

Personal Emergency Leave Policy

Revised: November 14, 2008

Effective date: January 1, 2009

Supersedes: Sick/Personal Leave Policy updated July 2008

Scope/Purpose:

The Company provides **time off with pay** each calendar year in order to provide financial support to employees as a result of absence due to illness, injury and certain other emergencies and urgent matters.

Eligibility:

All employees are eligible for paid Personal Emergency Leave. Individuals providing services under a contractor agreement are not eligible.

Time Period and Eligibility for Paid/Unpaid Leave:

Commencing January 1st, 2009 and with each calendar year commencing January 1st thereafter, all employees hired prior to January 1st, 2009 may be eligible for **up to 10 paid personal emergency leave** days in that calendar year to be used toward absences defined under this policy.

Employees hired after January 1st, 2009 and commencing January 1st of each calendar year thereafter will be eligible for **up to 10 personal emergency leave days off, of which a maximum of 5 days will be paid. Both paid and unpaid days** are only to be used towards absences defined under this policy.

Although all new employees may be entitled to **up to 10** personal emergency leave days off under this policy, any days taken by employees during their probationary period (the first three months of employment) will be unpaid

Policy Provisions:

An employee who is eligible for personal emergency leave can take up to 10 days leave of absence due to:

- Personal illness, injury or medical emergency,

Or

- Death, illness, injury, medical emergency or urgent matter relating to the following family members:
 - A spouse*;
 - A parent, step-parent, foster parent, child, step-child, grandparent, step- grandparent, grandchild or step-grandchild of the employee or the employee's spouse;
 - The spouse of an employee's child;
 - A brother or sister of the employee;
 - A relative of the employee who is dependent on the employee for care or assistance.

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* Note: “spouse” includes both married and unmarried common-law couples, of the same sex or the opposite sex. “Common-law couple” means two people who have been living together in a conjugal relationship for at least one year.

Definition – Illness, Injury or Medical Emergency

All illnesses, injuries and medical emergencies of the employee or of the specified family member, as listed above, will qualify an employee for personal emergency leave, regardless of the circumstances that may have caused the illness/injury or medical emergency.

Employees will be eligible to take personal emergency leave for pre-planned (elective) surgery. Although such surgery is scheduled ahead of time (and therefore not a medical “emergency”), surgeries performed because of an illness or injury will entitle an employee to personal emergency leave. Employees are not entitled to take personal emergency leave for medically unnecessary medical treatments and/or procedures unrelated to an illness or injury (i.e. cosmetic surgery). “Medically necessary treatments and/or procedures” are defined as treatments and procedures by or consultations with a medical professional for diagnosis or treatment of medical conditions. This can include follow-ups prescribed/ordered by the employee’s medical professional (i.e. follow-ups during pregnancy).

Routine dental / medical appointments, including but not limited to annual check ups and tooth cleanings etc. shall be scheduled outside business hours. Where this is not possible, and such appointments are booked during scheduled work hours, any personal emergency leave used for this purpose will be eligible for payment under this policy.

Definition – Urgent matter

An “urgent matter” is defined as an event that is unplanned or out of the employee’s control and raises the possibility of serious negative consequences, including emotional harm, if not responded to immediately.

Examples of an ‘urgent matter’:

- An employee’s babysitter calls in sick
- The house of the employee’s elderly parent is broken into, and the parent is very upset and needs the employee’s help to deal with the situation.

Examples of events that do not qualify as an urgent matter:

- An employee wants to leave work early to watch his/her child’s track meet
- An employee wants to take a day off to attend a social event of a family member
- An employee wants to take a day off to obtain their passport/citizenship documentation

Other Important Provisions:

There is no pro-rating of the 10-day entitlement.

Employees cannot carry over unused personal emergency leave days to the next calendar year. No monetary compensation shall be paid for any unused personal emergency leave days.

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Employees may take a personal emergency leave in part days, full days, or in periods of more than one day.

Employees may take Personal Emergency Leave under this policy in ½ day and full day increments. Absences of up to 3.5 hours will be deducted as one half-day increment. Absences of 3.5 hours or more will be deducted in full day increments.

For example, if an employee takes a leave of 2 days and 2 hours, the employee will have used 2.5 emergency leave days and will be paid, if eligible, for 2.5 days. **Note that employees may not take a full day of emergency leave where a part day of leave would suffice to attend to the reason for the leave. Further, employees' pay for any part day of leave, if eligible, will be comprised of both emergency leave pay for the time spent on leave and regular pay for the time spent back at work. The total of emergency leave pay plus regular pay for one calendar day shall not exceed one full day's pay.**

Employees who have exhausted their entitlements to Personal Emergency Leave under this policy **and** are absent due to personal illness/ injury may be eligible for Sick Leave benefits. Employees must contact Human Resources for further details. See also, the Sick Leave Policy.

Employees who have exhausted their entitlements to Personal Emergency Leave under this policy and are absent due to death, illness, injury, medical emergency or other urgent matter pertaining to family members may be eligible for an **unpaid** leave of absence from the Company. Employees must contact Human Resources for further details. See, also the Family Medical Leave Policy.

Reporting and Documentation Requirements

Employees must report absences by phone and/or email to their respective manager and to Human Resources by 9am prior to the commencement of their shift in order to arrange appropriate coverage. Where individuals must leave early from their work site due to illness/injury or other emergencies outlined in this policy, they must advise their respective manager and/or Human Resources before leaving the site.

Where the nature of an emergency prevents employees from reporting their absence in advance, they must report their absence as soon as possible. Where an emergency situation must be extended longer than initially reported, employees must report the need for the extension by 9am prior to the commencement of the first shift they were originally scheduled to work. Employees must also complete the appropriate Sick Leave document before their absence or as soon as possible afterward.

The Company reserves the right to request evidence satisfactory to the Company to support absences. Medical Certificates are required for personal medical absences of three consecutive days or more. Any costs incurred in obtaining medical documentation will be the employee's responsibility.

Failure to properly report absences and/or failure to provide Medical Certificates or supporting evidence as and when requested may result in an absence being considered unauthorized and unpaid.

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Employees whose absences are considered unauthorized may be subject to discipline up to and including dismissal.

Reporting Requirements**Employee Responsibilities:**

In case of absence due to illness or injury, the employee must:

- When unable to report to work because of illness or injury, notify their immediate supervisor/manager and Human Resources by 9am prior to the start of their shift or as soon as possible.
- Whenever possible, inform the immediate supervisor of the expected length of absence.
- Notify the immediate supervisor at least four (4) weeks in advance of a pre-planned absence, as in the case of surgery.
- Maintain regular contact with the immediate supervisor and/or the Company.
- Assist and actively participate in the Company's efforts to accommodate the employee's medical restrictions, if medically necessary. This duty includes an obligation to provide the Company with sufficient information about the employee's medical restrictions from his or her medical professional to facilitate such accommodations.
- Keep the immediate supervisor/manager updated as to the anticipated return to work date as it may take some time to prepare for the return and/or possible accommodation.

Immediate Supervisor and/or Manager Responsibilities:

Immediate supervisors and/or managers will:

- Keep a record of all employee absences including sick, vacation, and personal leaves.
- Report absences to Human Resources in a timely manner.
- Report any extensions or early returns to Human Resources.
- Maintain regular contact with the employee.
- Maintain confidentiality of medical/personal information.
- Work with the employee, physician, and Human Resources to make arrangements for accommodations and an early and safe return to work.

Human Resources Responsibilities:

Human Resources will:

- Upon notification of an absence from the Immediate Supervisor/Manager and/or employee, coordinate appropriate documentation to facilitate personal emergency leave payment programs.
- Maintain confidentiality of medical/personal information.
- Provide consistency in policy/procedure in administering claims.

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- Provide advice/support to the employee as needed.

Returning to Work:

An employee who has been absent from work as a result of a disabling injury or illness of more than 3 days absence must submit a medical certificate to the immediate supervisor/manager and/or Human Resources, confirming that the employee is medically fit to resume work. This medical certification must be received prior to the employee's return to work.

The Company supports a proactive and collaborative return to work program. The employee, the Medical practitioner, and the Company have a responsibility to work cooperatively to ensure an early and safe return to work.

For more details on the Company's return to work and accommodation programs, speak to Human Resources and see the Sick Leave policy.