

## EMPLOYEE LEAVES OF ABSENCE

### Background:

The Division recognizes an employee may require a leave of absence for personal or professional reasons. All leave of absence requests shall be considered on an individual basis with consideration to the circumstances of the leave, the impact on student learning, the impact on the school or department, and if a suitable replacement can be found.

### Definitions:

#### Leave from Division:

is a leave from Elk Island Public Schools (EIPS), not from a specified position, school, department or location.

#### Leave from School/Department:

is a leave of absence from a school or department, not necessarily from a particular position in that school or department.

### Procedures:

1. Procedures for leaves of absence are outlined in the [Teachers' Collective Agreement](#), [Classified Handbook](#) (Appendix 440-A), and [Handbook for Classified Leadership Group Personnel](#) (Appendix 457-A).
2. Leave requests shall be made in writing to a director of Human Resources prior to the leave.
3. Employees shall discuss any leave with their supervisor as far in advance as possible.
4. Employees shall not make any arrangements such as financial, travel or otherwise, prior to making the leave request and receiving approval.
5. All leaves of absence without pay within the same school year shall be from the school, department or the position. A personal leave may be granted from the school or department for an additional full school year—September to August—when combined with maternity, parental or adoption leave.
6. An employee returning from leave is subject to the conditions of [Administrative Procedure 417: Staff Reduction](#).
7. An employee returning to active service after a leave from the Division is required to monitor the jobs posted on the Division website [Careers](#) section and apply for positions suited to their training and experience.
8. Deferred Salary Leave Plan
  - 8.1. An employee must have five years of continuous service with the Division—full time or part time—to be eligible for a deferred salary leave.
  - 8.2. To enrol in the Deferred Salary Leave Plan (DSLPL), an eligible employee shall complete the [Deferred Salary Leave Plan \(DSLPL\) Application](#) (Form 407-2) and submit it to the Associate Superintendent of Human Resources three months prior to the anticipated commencement of the plan, stating the date when the

employee wishes to begin participation in the plan and the school year the leave of absence is to be taken.

- 8.3. Other conditions of the Deferred Salary Leave Plan are outlined in the DSLP contract upon approval.

#### 9. Long-Term Disability Leave

- 9.1. A long-term disability leave for an employee for two years or less shall be from a position in the school or department.
- 9.2. A long-term disability leave for an employee that extends beyond two years may be from the Division.

#### 10. Maternity, Parental and Adoption Leave

- 10.1. An employee shall be identified as being on a leave of absence for combined maternity, parental or adoption leave without salary or benefits, from the school or department for a period of not more than 78 weeks.

#### 11. Personal Leave

- 11.1. The maximum length for a personal leave of absence for a continuous contract certificated employee is one year. An extension to a maximum of one additional year may be granted. The maximum length of accumulated time of personal leaves while employed with the Division is two years. Exceptional circumstances may be considered by a director of Human Resources. The maximum length for a personal leave of absence for a permanent classified employee, after two years of service, is three months. An extension to a maximum of three months may be granted. Exceptional circumstances may be considered by a director of Human Resources.
- 11.2. A certificated employee on a personal leave of absence shall advise a director of Human Resources in writing by March 1 regarding their plans for the next school year. In the event a director of Human Resources is not notified by this date, the employee may be considered to have abandoned their contract.
- 11.3. A classified employee shall be advised in writing of the date they must notify a director of Human Resources of their plans for the next school year.
- 11.4. A personal leave of absence shall not be granted beyond the term of the contract of employment for an employee on a probationary contract or term-definite assignment.
- 11.5. An employee may continue benefits by paying associated costs during a personal leave. All arrangements shall be made through a director of Human Resources.
- 11.6. A certificated employee shall not sign a contract with any other school authority while on personal leave. If an employee is offered a contract with any other school authority, they shall submit their resignation from the Division contract before starting the term of the new contract. Any exception shall be pre-approved by the Associate Superintendent of Human Resources.
- 11.7. A certificated employee may provide substitute service to another school authority while on personal leave.
- 11.8. A personal leave shall not be granted for a classified employee going to another job or working for another organization. Any exception shall be pre-approved by the Associate Superintendent of Human Resources.

#### 12. Political Office – School Board, Municipal, Provincial and Federal

- 12.1. A person is not eligible to be nominated as a candidate for election as a school trustee if on nomination day the person is employed by a school district or division unless the person is on a leave of absence granted under the *Local Authorities Election Act*. A leave of absence for this purpose shall be granted by the Associate Superintendent of Human Resources.
  - 12.2. During the leave of absence, the employee is subject to the same conditions that apply to taking leave without pay.
  - 12.3. If the candidate is not elected, the individual may return to the same employment.
  - 12.4. If elected, the individual shall be deemed to have resigned the day the employee takes the official oath of office as an elected official.
13. Secondment or Exchange
- 13.1. A secondment or exchange shall provide for professional growth for the employee and shall be of mutual benefit to the Division, the employee and the authority requesting the secondment or exchange.
  - 13.2. A request for secondment or exchange shall be made to the Associate Superintendent of Human Resources.
  - 13.3. Decisions regarding a secondment or exchange shall be made in consultation with the employee's supervisor and the Associate Superintendent of Human Resources. Secondments must be approved by the Superintendent.
  - 13.4. The secondment or exchange agreement and the conditions under what will be administered shall be outlined in writing and signed by all parties.
  - 13.5. Administration costs may be levied to the authority requesting the secondment.
  - 13.6. A secondment or exchange shall be from the Division. Where an administrator is seconded to Alberta Education or any other educational organization and the administrative designation ends, the administrator shall receive a salary based on the returning position.
  - 13.7. The employee shall be returned to an appropriate position unless otherwise specified in the secondment or exchange agreement.

**Reference:**

Section 52, 53, 68, 196, 197, 204, 222, 225 *Education Act*  
*Employment Standards Act*  
*Labour Relations Act*  
*Local Authorities Election Act*  
*Canada Tax Act*, Section 248L  
Canada Income Tax Regulation 6801  
Collective Agreement