

Kootenay Coop Radio Policy

Leave of Absence

1.0 Introduction

This policy describes when and why the Board of Directors, or the Administrative Manager of KCR, might grant a Leave of Absence to paid employees. It clarifies the responsibilities of the board and all staff from the time when a leave is granted until it is over and the employee has been successfully re-integrated into his/her job.

Other leaves, including those mandated by provincial employment standards -such as maternity/paternity leave, vacation, sick leave, and compassionate leave - are discussed elsewhere, under the Employment Standards policy.

1.1 Related Policies or Statutes

BC Employment Standards, the Co-op Act; KCR Rules, all KCR policies on hiring, conditions of work, sick benefits, and job evaluations.

1.2 Definitions

Short leaves of absence- 4 day- 8 week leaves of absence

Long leaves of absence- more than 8 week leaves of absence.

Unpaid days off—no more than three consecutive days of absence.

Temporary Workers- Those hired by the Co-op to work in lieu of the regular employee, for the duration of the Leave of Absence.

1.3 Affected Parties

All employees of KCR, including those workers independently contracted under Co-op management.

This policy applies equally to full time employees, who work a minimum of 32 hours a week, and to part-time employees who work fewer hours.

All members of the Personnel (and Hiring) Committee, and all Board Members, need to be familiar with this Policy and its application.

The onus is on the Board and Personnel Committee to ensure that employees are familiar with this policy.

2.0 Basic Principles

Leaves of absence are unpaid.

All agreements regarding leaves of absence and associated job security should be achieved through consensus decision-making.

A leave of absence is not an entitlement nor is it guaranteed by any precedent of a similarly requested leave.

Acceptable reasons for these leaves include educational opportunities that might enhance the employee's skill set for his/her position at KCR and other opportunities that the Coop wishes to allow her/him to take advantage of. The Board of Directors, or the Administrative Manager (depending on the situation), may decide not to grant a leave of absence if the associated strain on the station is predicted to exceed the apparent benefits to same.

It is understood that meetings regarding Personnel issues may occasionally require the employee to be absent (i.e. *In Camera* Meetings). Every effort shall be made, however, to accommodate an employee's request for a meeting.

3.0 Specifications

3.0.1 Who Qualifies for a Leave of Absence?

A Type 2 employee, before qualifying for a leave of absence, must

- have passed her/his 6 month probationary period and, preferably (and *exclusively* in the case of a request for a long leave of absence) , have been employed at KCR for a full year;
- make a request, in writing, to the board of directors not less than 60 days before a short leave would begin and not less than 90 days before a long leave would begin.

A Type 1 employee (on a time-limited contract) may qualify for short leaves of absence only. In these cases the employee must first

- have passed the probationary period stipulated in her/his letter of agreement;
- make a request, in writing, to the Administrative Manager, not less than 30 days before the short leave would begin.

3.0.2 Who Administers a Leave of Absence?

A request for leave of absence from a Type 2 employee goes to the Board of Directors for preliminary approval or rejection. Following board approval of a request, subsequent leave of absence procedure is administered by the Personnel Committee. The Personnel Committee will update the board regularly on the process.

The Administrative Manager oversees all aspects of leaves of absence for Type 1 employees.

4.0 Job Security

An employee on leave of absence is entitled to job security. This means that he or she, upon signing a "Conditions of Leave Agreement," is guaranteed the same or an equivalent job, at the same rate of pay, when she/he returns from the leave. This agreement is drawn up, between the employer and the employee, before the leave begins and will set out the meaning of "equivalent job" as clearly as possible.

The conditions to which the employee returns are subject to change only by mutual agreement between the employee and the employer, with all changes put in writing and signed by both parties in a face-to-face meeting.

5.0 Temporary Staff for Employees on Leave

Temporary workers will be paid at the same rate as the employee they temporarily replace. They will be hired and trained according to the schedules set out in the Leave of Absence Procedure.

These workers will be given a clear understanding of the conditions of work and pay in letters of agreement that cover the period of the substitution.

6.0 Dispute Resolution

As of writing time of this Policy, there is no active Grievance or Conflict Resolution Policy. These policies are in the process of being created and will be referred to in a future version of this policy.

If disputes arise in the application of this Policy, in the meantime, all attempts will be made to resolve them through face-to-face communication by the parties in conflict, in the presence of a third, impartial party, in accordance with the principles of the co-op, with fairness and equity.

Kootenay Coop Radio Procedure: Leave of Absence

1.0 Introduction

This procedure describes how the Policy on Leaves of Absence is applied

1.1 Related Policies or Statutes

KCR Leave of Absence Policy, BC Employment Standards, the Co-op Act; KCR; all KCR policies on hiring, conditions of work, sick benefits, and job evaluations-

1.2 Definitions

Short leaves of absence- 4 day- 8 week leaves of absence

Long leaves of absence- more than 8 week leaves of absence.

Unpaid days off—no more than three consecutive days of absence.

Employer- for type 1 positions, the employer is the Administrative Manager, for Type 2 positions, the employer is the Board of Directors, whose decisions are enacted and carried out by the Personnel Committee.

2.0 Procedure for Granting a Leave of Absence

2.1 Employees submit written requests for leaves of absence, which state both the reason for the leave and the proposed start and end dates of the leave. A Type 2 employee must submit this request to the Board of Directors, not less than 60 days before a short leave would begin and not less than 90 days before a long leave would begin; a Type 1 employee submits the same request to the Administrative Manager, not less than 30 days before the leave would begin.

2.2 A request from a type 2 employee receives rejection or preliminary approval from the Board of Directors. If approved, the request is passed to the Personnel Committee, who will meet face-to-face with the employee – to hear the request and, from this meeting, to draw up a “Conditions of Leave Agreement” that shall be signed by the employee, two members of the Personnel Committee and the chair of the Board of Directors .

2.3 For a type 1 employee, the Administrative Manager decides whether to grant the leave and is then responsible for drawing up the “Conditions of Leave Agreement” – whose contents, again, are decided during a face-to-face meeting and are made official with the signatures of the employee and the Administrative Manager.

2.4 “Conditions of Leave Agreements” must be signed before the leave begins. Copies of all “Conditions of Leave Agreements” will be kept in KCR records indefinitely.

2.4.1 “Conditions of Leave Agreement”

A conditions of leave agreement outlines mutual expectations regarding length of leave; probable date of return; proposed Job Description upon return; rate of pay upon return, as well as mention of the legal responsibilities of the employer with regard to employment standards on leave. It should provide a procedure that the employee should follow if he/she requires any of these conditions to change, as well as an explanation of the return-to-work procedure, including training, required face-to-face meeting, etc

2.4.2 Changes to the “Conditions of Leave Agreement”

The conditions to which the employee returns are subject to change only by mutual agreement between the employee and the employer, with all changes put in writing and signed by both parties in a face-to-face meeting.

3.0 Temporary Replacement of an Employee on Leave

Temporary workers are paid at the same rate, but not necessarily with the same benefits, as the employee that they temporarily replace. A clear understanding of the conditions of work and pay will be set out in a Letter of Agreement, which is provided to the temporary worker for her/him to sign before the substitution begins.

Temporary Workers are hired according to the following schedule:

3.1 For short leaves (4 days-8 weeks):

In these cases the Employee going on leave will make a recommendation for a replacement to the Personnel Committee for approval. The departing employee shall also endeavor to train the substitute during hours that are not paid by the Co-op, or during paid work hours so long as the training of the substitute does not interfere with the normal working productivity of the Employee.

3.2 For long leaves (more than 8 weeks)

In these cases the Personnel Committee might at its discretion, and through consultation with the Board, elect to post a position for the substitute and enter a hiring process. Alternatively, the Employee on Leave may propose his/her substitute to the Committee and no posting may be deemed necessary if the substitute is approved by the Committee. The Personnel Committee may elect to set up training for the substitute and offer a training wage if the learning period will be short and intensive.

4.0 Return to Work

A meeting between the employer and employee in the last month of a multi-month leave, or last week of a multi-week leave, shall be arranged to suit both parties, and a re-orientation of the employee will be arranged if that is deemed necessary.

5.0 Appeals for Conflict Resolution

As of writing time of this Procedure, there is no active Grievance or Conflict Resolution Policy. These policies are in the process of being created and will be referred to in a future version of this policy.

If disputes arise in the application of this Procedure, in the meantime, all attempts will be made to resolve them through face-to-face communication by the parties in conflict, in the presence of a third, impartial party, in accordance with the principles of the co-op, with fairness and equity.