Diocese of Nova Scotia and Prince Edward Island

Policy 2.1.1: Leaves of Absence and Continuation of Benefits

(excluding Policy 2.1.22: Professional Development Leaves , Policy 2.1.16 Medical Leaves, and Policy 2.1.6 Family Leave)

---

1. PURPOSE

Clergy, Diocesan Office Staff (Lay and Clergy)

From time-to-time employees will be absent from the workforce. Some leaves of absence are protected under law, while other leaves are of a more personal nature and are subject to operational considerations.

2. SCOPE:

This policy applies to all employees of the Diocese of Nova Scotia and Prince Edward Island (the Diocese), including Diocesan Staff (Clergy and Lay) and Parish Stipendiary Clergy.

This policy does not apply to Lay staff in the Parishes nor Clergy staff in Parishes who are not part of the General Synod Pension Plan (GSPP) of the Anglican Church of Canada (ACC).

Parishes are advised to research and adhere to all Provincial standards for designated Leaves of Absence. The Payroll and Benefits Administrator is available for consultation.

3. POLICY:

From time-to-time employees will be absent from the workforce. There are both legislated leaves and personal leaves. Employees on an **appoved legislated and/or personal leave of absence** will continue to accrue length of service. Employees on approved legislated leaves will continue to have access to benefits. Employees on approved personal leaves of absence must use all paid time-off before taking any unpaid time off. Employees on any approved leave of absence will be specifically made aware of promotional opportunities for which they are eligible.

4. LEGISLATED LEAVES AND BENEFITS:

Under Section 58 of the *Nova Scotia Labour Standards Code* and under Section 23.3 of the *Prince Edward Island Labour Standards* the Diocese is bound to continue to offer Employees benefits for legislated leaves of absence. The more generous of the two provincial standards will be adhered to. These include but are not limited to:

- Pregnancy Leave and Parental Leave *(see HR Policy 2.1.6: Family Leave)*
- Bereavement Leave
- Jury Leave
- Compassionate Care Leave
- Reservists' Leave
- Leaves pursuant to the *Nova Scotia Emergency Management Act, Nova Scotia Health Protection Act,* and/or Canada *Federal Emergencies Act*
- Critically Ill Child Care Leave
- Critically Ill Adult Care Leave
- Crime-Related Child Death or Disappearance Leave
- Leave for Victims of Domestic Violence.

Should the Employee be on an approved legislated leave of absence the benefits will be cost-shared at the same percentage as at the time the employee was actively employed. (Note: any Employee on a legislated leave of absence will make arrangements, in advance, with the Payroll and Benefits Administrator for benefits payment.)

Employees will be apprised in writing when benefits payments fall 15 days in arrears, 30 days in arrears, and again at 45 days in arrears. Employee benefits will be terminated if an employee falls 50 days in arrears and the premiums are not fully up to date.

Employees on a legislated leave will provide no less than 7 calendar days notice of their intention to return to work.

5. PERSONAL LEAVES OF ABSENCE, BENEFITS AND PAID TIME-OFF:

Except legislated leaves, all other leaves are personal in nature. A **personal leave** is greater than 30 days; e.g. extended travel. A personal leave of absence is granted, or not, according to operational needs, the nature of the request, and guidelines of the GSPP of the ACC.

To be eligible for a personal leave of absence the following conditions must be met:

i. The Employee must have minimally one year of service with Diocese;
ii. The Employee must put the request in writing, to first the Bishop, and then the Parish as appropriate, no less than 90 days, or as appropriate to the position, before the anticipated commencement of the leave, clearly state the reason for the leave, the commencement date, and the expected date of return;
iii. Any Employee granted a personal leave of absence more than 30 days shall not be guaranteed to return to the position they vacated nor be guaranteed immediate employment upon their return, nor shall their position be protected, unless legally obligated otherwise;
iv. Employees granted a personal leave of absence in excess of 90 days must take all earned paid time off prior to the commencement of the leave;
v. An unpaid leave of absence will not be granted for sick time or to take other employment; and,
vi. Employees who are unable to return to work after the approved leave period must immediately notify the Executive Director or the Bishop, or be possibly terminated for failing to return from an approved leave of absence as scheduled.
vii. Any continuation of leave of absence is at the sole and unfettered discretion of the Diocese.

The Diocese may also continue to offer employees benefits for personal leaves of absence. Should the employee be on an approved personal leave of absence, the Employee will be responsible for 100% of the cost of the Group Benefits' premiums: both the Employee share and the Employer's share. Pension and LTD Benefits are discontinued for the duration of a personal leave. (Note: the Employee will arrange for payment with the Payroll and Benefits Administrator prior to starting leave.)

Employees will be apprised in writing when benefits payments fall 15 days in arrears, 30 days in arrears, and again at 45 days in arrears. Employee benefits will be terminated if an employee falls 50 days in arrears and the premiums are not fully up to date.

6. LENGTH OF SERVICE ACCRUALS WHILE ON A LEAVE OF ABSENCE:

Employees on a legislated leave of absence or an approved personal leave will continue to accrue their length of service.

7. PAID AND UNPAID TIME OFF ACCRUALS WHILE ON A LEAVE OF ABSENCE:

Employees on an approved leave will not accrue vacation pay during their leave period, but will continue to accrue vacation time off.

Employees on an approved leave of absence will not accrue any paid time off, e.g. paid Personal Days, during their leave period.

8. PROMOTIONAL OPPORTUNITIES WHILE ON A LEGISLATED LEAVE OF ABSENCE:

Employees on an approved leave of absence will be notified (e.g. Clergy Communiqué, NetNews, etc.) of any alternate employment opportunities for which they are qualified.

Employees who successfully compete for any new employment opportunity while on leave must make themselves available within a reasonable time, e.g. one (1) month, unless the Employer can accommodate another start time.

9. RESPONSIBILITIES:

Employees: Employees are to notify the Executive Director or Bishop, and Parish as appropriate, if they intend to take any legislated leave of absence or apply for any personal leave of absence. The employee is to provide no less than seven (7) calendar days' notice of their intent to return from any legislated leave of absence. The employee is bound to make benefit payment arrangements prior to starting the leave, as practicable.

Supervisor: The supervisor is to advise the Executive Director and Bishop of any Employee seeking a leave of absence or any change in or scheduling of an Employee's return to work date.

Bishop and Executive Director: The Bishop and Executive Director will make every effort to return an Employee on a personal leave of absence to their last position or a position of at least equal pay, similar duties, and similar schedule. The Executive Director is to ensure that all Employees leaving on any leave of absence have been advised of this policy, have made premium payment arrangements, as required, and in the case of a personal leave greater than 90 days, that the Employee has taken all paid time off available as of the leave date.

Finance Department: The Finance department shall advise employees in writing if their premiums become in arrears at 15, 30, and 45 days as well as provide the employee 5 days written notice of their intent to terminate an employee's benefits after 50 days.