

STATEMENT of POLICY and PROCEDURE			
Chapter:	Human Resources	SPP No.	<b>HR 4.07.ON</b>
Section:	Benefits	Issued:	Nov. 25, 2019
Subject:	<b>BEREAVEMENT LEAVE and CHILD DEATH LEAVE</b>	Effective:	Jan. 1, 2020
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Issued by:	Community Resource Centre	Issued:	Feb 2017

## 1 POLICY

### 1.01 Bereavement Leave

- (a) In the event of a death of a member of an employee's family or significant person, other than a child under the age of 18, an employee who has at least two consecutive weeks of employment with the employer, is entitled to, and will be granted a bereavement leave for the purpose of arranging and/or attending the funeral.

### 1.02 Child Death Leave

- (a) In the event of the death of an employee's child, who is under the age of 18, and subject to paragraph 7.02 an employee with at least six (6) months of continuous employment with the **Community Resource Centre** is entitled to child death leave, to a maximum of one hundred and four (104) weeks.
- (b) Paragraph 1.02(a) does not apply when the employee has been charged with a crime in relation to the death of the child, or it is probable, considering the circumstances, that the child was a party to the crime in relation to their death.

## 2 PURPOSE

- 2.01 The purpose of this Statement of Policy and Procedure is to establish an employee's entitlement to a bereavement leave or child death leave in the event of a death of a member of the employee's family, child or other relative in accordance with provincial law.

## 3 SCOPE

- 3.01 This Statement of Policy and Procedure applies to all employees.

## 4 RESPONSIBILITY

- 4.01 Employees are responsible for notifying their immediate managers of their need for a bereavement leave or child death leave as soon as possible.
- 4.02 The **Supervisor** is responsible for advising Payroll of the name of any employee who takes a bereavement leave or child death leave and for ensuring the payroll record properly reflects the employee's pay entitlement.

## 5 DEFINITIONS

- 5.01 "**Child**" for the purposes of child death leave is defined as a child, step-child, foster child or

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child under legal guardianship of the employee and who is under the age of 18.

5.02 “Spouse” means,

- (a) a spouse as defined in section 1 of the *Family Law Act*, or
- (b) either of two persons who live together in a conjugal relationship outside marriage.

5.03 “Working day” means a day on which the employee is regularly scheduled to work.

## 6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

*Employment Standards Act, 2000* and Regulation (Ontario)

SPP HR 4.04.ON — Personal Leave of Absence

## 7 PROCEDURE

- 7.01
- (i) Employees who wish to take a bereavement leave under paragraph 1.01 will provide written notice to their immediate supervisor as soon as practicable after learning of a death that qualifies for this type of leave. The notice of leave will be filed in the employee’s Personnel file and a copy will be provided to Payroll.
  - (ii) Leave period for bereavement taken under this policy is included in any calculation of an employee’s length of employment. The period of the leave is not included when determining whether the employee has completed any probationary period.
- 7.02
- (i) Employees who wish to take a child death leave under paragraph 1.02 shall advise their immediate supervisor in writing and will provide a written plan that indicates the weeks in which the employee will take the leave. If an employee must begin the leave before advising their immediate supervisor, such notice and plan must be provided as soon as possible. The notice of leave will be filed in the employee’s Personnel file and a copy will be provided to Payroll. If necessary, and on behalf of the employee, the immediate supervisor may complete the Request for Leave form.
  - (ii) Child death leave may only be taken in the one hundred and five (105) weeks that begins in the week that the child dies.
  - (iii) The total amount of child death leave that may be taken by one or more employees in respect of a death, or deaths resulting from the same event is 104 weeks.
  - (iv) Changes to the written leave plan may be made if the changes are consistent with this policy and the employee requests permission to do so in writing from the **Community Resource Centre**, and the **Community Resource Centre** grants such permission in writing, or the employee provides at least four (4) weeks’ written notice of such change.
  - (v) Leave period for child death leave taken under this policy are included in any calculation of an employee’s length of employment. The period of the leave is not included when

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determining whether the employee has completed any probationary period.

- 7.03 On expiry of a bereavement leave or child death leave under this policy, an employee who returns to work will be reinstated in the position occupied by that employee at the commencement of the leave, or if that position is not available, in a comparable position. The employee will receive a pay rate that is equal to the greater of the rate the employee most recently earned and the rate the employee would be earning had they worked throughout the leave.
- 7.04 During a bereavement or a child death leave, an employee who is eligible to participate in life insurance plans, accidental death plans, extended health plans, and/or dental plans, may continue to participate in those plans, unless the employee elects in writing not to do so or the employee provides written notice that they do not intend to pay the required contributions, if any, to the plan(s). If employee contributions are required, the employee is responsible for paying those contributions unless, prior to taking leave or within two (2) weeks thereafter, the employee notifies the **Community Resource Centre** in writing of their intention to discontinue contributions during the leave period. Benefits do not accrue during the leave if required employee contributions are not paid. An employee wishing to continue benefits during the leave will be required to provide either post-dated cheques or make other suitable arrangements regarding payment of the employee's portion of premiums for benefit coverage.
- 7.05 Any bereavement and child death leave are in addition to any other type of leave that may be available to the employee.
- 7.06 **Community Resource Centre** reserves the right to require an employee to provide evidence, such as a photocopy of the death certificate, obituary, burial certificate or other confirmation, of the need for bereavement leave or child death leave.
- 7.07 On expiry of bereavement or child death leave, an employee who returns to work must be reinstated in the position occupied by that employee at the commencement of the leave, or if that position is not available, in a comparable position. The employee will receive a pay rate that is equal to the greater of:
- (a) the rate the employee most recently earned; and
  - (b) the rate the employee would be earning had they worked throughout the leave