the workplace on a Personal Unpaid Leave of Absence for more than three (3) months within a calendar year is not entitled to any annual pay increase they normally would receive during that time.

### **Return of Town Property for Duration of Leave**

Employees who will be on a leave of absence for longer than seven (7) days a leave must leave all Town property (such as laptops, pagers, cell phones, etc.) with their direct supervisor at the end of their last scheduled workday before the Leave.

If an employee is unsure if the reason for their Leave is protected by legislation, they should contact Human Resources.

### **Exclusions**

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Temporary Full-Time, Temporary Part-Time, and Seasonal Employees are not eligible for a Personal Unpaid Leave of Absence.

### **References and Related Policies**

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[POL. COR.13.25 Personal Emergency and Sick Leave](#)

[POL. COR.17.05 Vacation](#)

[POL. COR.18.02 Bereavement Leave](#)

[POL. COR.18.06 Pregnancy and Parental Leave](#)

[POL.COR.23.03 Jury Duty and Attendance in Court](#)

### **Consequences of Non-Compliance**

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Breaches of this Policy will be dealt with through the Town's progressive discipline policy.

### **Review Cycle**

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