

ATTENDANCE AND LEAVE POLICY

Policy Number:	14.125.01 20PO
Policy Review:	June 21, 2021
Policy Owner (Dept.):	Human Resources
Reference(s):	Employment Standards Code of Alberta; Employment Insurance; Pension Plan(s) Regulations; Health and Welfare Benefit Contracts

1. PURPOSE OF POLICY

- 1.1. This Policy establishes the Attendance & Leave Policy to ensure compliance with the Federal and Provincial legislation and consistency with the health and welfare benefit contracts.

2. POLICY STATEMENT

- 2.1. The City recognizes its legal obligation to ensure compliance with Federal and Provincial legislation and has the need to provide the basis for a consistent and equitable approach towards eligibility and the management of hours of work and absences from work.

3. APPLICABILITY

- 3.1. This Policy applies to all City employees except where there exists a reference and or conflict between the terms of this Policy and the terms of the Lacombe Police Association Agreement, the terms of the LPA agreement shall prevail. Lacombe Fire Department Paid On Call Members shall be governed by the Lacombe Fire Department Policies and Operational Guidelines with the exception of any of the legislated required terms contained in this Policy.
- 3.2. This Policy comes into effect upon approval of Council.

4. NON-COMPLIANCE

- 4.1. Breach of legislation and approved terms and conditions of employment for City of Lacombe Employees.

5. DEFINITIONS AND ABBREVIATIONS

- 5.1. **Anniversary Date** shall mean the date on which an employee commenced continuous employment with the City. The anniversary date is used to determine vacation entitlement.
- 5.2. **General Holidays** shall mean those holidays recognized by the City of Lacombe excluding the Statutory Holidays.
- 5.3. **Statutory Holidays** shall mean the holidays as proclaimed by the Government of Alberta.
- 5.4. **Vacation Year** shall mean the calendar year.

6. ROLES AND RESPONSIBILITIES

6.1. Council

- 6.1.1. Approve Policy.
- 6.1.2. To consider and approve material changes to the leave and entitlement provisions contained in this policy save and except any legislative or regulatory change.

6.2. Chief Administrative Officer

- 6.2.1. Ensure staff compliance with this Policy.
- 6.2.2. Approve requests for leave based on this policy.
- 6.2.3. Ensure accurate recording of hours and leave from active duty.
- 6.2.4. Manage and counsel employees on attendance in accordance with this Policy, Guidelines & Procedures.
- 6.2.5. Report or cause to have reported an accident or occupational illness to the Worker's Compensation Board within seventy-two (72) hours of notice of an injury.

6.3. Directors

- 6.3.1. To support compliance with the terms of this policy.
- 6.3.2. Approve requests for leave based on this policy.
- 6.3.3. Ensure accurate recording of hours and leave from active duty.
- 6.3.4. Manage and counsel employees on attendance in accordance with this Policy, Guidelines & Procedures.
- 6.3.5. Report or cause to have reported an accident or occupational illness to the Worker's Compensation Board within seventy-two (72) hours of notice of an injury.

6.4. Managers and Supervisors

- 6.4.1. To support compliance with the terms of this policy.
- 6.4.2. Approve requests for leave based on this policy.
- 6.4.3. Ensure accurate recording of hours and leave from active duty.
- 6.4.4. Manage and counsel employees on attendance in accordance with this Policy, Guidelines & Procedures.
- 6.4.5. Report or cause to have reported an accident or occupational illness to the Worker's Compensation Board within seventy-two (72) hours of notice of an injury.

6.5. Human Resources

- 6.5.1. Ensure this Policy meets legislative standards.
- 6.5.2. Distribute this Policy and the corresponding Guidelines and Procedures; respond to questions regarding its implementation.
- 6.5.3. Provide employees and managers with information concerning leave entitlements and utilization.
- 6.5.4. Provide clarity of any of the terms of this Policy, Guidelines and Procedures.
- 6.6. Employee/s
 - 6.6.1. Comply with this Policy.
 - 6.6.2. Attempt best efforts to be physically and mentally fit for work.
 - 6.6.3. Attend work, on time on a regular and consistent basis.
 - 6.6.4. Contact their supervisor if unable to attend work regardless of cause.
 - 6.6.5. Request leaves and provide additional information as requested in accordance with this policy.
 - 6.6.6. Report an accident or occupational illness to the employer immediately and complete the necessary forms within twenty-four (24) hours of the accident.

7. POLICY DETAILS

7.1. **Sick Leave & Disability Plans** These plans provide eligible employees with sick leave coverage due to absences related to illness/injury. The accumulation of sick leave shall be viewed in the context of insurance rather than an entitlement and shall not be a consideration for salary or wage increases or compensation in severance or retirement situations.

7.1.1. Sick Leave Bank.

7.1.1.1. Permanent employees and Term Certain employees employed for a minimum one-year term and scheduled a minimum of 18.75 hours per week earn sick leave at a rate of one day per month (pro-rated based on the number of hours worked in a year) into a Sick Leave Bank. Sick Leave Banks accrue to a maximum of 12 days. The Sick Leave Bank is used for sporadic illness, Family Responsibility Leave and/or the waiting period for Short Term Disability (STD) program.

7.1.1.2. Transitional - Employees whose Sick Leave Bank exceeds (twelve) 12 days are grandfathered and will maintain their current bank balances and will not accrue additional sick leave until such time as their Sick Leave Bank is below the maximum twelve (12) days. The standard rate of accrual of one (1) day per month to the maximum twelve (12) days will then apply.

- 7.1.1.3. Unused sick leave is carried forward to subsequent years to a maximum credit of twelve days plus any grandfathered Sick Leave.

7.1.2. Short Term Disability (STD)

- 7.1.2.1. Permanent employees, except CAO and Directors (see Salary Continuation Plan), scheduled a minimum of 18.75 hours per week are protected by a Short-term Disability Plan (STD) which provides 66 2/3%, tax free income replacement for illnesses/injuries up to a maximum of 17 weeks or 85 working days; at which time employees become eligible for coverage by the Long Term Disability (LTD) plan in accordance with the insurance contract.
- 7.1.2.2. STD premiums are paid by the City and the employee receives a taxable benefit for these premiums, resulting in the 66 2/3% benefits being non-taxable.
- 7.1.2.3. STD benefits commence after seven (7) calendar days (five working days) for illness and immediately for a non-work-related injury.
- 7.1.2.4. While on STD, the City shall pay the employee's share of Dental and Health premiums and the LAPP/RRSP contributions, and, if applicable APEX contributions.

7.1.3. Salary Continuation Plan

- 7.1.3.1. In lieu of the Sick Leave Bank and the STD Plan, the CAO and Directors are covered for illness or non-work-related injury with salary continuation for the seventeen (17) weeks LTD elimination period. Once the elimination period is served, the employee is eligible for LTD benefits in accordance with the plan requirements.

7.1.4. Long Term Disability (LTD)

- 7.1.4.1. When an employee is approved for LTD benefits, the employee may choose to continue to participate in group benefits up to a maximum period of two years from the effective date of their LTD benefit. The employee is responsible for the employee's portion of the premiums.
- 7.1.4.2. LAPP contributions may be suspended during the leave. If the member so chooses, the member will be given the opportunity to purchase the service upon their return to work. An opportunity shall be provided for the member to continue to pay their portion of the LAPP and/or APEX contributions contingent on satisfactory arrangements being made for payment and in accordance with the plan regulations.
- 7.1.4.3. Should an employee choose not to make application for Long Term Disability Benefits, or if the claim is denied and the employee is not appealing the decision; the employee's employment will be terminated.

- 7.1.4.4. Where there has been no attempt to return to work in any capacity, and in the event that an employee receiving Long Term Disability Benefits agrees to a final settlement from the benefit provider, the employee's employment and any and all employee benefits offered through the City will be immediately terminated. The City will request that any such offer include a voluntary termination of employment as a condition of the offer and, that the employee will release the City of any alleged liability or loss as a result of the settlement.
- 7.1.4.5. When an employee has not been actively at work for a period of two (2) years and seventeen (17) weeks, and where there is no indication that the situation will improve in the foreseeable future or after considering all possible options, there is no opportunity for accommodation, the employment contract will be considered to be frustrated and the employee's employment and any benefits offered through City of Lacombe will be terminated.

7.2. Modified Work

- 7.2.1. The City has a modified work program for ill and injured employees to keep them at work during their recovery and/or to return employees to their pre-injury, pre-disability occupation. Employees on STD, LTD or WCB are required to participate in any appropriate early return to work or modified return to work program supported by the employee's treating physician, benefit provider(s) and the City

7.3. Job Abandonment

- 7.3.1. Any employee absent for three (3) consecutive days without notification or written authorization for a leave will be considered to have forfeited their position with the City unless their immediate supervisor is notified prior to the end of the three (3) day period and proper acceptable documentation is provided.

7.4. Sick Leave Absences

- 7.4.1. Employees who are absent for three consecutive days or more may be required to provide a medical certificate from their doctor or qualified medical practitioner. Failure to provide the requested medical certificate may result in the absences being applied as leave without pay.
- 7.4.2. At any time the City may require an employee to provide a medical certificate from a qualified medical practitioner of the City's choosing, stating whether the employee has a medical condition, the prognosis of the condition, if there is a treatment plan in place and if the employee is following the treatment plan, fitness to be at or return to work and the specifics and duration of any physical restrictions and/or limitations.

- 7.4.3. The City may request a medical certificate at any time, if deemed necessary, due to excessive absenteeism. When a medical practitioner charges a service fee for the City requested medical certificate, the City will reimburse the employee for that service fee.
- 7.4.4. The accumulation of sick leave and vacation is suspended while the employee is on STD, LTD and/or on Sick Leave without pay, however balances at the commencement of the leave will be maintained.

7.5. Other Leaves

7.5.1. Family Responsibility Leave – Temporary Amendment due to COVID-19

- 7.5.2. The Family Responsibility leave of two days (2) sick leave per year provided for in the policy has been expanded to allow employees to utilize up to their maximum bank of twelve days (12) sick leave to provide care of their spouse, children, parents or parents-in-law, should they become ill or for a family emergency.

- 7.5.2.1. Employees will be required to complete a Request for Leave form noting the reason they are absent as Family Responsibility leave and submit the request to their manager.

- 7.5.3. This temporary amendment is effective September 14, 2020 and expires June 30, 2021. Administration will review the requirement of any ongoing modification necessary.

7.5.4. Medical/Dental Appointments

- 7.5.4.1. At the discretion of the employee's manager or designate, an employee may be allowed time off for medical, dental, and other appointments. Employees are asked to make every effort to schedule such appointments so as not to interfere with normal operations.

- 7.5.4.2. Time taken for medical and dental appointments will be deducted from the employee's sick leave entitlement as follows:

- 7.5.4.2.1. For time less than two hours no deduction

- 7.5.4.2.2. For two hours or more, time for time deduction

- 7.5.4.3. If the employee is not eligible for sick leave or does not have sufficient sick leave accrued, the employee may make up the time without exceeding the maximum daily hours or be deducted time from their pay.

7.5.5. Bereavement Leave

- 7.5.5.1. Permanent employees and Term Certain Employees employed for a minimum of one year shall be entitled to bereavement leave in the event of the death of an immediate family member.

- 7.5.5.2. Leave with pay may be granted upon application and at the discretion of the Director, for leave associated with the death of another person or relative who is not an immediate family member.
- 7.5.5.3. Employees shall be allowed leave with pay upon applying for a period of up to five working days.
 - 7.5.5.3.1. Bereavement leave for a relative – up to 5 days.
 - 7.5.5.3.2. Mourners leave – ½ shift up to a total of 1 day per year.
 - 7.5.5.3.3. Travel time - an extension of up to two days may be granted for travel in excess of 200 kilometers at the discretion and approval of the Manager or designate.
 - 7.5.5.3.4. Funeral arrangements - an extension of up to two days may be granted if the employee is required to make funeral arrangements or required to organize the return of a deceased family member from a location more than four hundred (400) kilometers from Lacombe.

7.6. Vacation Leave

- 7.6.1. It is the City's firm belief that both the employee and the employer benefit from annual paid vacations. Through rest and relaxation, vacation leave provides the employees with an opportunity for self-renewal and prepares them for the challenge of carrying out their duties within the organization

7.6.1.1. Vacation Entitlement

- 7.6.1.1.1. Permanent full-time, part-time & term certain (minimum one year) employees shall accrue vacation based on the following rates:
- 7.6.1.1.2. Upon commencement of employment the employee will accrue vacation entitlement at an annual rate of 6% (approximately three weeks).
- 7.6.1.1.3. After three years completed service, the employee will accrue vacation entitlement at an annual rate of 8% (approximately four weeks).
- 7.6.1.1.4. After ten years completed service, the employee will accrue vacation entitlement at an annual rate of 10% (approximately five weeks).
- 7.6.1.1.5. After twenty years completed service, the employee will accrue vacation entitlement at an annual rate of 12% (approximately six weeks).

7.6.1.1.6. An employee may carry over the total vacation leave to which he/she is eligible in a year, into the following year. Vacation balances that exceed the one year of annual accrual on December 31 shall be paid out at the rate in effect at December 31.

7.6.1.1.7. Vacation accrual ceases during an unpaid leave of absence.

7.6.1.1.8. Casual/seasonal/term certain (less than one year) employees shall receive vacation pay on each pay in accordance with the Employment Standards:

- Less than five years of service - 4% of wages
- Five years or more of service - 6% of wages

7.6.1.2. Vacation Buy Week

7.6.1.2.1. Permanent employees are eligible to purchase one additional vacation week per calendar year subject to the following terms and conditions:

7.6.1.2.2. Newly hired permanent employees are eligible to participate in this program in the year they are hired if their start date is prior to June 30th. Employees hired after June 30th are not eligible to participate until the next calendar year.

7.6.1.2.3. Employees carrying over one full year of vacation entitlement to the following year are ineligible to participate in the Vacation Buy Week for that year. Requests for pay out of vacation in order to qualify for the Vacation Buy program is not permitted.

7.6.2. Statutory and General Holidays

7.6.2.1. The City recognizes the following paid Statutory and General Holidays for eligible employees:

New Years Day	Victoria Day	Thanksgiving Day
Family Day	Canada Day	Remembrance Day
Good Friday	Heritage Day	Christmas Day
Easter Monday	Labour Day	Boxing Day
		Christmas Floater

7.6.2.2. And any other designated holiday which may be declared in the future by the Federal, Provincial or Municipal government.

- 7.6.2.3. Subject to departmental operational requirements, normally the Christmas Floater holiday will be scheduled:
- 7.6.2.4. On December 24, when Christmas Day falls on a Tuesday, a Thursday, a Friday or a Saturday
- 7.6.2.5. On December 27, when Christmas Day falls on a Monday, or a Wednesday
- 7.6.2.6. On December 28, when Christmas Day falls on a Sunday
- 7.6.2.7. Where December 24th (Christmas Eve) and December 31st (New Year's Eve) fall on a regularly scheduled work day, and where operational requirements permit, City staff will work until 12:00 noon and will receive a full day pay as per their regularly scheduled day. This provision does not apply to employees not present for work on these specific days for any reason, including being away on vacation.

7.6.3. Statutory/General Holiday Compensation

- 7.6.3.1. Eligibility for and payment of Statutory and General Holiday pay shall be in accordance with the Employment Standards Code and the prevailing Administrative Directive.
- 7.6.3.2. Employees required to work on the day of a holiday shall be paid one and one half times their rate of pay for hours worked, regardless of status.

7.7. Maternity and/or Parental Leave

- 7.7.1. Employees shall be entitled to maternity or parental leave in accordance with applicable legislation, both in terms of entitlements and leave periods.

7.7.1.1. Maternity Supplementary Unemployment Insurance (SUB) Plan

- 7.7.1.1.1. The City's SUB plan is available to female employees employed in permanent full-time or part-time positions. The SUB Plan benefit pays up to 95% of the employee's salary and will be paid for six (6) weeks including the EI waiting period, commencing no earlier than ten (10) weeks before the estimated date of delivery.

7.8. Personal Leave - Without Pay

- 7.8.1. The Chief Administrative Officer or designate may allow an employee leave of absence without pay for personal reasons provided such absence does not interfere with the operation of the City.
- 7.8.2. Subject to the insurer's plan requirements and approvals, during a personal leave period that exceeds one calendar month, an employee may be able to maintain coverage for health and insurance benefits. In the event the employee wishes to maintain coverage if available, they are required to pay 100% of the premiums.

- 7.8.3. During this period of leave, sick leave and vacation accruals will cease, however balances at the commencement of the leave will be maintained.
- 7.8.4. Upon returning to work the leave will be considered as continuous employment and the employee's anniversary date will remain the same.
 - 7.8.4.1. Volunteer Leave
 - 7.8.4.1.1. Employees may apply to their manager and director for up to two days leave without pay, to assist a recognized City of Lacombe educational, social, recreational, or other local not-for-profit group.
 - 7.8.4.2. Paid On Call Firefighter Leave
 - 7.8.4.2.1. The City of Lacombe encourages employee participation and membership in the Lacombe Fire Department.
 - 7.8.4.2.2. A City employee who serves as a Paid On Call Firefighter and has to attend a fire/emergency call during their regularly scheduled work hours will be compensated their regularly scheduled work rate for attending an emergency. When responding during normal work hours the employee will not receive Paid On Call Firefighter pay in addition to their regular pay.
 - 7.8.4.2.3. A City employee who serves as a Paid On Call Firefighter shall be paid at the rate established for Paid On Call Firefighters for any time served beyond his or her regularly scheduled hours of work. Time required by the Fire Department for training is the responsibility of the employee. Overtime considerations do not apply.
 - 7.8.4.2.4. City employees attending a lengthy fire call and requiring time away from their normal scheduled hours to rest shall not suffer a decrease in pay. The hours required to rest shall be considered as the fire call.
 - 7.8.4.3. Educational Leave
 - 7.8.4.3.1. To receive a diploma, degree or write an exam – up to one paid day annually.
 - 7.8.4.4. Court Leave
 - 7.8.4.4.1. An employee summoned to appear as a witness during court proceedings or to serve on jury duty shall be paid their normal rate of pay and will pay to the City any fee received. The City shall require employees to furnish a certificate of service from an

officer of the court before making any payment. Employees will be required to attend work during any hours they are not required to attend court.

7.8.4.5. Military Leave

7.8.4.5.1. As per guidelines set out by the Federal Government.

7.8.4.6. Boards and Associations

7.8.4.6.1. Permanent employees elected, appointed or seconded to an office other than with the Federal or Provincial Governments or City of Lacombe may be allowed time off without pay to attend board meetings and other functions related to the office, provided that such time off does not cause unreasonable disruption to the employee's work.

7.8.4.7. Other Legislated Leaves

7.8.4.7.1. An employee requesting consideration for any other legislated leave as proclaimed by federal or provincial statutes shall make their request directly to their manager outlining the type of leave, duration, and include any supporting documentation required.

7.8.4.7.2. Consideration of the request will be made in accordance with the prevailing legislation.

7.8.4.7.3. Subject to the insurer's plan requirements and approval, during any legislated leave that exceeds one calendar month, an employee may be able to maintain coverage for health and insurance benefits. In the event the employee wishes to maintain coverage if available, they are required to pay 100% of the premiums.

7.8.4.7.4. Pension contributions may be suspended during the leave. If the employee so chooses, the employee may be given the opportunity to purchase the service upon their return to work. Subject to the plan regulations the employee may choose to continue to pay their portion of the LAPP/APEX contributions during the period of the leave.

7.8.4.7.5. During this period of leave, sick leave and vacation accruals will cease, however balances at the commencement of the leave will be maintained.

7.8.4.7.6. Upon returning to work the leave will be considered as continuous employment and the employee's anniversary date will remain the same.

8. END OF POLICY

Original Signed

Signature of Mayor

September 14, 2020

Date

Original Signed

Signature of CAO

September 14, 2020

Date

POLICY RECORD

Approval and Amendment History

Date of Council Meeting	Council Motion Number	Description
September 14, 2020	20-312	Approve Temporary Amendment

Review History

Date of Policy Owner’s Review	Description/Action Taken or Required
September 2020	Temporary amendment to Policy to expand the Family Responsibility Leave entitlement for the period of September 14, 2020 – June 30, 2021