500 Personal Emergency Leave, All Staff

Entitlement

In accordance with the Employment Standards Act, 2000, all employees are entitled to a leave of absence because of any of the following:

- personal illness, injury or medical emergency;
- death, illness, injury, medical emergency or urgent matter relating to:
  - the employee’s spouse or same-sex partner;
  - a parent, step-parent, foster parent, child, stepchild, foster child, grandparent, step-grandparent, grandchild or step-grandchild of the employee;
  - the spouse or same-sex partner of an employee's child;
  - a brother or sister of the employee; and
  - a relative of the employee who is dependent on the employee for care or assistance.

Length and Payment for the Leave

All employees are entitled to take a total of ten (10) days of Personal Emergency Leave in each calendar year. They cannot be carried over to a new calendar year.

In each calendar year, an employee with seven (7) or more days of employment is entitled to take a total of two (2) days of paid leave and eight (8) days of unpaid leave. The paid days must be taken first in a calendar year before the unpaid days can be taken.

For employees who have been employed by the University for less than one week, they are entitled to take any of their eight (8) days of unpaid leave. Employees become eligible to take two (2) paid days of leave after they have reached one (1) week of employment.

Note that where an employee is entitled to take a paid day of Personal Emergency Leave on a day or at a time of day when overtime pay, a shift premium or both would be payable, the employee is only entitled to his or her regular rate of pay. Similarly, if the paid day of leave falls on a public holiday, the employee is not entitled to premium pay.

Procedure

In order to access the leave, employees must inform their supervisor in advance that they will be taking such leave. If extenuating circumstances prevent the employee from providing such advance notice to his/her supervisor, then the employee must inform his/her supervisor as soon as possible. The supervisor may require the employee to provide evidence that is "reasonable in the circumstances" that the employee was entitled to the leave, other than a certificate from a qualified health practitioner.

If an employee takes any part of a day as Personal Emergency Leave, the employee will be deemed to have taken one (1) day’s leave on that day. For example, if an employee takes the afternoon off as Personal Emergency Leave, they will have one full-day deducted from his/her emergency leave allotment.

Offsetting Against Contractual Entitlements

Where an employee receives a paid contractual entitlement (under either a University Policy or a Collective Agreement) that is directly related to the purposes of Personal Emergency Leave, the University will offset the employee’s statutory entitlement to Personal Emergency Leave with their contractual entitlement.
By way of example, if an employee who is entitled to paid sick leave and takes three (3) days of paid sick leave, pursuant to their respective Collective Agreement, Employee Group Agreement and/or Human Resources Policy, the University will offset these three (3) days against the employees entitlement to ten (10) Personal Emergency Leave days. These three (3) days will be considered, and recorded as, both paid sick leave days and Personal Emergency Leave days.

**Amendments**

The University reserves the right to modify or alter this Policy at its sole discretion.

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Links

[1] https://www.uoguelph.ca/hr/page-category/policy