



PROTECTED LEAVES

[Organization Name] is committed to adhering to the guidelines established by the Saskatchewan Employment Act regarding job-protected leaves of absence.

Leaves of Absence

1. Maternity,
2. Adoption,
3. Parental,
4. Bereavement,
5. Crime-related child death or disappearance,
6. Reserve force,
7. Nomination/election and candidate/public office,
8. Citizenship ceremony,
9. Organ donation,
10. Critically ill child care,
11. Critically ill adult care,
12. Compassionate care;
13. Interpersonal violence leave;
14. Public health emergency leave; and
15. Voting Leave

Note: An employee who takes a leave of absence may be eligible for Employment Insurance.

Medical Certificates

If an employment leave involves a medical issue, [Organization Name] has the right to request a medical certificate from a duly qualified medical practitioner stating the reason for the leave or the extension of the leave.

Employees on public health emergency leave are exempt from providing a medical certificate.

Vacation Benefits

Length of Service and Rights of Recall

While on an employment leave or a combination of employment leaves for a total of 78 weeks, an employee continues to accrue seniority, vacation, service, and recall rights.

Vacation Entitlements

An employee on leave continues to accrue vacation seniority up to 78 weeks. When an employee returns from leave, they receive the same vacation entitlements as if the leave had not been taken. Because vacation pay is calculated as a percentage of earnings from the previous year, it may be lower.



Participation in Benefit Plans While on Leave

An organization that provides employee benefit plans must offer to continue providing those benefits to an employee who is on leave, or a combination of leaves. To keep their benefits, the employee may be required to pay all premiums.

Medical, dental, disability, or life insurance, accidental death or dismemberment, a registered retirement savings plan, and other pension plans are all benefit plans that an employee can continue to participate in while on leave.

Returning from Leave

An employee returning from a leave of fewer than 60 days must be re-employed in the same position they held prior to the leave. When an employee returns from a leave of more than 60 days, they can be reinstated in a comparable job with no loss of pay or benefits.

Discriminatory Action

The Saskatchewan Employment Act, Section 2-8, prohibits discrimination against an employee because the employee:

- is pregnant or is temporarily disabled because of pregnancy;
- has applied for or taken an employment leave or is otherwise absent from the workplace as allowed by the legislation; or
- has requested a modification of the employee's duties or a reassignment to other duties because of a disability, including a temporary disability due to pregnancy.

1. Maternity Leave

A pregnant employee is eligible for 19 weeks of maternity leave. An employee whose pregnancy terminates up to 13 weeks before the estimated date of birth due to a miscarriage or stillbirth is eligible for 19 weeks of leave. An employee must give four weeks' written notice before the leave begins. The employee must attach a medical certificate that states the estimated date of birth. The notice should also provide the estimated date of return to work.

Accommodating a Pregnant Employee

- If pregnancy interferes with an employee's ability to perform their job, [Organization Name] may change the employee's job or reassign the employee.
 - If this is the case, an employee's wages and benefits will not be reduced.
- If accommodation is not possible, the employee may be required to begin maternity leave up to 13 weeks before the expected date of birth.

Beginning Leave Early Due to Illness



- A pregnant employee who can provide a medical certificate stating that they need to stop working for medical reasons may leave immediately.
- The employee is not required to begin maternity leave at this time and may postpone the start of the 19-week maternity leave until the expected date of birth.

Starting Maternity Leave

- Maternity leave can begin at any time during the 13 weeks preceding the estimated due date of birth and/or no later than the due date of birth.
- The 19-week maternity leave is reduced to 15 weeks if the employee does not provide [Organization Name] with at least four weeks' written notice before beginning leave.
- The 15-week leave can begin at any time during the nine weeks preceding the estimated due date.

If Birth is Delayed

If the employee's actual date of birth is later than the estimated date of birth, they are entitled to at least six weeks' leave following the actual date of birth.

Extending Maternity Leave for Medical Reasons

- If there is a medical reason for not returning to work, maternity leave can be extended by six weeks (for a total of 25 weeks). This extension requires a medical certificate.
- [Organization Name] and employees can reach an agreement on a longer leave period. Such agreements should be in writing to avoid misunderstandings.

2. Adoption Leave

The primary caregiver of an adopted child is eligible for 19 weeks of adoption leave. Adoption leave is only available to the primary caregiver of an adopted child. The adopting family decides who will be the primary caregiver.

The employee's written notice four weeks before the start date of leave should include the date the child is expected to enter the employee's care. If this date is unknown and [Organization Name] requests it, the notice should include any notice given by Social Services, the adoption agency, or the birth parent.

Adoption leave begins on the day the child becomes available for adoption or the employee takes custody of the child.

3. Parental Leave

Parental leave, in addition to maternity and adoption leave, can be taken concurrently or separately from maternity or adoption leave.



Parental leave of 59 weeks is available to parents who have taken maternity or adoption leave. Parents who did not take maternity or adoption leave are eligible for up to 71 weeks of paid leave. The parent taking parental leave must have worked for [Organization Name] for at least 13 weeks.

If an employee is on maternity or adoption leave and wishes to take parental leave, a written notice must be submitted at least four weeks before the employee is scheduled to return to work. The notice should include the new estimated date of return to work. The parental leave notice can be combined with the notice of maternity or adoption leave.

Starting Leave

When a parent takes both maternity and adoption leave, the parental leave must be taken concurrently with the maternity or adoption leave.

If one parent takes both maternity or adoption leave and parental leave, the parental leave must be taken between 13 weeks before the estimated date of birth and 78 weeks after the actual date of birth or the date the child is placed in the employee's care.

If the parent taking parental leave is not the same parent who took maternity or adoption leave, parental leave must be taken between 13 weeks before the estimated date of birth and 86 weeks after the actual date of birth or the date the child is placed in the employee's care.

4. Bereavement Leave

When a member of an employee's immediate family dies, an employee who has worked for the company for more than 13 weeks is entitled to unpaid bereavement leave. Bereavement leave can last up to five days. It must be taken between one week before and one week after the funeral.

5. Crime-Related Child Death or Disappearance

Crime-related child death and disappearance leaves can last for up to 104 weeks. An employee with more than 13 weeks of employment with [Organization Name] is eligible for this leave if their child has gone missing or died as a result of a crime-related incident. The employee must also give [Organization Name] notice as soon as possible before the leave begins.

6. Reserve Force

Reserve force service leave is a job-protected, unpaid leave for the required period of service.

Employees with more than 13 weeks of continuous service with the [Organization Name] who are military reservists and are deployed to an international operation or a Canadian operation that is or will be providing assistance in dealing with an emergency or its aftermath, training, and regular deployment are eligible for reserve force service leave.

If the leave is for less than 60 days, the employee is entitled to return to the same job. If the employee is absent for more than 60 days, he or she may be reinstated to a comparable job. The employee must be paid and receive the same benefits as before the leave.



Regular Deployment

The [Organization Name] employee must be given written notice at least four weeks before the start of the leave. The notice should specify when the employee's leave will begin and when he or she expects to return to work.

[Organization Name] may require the employee to provide confirmation of reserve force status and expected period of service from a reserve force official.

Emergency Deployment

If giving four weeks' written notice is not possible due to the nature of the leave, an employee must give notice as soon as possible. The employee must also notify [Organization Name] of his or her anticipated period of service as soon as possible.

7. Nomination/Election and Candidate/Public Office

Nomination/election and candidate/public office leaves are unpaid and job-protected for the number of days required. This leave is applicable to nominations, elections, and offices for municipal, provincial, federal, school board, and band council.

To be eligible for this leave, an employee must have worked for the company for at least 13 weeks in a row. [Organization Name] must be given written notice at least four weeks before the start of the leave. The employee must also notify [Organization Name] of their return date four weeks in advance.

If the leave is for less than 60 days, the employee is entitled to return to the same job. If the employee is absent for more than 60 days, they may be reinstated to a comparable job. The employee must be paid and receive the same benefits as before the leave.

8. Citizenship Ceremony

Employees who have worked for [Organization Name] for more than 13 weeks in a row and are new Canadian citizens are entitled to one day of unpaid Citizenship Ceremony Leave. Employees must give their [Organization Name] as much notice as possible before leaving.

9. Organ Donation

Unpaid, job-protected leave of up to 26 weeks for the purpose of undergoing surgery to donate all or part of an organ entitles an employee to an organ donation leave.

To be eligible for this leave, an employee must have worked for the company for at least 13 weeks. Four weeks before the start of the leave, [Organization Name] must be given written notice. The employee must also notify [Organization Name] of their return date as soon as possible. With the notice, [Organization Name] may request a medical certificate.



If the leave is for less than 60 days, the employee is entitled to return to the same job. If the employee is absent for more than 60 days, they may be reinstated to a comparable job. The employee must be paid and receive the same benefits as before the leave.

10. Critically Ill Child Care

Critically Ill Child Care Leave is a job-protected, unpaid leave of up to 37 weeks. This leave can be taken in a single block of time or in multiple blocks of time over a 52-week period, as long as no block is less than one week in length.

This leave is available to parents who need to care for or support a critically ill or injured child. Employees who take this leave may be eligible for Employment Insurance Special Benefits for Parents of Critically Ill Children. Visit a Service Canada location or call 1-800-206-7218 toll-free.

To be eligible for this leave, an employee must have worked for the company for at least 13 weeks in a row. [Organization Name] must be given written notice as soon as possible before the leave begins. The employee must also notify [Organization Name] of their return date as soon as possible.

If the leave is for less than 60 days, the employee is entitled to return to the same job. If the employee is absent for more than 60 days, they may be reinstated to a comparable job. The employee must be paid and receive the same benefits as before the leave.

11. Critically Ill Adult Care

Critically ill adult leave is an unpaid, job-protected leave of up to 17 weeks to care for a critically ill or injured adult family member.

To be eligible for this leave, an employee must have worked for the company for at least 13 weeks. [Organization Name] must be given written notice as soon as possible before the leave begins. The employee must also notify [Organization Name] of their return date as soon as possible.

A medical certificate from a qualified medical practitioner can be requested by [Organization Name]. The medical certificate must attest to the fact that the family member is ill and requires their assistance.

If the leave is for less than 60 days, the employee is entitled to return to the same job. If the employee is absent for more than 60 days, they may be reinstated to a comparable job. The employee must be paid and receive the same benefits as before the leave.

12. Compassionate Care

Compassionate Care leave is a job-protected, unpaid leave of up to 28 weeks. This can be done in single or multiple blocks of time over a 52-week period, as long as no block is less than one week long. The leave is intended to give employees the opportunity to care for and support a family member who is gravely ill and faces death within the next 26 weeks.



Compassionate care benefits are available for a wide range of family members, including your own and those of your spouse or common-law partner.

Note: A common-law partner is someone who has been in a conjugal relationship with someone else for at least a year.

To be eligible for this leave, an employee must have worked for the company for at least 13 weeks in a row. [Organization Name] must be given written notice as soon as possible before the leave begins. At the request of [Organization Name], the employee must provide a doctor's note. The employee must notify [Organization Name] as soon as possible of their intended return to work date.

If the employee's leave is less than 60 days, they can return to the same job. If the employee is absent for more than 60 days, [Organization Name] may rehire them in a comparable position. The employee must be paid at least the same rate and receive the same benefits as before the leave.

Family Members

- Children
- Wife, husband, common-law partner
- Father, mother
- Father's wife, mother's husband
- Common-law partner of the father or the mother
- Brothers, sisters, stepbrothers, stepsisters
- Grandparents, step-grandparents
- Grandchildren, their spouses or common-law partners
- Sons-in-law, daughters-in-law (married or common law)
- Father-in-law, mother-in-law (married or common law)
- Brothers-in-law, sisters-in-law (married or common law)
- Uncles, aunts, their spouses or common-law partners
- Nephews, nieces, their spouses or common-law partners
- Current or former foster parents
- Current or former foster children, their spouses or common-law partners
- Current or former wards
- Current or former guardians, their spouses or common-law partners

Family Members of Employee's Spouse or Common-law Partner

- Children
- Father, mother (married or common law)
- Father's wife, mother's husband
- Common-law partner of the father or the mother of your spouse or common-law partner
- Brothers, sisters, stepbrothers, stepsisters
- Grandparents
- Grandchildren
- Sons-in-law, daughters-in-law (married or common law)
- Uncles, aunts
- Nephews, nieces

- Current or former foster parents
- Current or former wards

13. Interpersonal Violence Leave

Interpersonal violence leave is a job-protected leave of up to ten days over a 52-week period for survivors of interpersonal or sexual violence to access support services or relocate to a new home. The ten days of leave can be divided into five [Organization Name]-paid days and five unpaid days. The leave can be divided into days or hours as needed. Only time spent away from work is considered to leave.

Eligibility applies to an employee who is a victim of interpersonal or sexual violence, a parent of a victimized child, or a caregiver of a victim of interpersonal or sexual violence, and the employee requires time off work to:

- seek medical attention for a victim with respect to a physical or psychological injury or disability caused by interpersonal or sexual violence;
- obtain services from a victim services organization;
- obtain psychological or other professional counselling;
- relocate temporarily or permanently; or
- seek legal or law enforcement assistance, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from interpersonal or sexual violence.

Employees must have worked for [Organization Name] for a minimum of 13 weeks and must provide proof of services received if [Organization Name] requests it. This could be in the form of written confirmation from:

- a social worker;
- a member of the College of Psychologists;
- a duly qualified medical practitioner;
- a practicing member of the Saskatchewan Registered Nurses Association or the Registered Psychiatric Nurses Association of Saskatchewan;
- a member of the Royal Canadian Mounted Police or another police service; or
- another person approved by [Organization Name] who is employed by an agency or organization that provides emergency or transitional shelter or support for victims of interpersonal violence.

[Organization Name] will keep all personal information about employees who take leave confidential.

14. Public Health Emergency Leave

Public Health Emergency Leave is intended to help employees protect their jobs when they have been ordered to be isolated by:



- [Organization Name];
- the government;
- their doctor; or
- the chief medical health officer of the province.

Employees who are required to isolate themselves or care for their child or adult family as a result of a Government of Saskatchewan order or direction or a Chief Medical Health Officer order are eligible.

Employees will be entitled to leave for the period of time specified by [Organization Name], the government, their doctor, or the chief medical health officer.

The Public Health Emergency Leave is unpaid. Employees, on the other hand, are entitled to be paid their regular wages if [Organization Name] authorizes them to work from home during the time period specified by the chief medical health officer or the government.

Employees are not required to work for [Organization Name] for a set period of time or to provide a medical note to be eligible for this leave.

While no notice to [Organization Name] is required to take Public Health Emergency Leave, employees are encouraged to communicate with [Organization Name] about their absence on a regular basis.

The duration of a Public Health Emergency Leave will be determined by the order and may vary depending on the circumstances. The protected leave is in effect for the duration of the public health order.

Employees who provide critical public health and safety services are not eligible for Public Health Emergency Leave, but they may be if a doctor, the Government of Saskatchewan, or the Chief Medical Health Officer directs them to isolate.

15. Voting Leave

Eligible employees are entitled to take three (3) hours off to vote during work hours during federal and provincial elections. The leave will be applicable where an employee's hours of work prevent them from having three consecutive hours to vote. The hours will be paid. Note that voting is open for 12 hours.