

	Title:	Employment Standards Act Leave of Absence		
	Number:	HR – 010		
	Revision Date:	April 20, 2021	Approved by:	Corporate Leadership Team
	Revision Number:	1	Area:	Corporate
	Document Type:	Policy	Department:	Human Resources

**Table of Contents**

1.0 Purpose and Scope ..... 2

2.0 Application ..... 2

3.0 Legislation ..... 3

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## 1.0 Purpose and Scope

- 1.1 The City of Welland acknowledges an employee's right to leaves of absence in accordance with the Employment Standards Act, 2000 (ESA).
- 1.2 This policy applies to all eligible non-union employees and shall be administered in accordance with the ESA, as amended.
- 1.3 Bargaining Unit employees shall be entitled to ESA approved leaves, in accordance with their Collective Agreements.

## 2.0 Application

- 2.1 Employees are encouraged to provide as much notice as possible when requesting an ESA approved leave, or at minimum notice as defined in the ESA.
- 2.2 Employees must give the City notice, as defined in the ESA, of when they plan to end the leave and if they wish to change their return date to an earlier or later time.
- 2.3 Employees returning from leave will return to their former position, or a comparable position.
- 2.4 An employee who decides not to return to work at the end of their leave must give the City at least four weeks notice of their intention to resign their employment.
- 2.5 An employee's vacation entitlement is not affected by the leave.
- 2.6 For those employees in pay band 7 or higher, overtime shall be pro-rated, unless otherwise approved by the Director.
- 2.7 Paid Holidays and Floater Days shall be prorated.
- 2.8 Benefit coverage for eligible employees continues during ESA approved leaves. Employees are responsible for any premiums that they would normally pay for, if applicable.
- 2.9 Service and eligibility for benefits continue to accrue during the leave, however the period of leave does not count towards the completion of a probationary period.

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2.10 Purchase of pension service credits shall be in accordance with the terms of the OMERS pension plan.

### 3.0 Legislation

3.1 Employment Standards Act, 2000, as amended

#### Revision History

Date	Description of Change	Initials
April 21, 2021	<ul style="list-style-type: none"> <li>Replacement of Pregnancy and Parental Leave Vacation Entitlement Procedure (2017)</li> </ul>	AD